

# VILLAGE OF STICKNEY

6533 West Pershing Road  
Stickney, Illinois 60402-4048  
Phone - 708-749-4400  
Fax - 708-749-4451



**Jeff Walik**  
Village President

**Mary Hrejsa**  
**Tim Kapolnek**

**Mitchell Milenkovic**  
**Sam Savopoulos**

**Leandra Torres**  
**Jeff White**



**Audrey McAdams**  
Village Clerk

**REGULAR MEETING**  
**BOARD OF TRUSTEES**  
Stickney Village Court Room  
6533 W. Pershing Road

**Tuesday, July 2, 2019**

**7:00 p.m.**

## **Meeting Agenda**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approve Minutes of Previous Regular Meeting**
- 5. Authorize Payment of Bills**
- 6. Pass and Approve Ordinance 2019-09, "An Ordinance Amending Chapter 86, Article IV, Division 4 of the Code of Ordinances for the Village of Stickney, Regarding the Regulation and Licensing of Small Cell Facilities in the Village of Stickney, County of Cook, State of Illinois"**
- 7. Approve Resolution 12-2019, "A Resolution Authorizing and Approving a Certain Proposal From Ampstun Corporation for Certain Billing and Data Conversion Services for the Village of Stickney"**
- 8. Grant Permission for a Block Party on August 17, 2019 on the 3900 Block of Scoville**
- 9. Grant Permission for a Block Party on August 17, 2019 on the 4100 Block of Maple**
- 10. Report from the President**
- 11. Report from the Clerk**
- 12. Trustee Reports/Committee Reports**
- 13. Reports from Department Heads**
- 14. Public Comments**
- 15. Adjournment**

**Posted June 28, 2019**

**June 18, 2019**

**State of Illinois  
County of Cook  
Village of Stickney**

**The Board of Trustees of the Village of Stickney met in regular session on Tuesday, June 18, 2019, at 7:00 p.m. in the Stickney Village Hall, 6533 W. Pershing Road, Stickney, Illinois.**

**Upon the roll call, the following Trustees were present:  
Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White**

**Trustee Milenkovic moved, duly seconded by Trustee Kapolnek to approve the minutes of the previous regular session on Tuesday, June 18, 2019.**

**Upon the roll call, the following Trustees voted:  
Ayes: Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White  
Nays: None  
Absent: None  
Mayor Walik declared the motion carried.**

**Trustee White moved, duly seconded by Trustee Savopoulos that the bills, approved by the various committees of the Board, be approved for payment, and to approve warrants which authorize the Village Treasurer to draw checks to pay the bills, to be signed by the authorized signers, as provided for by the Ordinances of the Village of Stickney.**

**Upon the roll call, the following Trustees voted:  
Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White  
Nays: None  
Absent: None  
Mayor Walik declared the motion carried.**

**Trustee Kapolnek moved, duly seconded by Trustee Torres to pass and approve Ordinance 2019-07, "An Ordinance Amending Chapter 78, Section 78-311 of the Village of Stickney Municipal Code Regarding the Hotel/Motel Room Tax for the Village of Stickney, County of Cook, State of Illinois"**

**Upon the roll call, the following Trustees voted:  
Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White  
Nays: None  
Absent: None  
Mayor Walik declared the motion carried.**

**Prior to the vote the Mayor explained that the next two Ordinances are just housekeeping to just update things.**

Trustee White moved, duly seconded by Trustee Hrejsa to pass and approve Ordinance 2019-08, "An Ordinance Creating Chapter 78, Article XIII of the Village of Stickney Municipal Code Regarding the Adoption of a Food and Beverage Tax for the village of Stickney, County of Cook, State of Illinois"

Upon the roll call, the following Trustees voted:

Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

Nays: None

Absent: None

Mayor Walik declared the motion carried.

Trustee Savopoulos moved, duly seconded by Trustee Torres to Approve Resolution 11-2019, "A Resolution Authorizing and Approving Payment of a Certain Estimate for Installation of High Efficiency Lighting with Twin Supplies, LTD for the Village of Stickney."

Upon the roll call, the following Trustees voted:

Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

Nays: None

Absent: None

Mayor Walik declared the motion carried.

Prior to the vote the Mayor explained that we are redoing all the lights around the building. A lot of them are out. They are expensive to repair or replace. We are going to all LED. We will receive \$5,000 from a program with Com Ed. We will receive our money in energy cost savings within a year and a half.

**MAYOR'S REPORT:** Mayor Walik continued talking about the LED lighting. The streets and alleys are complete. There were separate bids and this is the cheapest one for the Village Hall. We will next focus on the either the fire department or public works. The police department is good for right now. We do have the bids. We will slowly work them into the budget. In addition, the Mayor reminded the audience of the Senior luncheon on June 24 at the clinic.

**CLERK'S REPORT:** The clerk gave another information installment on the Census. Today she spoke about where people are counted. People who do not have a usual residence, or who cannot determine one, are counted where they are present most on Census Day. Homeowners, renters and household members with one residence will be counted at this residence, even if they are not physically there on April 1, 2020 due to a temporary visit elsewhere. Children under shared-custody will be counted at the residence where they live and sleep most of the time. In cases of equally-shared custody, children will be counted where they are present on Census Day. Residents of group facilities will be counted at the facility in which they are housed or living on Census Day. College and Boarding-School Students living on campus or in off-campus housing will be counted at school facilities or at their off-campus housing, even if they visit home on holidays and breaks. If they commute, they will be counted at their usual residence.

**TRUSTEE REPORTS:** Trustee Hrejsa reminded people of Music in the Park. Details were given.

Trustee Kapolnek thanked the board and Public Works for putting up the solar stop signs for making it safer for the kids.

Trustee Torres reminded people of the Village-Wide-Garage Sale to be held on Saturday, July 27 and Sunday, July 28 from 9:00 a.m. to 2:00 p.m. People can register at the Village Hall so they could be added to a list of all the addresses participating. On the second board meeting in July, our Stickney Township Animal Warden will be making a presentation about animal control at that board meeting.

Trustee Milenkovic informed the people of the Tree Board Meeting on June 19, 2019 at 3:30 p.m. They will discuss the Tree Grant and the Tree Lottery. He will have a report on that at our next board meeting.

Trustee White gave notification of Com Ed doing their annual trimming of trees in the Village. He alerted people of a telephone scam concerning Social Security. Fire Works were discussed. Fire Works are illegal in the Village. People could be fined as much as \$500. He reminded people to get building permits when they are having work done in the Village. This way you will know that the contractor is licensed and bonded.

#### DEPARTMENT REPORTS:

Public Works Director Joe Lopez told us that the sweeper is up and running. We are keeping up with the grass.

Police Chief Dan Babich reminded people about scams. He told people not to give any information. Do not send them any money. Contact the police department. They are doing it by computers and by phones. Somehow they are gathering information such as if you are staying at certain hotels. They are getting your next of kin information or sons or daughters information. They are gathering this information about you and they are playing you. They could alarm you that a family member is in trouble and they are going to jail unless you pay them money. In other news, the kids are out of school. He asked people to stay alert. A warning was given concerning fireworks. It is often said in the police department that the worse two days to work is New Year's Eve and The 4<sup>th</sup> of July. He worked the last two 4<sup>th</sup> of Julys. He came toe to toe with a group of 15 individuals over fireworks. It is a war zone. There were four men working that shift. When the fireworks are big we will go after them. We can ticket them. Some people say that "we" are not patriotic. He explained that it is rough out there.....especially when people have been drinking all day. They have been saving this stuff all year to send up into the sky.

Deputy Fire Chief Andrea Acosta discussed that we are one month into the new Cicero Dispatch Center. She elaborated on a feature with the system called CAD. It allows the dispatch center to send pertinent information to the fire department while they are in route. Updates can be given on the situation concerning medical or fire. They could have medical information previously uploaded on certain people such as if they are on oxygen etc. Business information can be uploaded concerning unique identifiers such as locations of doors. It is also a resource of gathering information on frequency of calls to a location. This tool can be used to refine causes of calls. The mayor said that the police also use CAD.

Ed Bartunek of the Tree Committee informed us that he attended a class at the Morton Arboretum on the lingering ASH tree. And yes, we will be receiving the grant.

There being no further business, Trustee White moved, duly seconded by Trustee Savopoulos that the meeting be adjourned. Upon which the Board adopted the motion at 7:17 p.m.

Respectfully submitted,

\_\_\_\_\_  
Audrey McAdams, Village Clerk

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Jeff Walik, Mayor

**Village of Stickney**  
**Warrant Number 19-20 -05**

EXPENDITURE APPROVAL LIST  
 FOR CITY COUNCIL MEETING ON  
 2-Jul-19

Approval is hereby given to have the Village Treasurer of Stickney, Illinois pay to the officeres, employees, independent contractors, vendors and other providers of goods and services in the indicated amounts as set forth.

A summary indicating the source of funds used to pay the above is as follows:

01 CORPORATE FUND		67,885.47
02 WATER FUND		42,329.72
03 MOTOR FUEL TAX FUND		-
05 1505 FUND		-
07 POLICE REVENUE SHARING FUND		-
08 CAPITAL PROJECTS FUND		22,703.52
09 BOND & INTEREST FUND		-
	Subtotal:	<u>132,918.71</u>
General Fund Payroll	7/1/2019	154,672.77
Water Fund Payroll	7/1/2019	<u>10,872.00</u>
	Subtotal:	<u>165,544.77</u>
Total to be Approved by Village Council		<u>298,463.48</u>

Approvals:

\_\_\_\_\_  
 Jeff Walik, Mayor

\_\_\_\_\_  
 Audrey McAdams, City Clerk

\_\_\_\_\_  
 Paul Nosek, Treasurer

**VOS\_41665\_Village of Stickney**  
 Check/Voucher Register - Check Register  
 01 - General Fund  
 From 6/19/2019 Through 6/28/2019

Check Number	Vendor Name	Effective Date	Check Amount
500811	Aftermath	6/20/2019	105.00
500812	Alice Training Institute LLC	6/20/2019	1,190.00
500813	AMJ Spectacular Events	6/20/2019	3,510.00
500814	Anthony T. Bertuca	6/20/2019	700.00
500815	Autotime	6/20/2019	3,485.99
500816	Bell Fuels, Inc.	6/20/2019	2,110.90
500817	Bluders Tree Service & Landscaping	6/20/2019	4,800.00
500818	Bob Kuntz	6/20/2019	600.00
500819	CDW Government	6/20/2019	22.93
500820	Comcast	6/20/2019	123.85
500821	Eckert Enterprises, Inc.	6/20/2019	2,082.30
500822	EMCOR SERVICES	6/20/2019	568.30
500823	EMS Data Systems, Inc.	6/20/2019	350.00
500824	ESO Solutions, Inc.	6/20/2019	300.00
500825	Essential Lighting	6/20/2019	150.00
500826	ETP LABS INC.	6/20/2019	76.00
500827	Expert Details LLC	6/20/2019	180.00
500828	Health Endeavors SC	6/20/2019	7,047.00
500829	Helson's Garage Door Store, Ltd.	6/20/2019	895.00
500830	Jack's Inc.	6/20/2019	79.95
500831	Jerry Armstrong	6/20/2019	350.00
500832	JET BRITE CAR WASH	6/20/2019	63.00
500833	Local Lawn	6/20/2019	350.00
500834	Medical Reimbursement Serviced	6/20/2019	1,044.77
500835	Minuteman Press of Lyons	6/20/2019	217.42
500836	MPC COMMUNICATIONS & LIGHTING ...	6/20/2019	675.00
500837	Municipal Code Corporation	6/20/2019	450.00
500838	NAPA AUTO PARTS	6/20/2019	364.62
500839	Office Depot Business Credit	6/20/2019	118.55
500840	O'Reilly's Flowers	6/20/2019	74.95
500841	Ozinga Ready Mix Concrete, Inc.	6/20/2019	1,233.25
500843	RAY O'HERRON CO. INC.	6/20/2019	257.00
500844	Ready Refresh	6/20/2019	25.99
500845	Richard Jaczak	6/20/2019	36.00
500846	Steve Kopis	6/20/2019	400.00
500847	Tony Polumbo	6/20/2019	400.00
500849	Arbor Day Foundation	6/25/2019	15.00
500850	Bell Fuels, Inc.	6/25/2019	3,570.84
500851	Bluders Tree Service & Landscaping	6/25/2019	1,650.00
500852	Call One	6/25/2019	6,480.34
500853	CASSIDY TIRES & SERVICE	6/25/2019	177.94
500854	CINTAS	6/25/2019	111.98
500855	Comcast	6/25/2019	141.85
500856	ComEd	6/25/2019	3,575.90
500858	Costco - Citicard	6/25/2019	808.88
500859	CPURX, Inc.	6/25/2019	1,833.86
500861	Esther J. Perez	6/25/2019	100.00
500862	Freeway Ford - Sterling Truck Sales, Inc.	6/25/2019	319.90
500863	Jack Phelan	6/25/2019	657.60
500864	Johnson Controls Security Solutions	6/25/2019	470.00
500865	Laner Muchin	6/25/2019	876.82
500866	Lehigh Hanson	6/25/2019	1,570.21
500867	Lexipol, LLC	6/25/2019	5,684.00
500868	Major Appliance Service, Inc.	6/25/2019	213.75
500869	Menards - Hodgkins	6/25/2019	857.03

**VOS\_41665\_Village of Stickney**  
Check/Voucher Register - Check Register  
01 - General Fund  
From 6/19/2019 Through 6/28/2019

<u>Check Number</u>	<u>Vendor Name</u>	<u>Effective Date</u>	<u>Check Amount</u>
500871	Sam Savopoulos	6/25/2019	115.61
500872	SealMaster	6/25/2019	2,301.19
500873	Shark Shredding, Inc.	6/25/2019	42.00
500874	Shorewood Home & Auto, Inc.	6/25/2019	1,475.75
500875	Thomas Fleming Company	6/25/2019	287.00
500877	Westfield Ford, Inc.	6/25/2019	110.25
	Total 01 - General Fund		67,885.47



**VOS\_41665\_Village of Stickney**  
Check/Voucher Register - Check Register  
02 - Water Fund  
From 6/19/2019 Through 6/28/2019

<u>Check Number</u>	<u>Vendor Name</u>	<u>Effective Date</u>	<u>Check Amount</u>
500810	Sutton Ford	6/20/2019	40,261.00
500816	Bell Fuels, Inc.	6/20/2019	120.62
500835	Minuteman Press of Lyons	6/20/2019	277.36
500842	Pollwardwater	6/20/2019	0.00
500848	UNITED STATES POSTAL SERVICE	6/20/2019	336.75
500850	Bell Fuels, Inc.	6/25/2019	204.05
500857	Corporate Mailing Service, Inc.	6/25/2019	210.00
500859	CPURX, Inc.	6/25/2019	684.94
500870	Pollwardwater	6/25/2019	0.00
500876	UNITED STATES POSTAL SERVICE	6/25/2019	235.00
	Total 02 - Water Fund		42,329.72

**VOS\_41665\_Village of Stickney**  
Check/Voucher Register - Check Register  
08 - Capital Projects Fund  
From 6/19/2019 Through 6/28/2019

<u>Check Number</u>	<u>Vendor Name</u>	<u>Effective Date</u>	<u>Check Amount</u>
500860	Dell Marketing L.P.	6/25/2019	<u>22,703.52</u>
	Total 08 - Capital Projects Fund		<u>22,703.52</u>
Report Total			<u><u>132,918.71</u></u>

**ORDINANCE NO. 2019-09**

**AN ORDINANCE AMENDING CHAPTER 86, ARTICLE IV, DIVISION 4 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF STICKNEY, REGARDING THE REGULATION AND LICENSING OF SMALL CELL FACILITIES IN THE VILLAGE OF STICKNEY, COUNTY OF COOK, STATE OF ILLINOIS.**

**WHEREAS**, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; 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") are committed to ensuring the health, safety and welfare of individuals residing in, working in and visiting the Village; and

**WHEREAS**, the Illinois General Assembly recently enacted Public Act 100-0585, known as the Small Wireless Facilities Deployment Act (the "Act"), which became effective on June 1, 2018; and

**WHEREAS**, the Village in Chapter 86, Article IV, Division 4 of the Village of Stickney Code of Ordinances (the "Village Code"), previously enacted regulations related to small cell antennas/towers in the right-of-way (the "Existing Regulations"); and

**WHEREAS**, the Village is authorized, under existing State and federal law, to enact appropriate regulations and restrictions relative to small wireless facilities, distributed antenna systems and other personal wireless telecommunication facility installations in the public right-of-way as long as it does not conflict with State and federal law; and

**WHEREAS**, the Act sets forth the requirements for the collocation of small wireless facilities by local authorities; and

**WHEREAS**, to ensure compliance with State and federal law, the Corporate Authorities find that it is in the best interest of the Village to repeal the Existing Regulations and replace them with the regulations as set forth below;

**WHEREAS**, in light of the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to amend Chapter 86, Article IV, Division 4 of the Village Code as set forth herein;

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

**ARTICLE I.  
IN GENERAL**

**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 amend Chapter 86, Article IV, Division 4 of the Village Code to repeal the Existing Regulations and replace them with the regulations as set forth below, and to authorize the President or his designee to take all actions necessary to carry out the intent of this Ordinance.

**ARTICLE II.  
AMENDMENT OF CHAPTER 86, ARTICLE IV, DIVISION 4 OF THE MUNICIPAL CODE,  
VILLAGE OF STICKNEY, ILLINOIS**

**SECTION 3. AMENDMENT OF CHAPTER 86, ARTICLE IV, DIVISION 4**

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 86, Article IV, Division 4 by striking out any language to be removed or repealed and underlining any new language as follows:

**CHAPTER 86. UTILITIES, ARTICLE IV. CONSTRUCTION OF UTILITIES IN THE  
RIGHT OF WAY, DIVISION 4. SMALL CELL ANTENNAS/TOWERS IN THE RIGHT OF  
WAY**

**Division 4. Small Cell Antennas and Towers in the Right of Way.**

**Sec. 86-330. Purpose and Scope**

The purpose of this Ordinance is to establish regulations, standards and procedures for the siting and collocation of small wireless facilities on rights-of-way within the Village's jurisdiction, or outside the rights-of-way on property zoned by the Village exclusively for commercial or industrial use, in a manner that is consistent with the Act.

This Ordinance supersedes all Ordinances or parts of Ordinances adopted prior hereto that are in conflict herewith, to the extent of such conflict.

In the event that applicable federal or State laws or regulations conflict with the requirements of this Ordinance, the wireless provider shall comply with the requirements of this Ordinance to the maximum extent possible without violating federal or State laws or regulations.

**Sec. 86-331. Definitions.**

For the purposes of this Chapter, the following terms shall have the following meanings:

Antenna means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.

Applicable codes mean the uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to those codes, including the National Electric Safety Code.

Applicant means any person who submits an application and is a wireless provider.

Application means a request submitted by an applicant to the Village for a permit to collocate small wireless facilities, and a request that includes the installation of a new utility pole for such collocation, as well as any applicable fee for the review of such application.

Collocate or collocation means to install, mount, maintain, modify, operate, or replace wireless facilities on or adjacent to a wireless support structure or utility pole.

Communications service means cable service, as defined in 47 U.S.C. 522(6), as amended; information service, as defined in 47 U.S.C. 153(24), as amended; telecommunications service, as defined in 47 U.S.C. 153(53), as amended; mobile service, as defined in 47 U.S.C. 153(53), as amended; or wireless service other than mobile service.

Communications service provider means a cable operator, as defined in 47 U.S.C. 522(5), as amended; a provider of information service, as defined in 47 U.S.C. 153(24), as amended; a telecommunications carrier, as defined in 47 U.S.C. 153(51), as amended; or a wireless provider.

FCC means the Federal Communications Commission of the United States.

Fee means a one-time charge.

Historic district or historic landmark means a building, property, or site, or group of buildings, properties, or sites that are either (i) listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register, the individual who has been delegated the authority by the federal agency to list properties and determine their eligibility for the National Register, in accordance with Section VI.D.1.a.i through Section VI.D.1.a.v of the Nationwide Programmatic Agreement codified at 47 CFR Part 1, Appendix C; or (ii) designated as a locally landmarked building, property, site, or historic district by an ordinance adopted by the Village pursuant to a preservation program that meets the requirements of the Certified Local Government Program of the Illinois State Historic Preservation Office or where such certification of the preservation program by the Illinois State Historic Preservation Office is pending.

Law means a federal or State statute, common law, code, rule, regulation, order, or local ordinance or resolution.

Micro wireless facility means a small wireless facility that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, no longer than 11 inches.

Municipal utility pole means a utility pole owned or operated by the Village in public rights-of-way.

Permit means a written authorization required by the Village to perform an action or initiate, continue, or complete a project.

Person means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization.

Public safety agency means the functional division of the federal government, the State, a unit of local government, or a special purpose district located in whole or in part within this State, that provides or has authority to provide firefighting, police, ambulance, medical, or other emergency services to respond to and manage emergency incidents.

Rate means a recurring charge.

Right-of-way means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, or utility easement dedicated for compatible use. Right-of-way does not include Village-owned aerial lines.

Small wireless facility means a wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than 6 cubic feet; and (ii) all other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than 25 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

Utility pole means a pole or similar structure that is used in whole or in part by a communications service provider or for electric distribution, lighting, traffic control, or a similar function.

Wireless facility means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including: (i) equipment associated with wireless communications; and (ii) radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. Wireless facility includes small wireless facilities. Wireless facility does not include: (i) the structure or improvements on, under, or within which the equipment is collocated; or (ii) wireline backhaul facilities, coaxial or fiber optic cable that is between wireless support structures or utility poles or coaxial, or fiber optic cable that is otherwise not immediately adjacent to or directly associated with an antenna.

Wireless infrastructure provider means any person authorized to provide telecommunications service in the State that builds or installs wireless communication transmission equipment, wireless facilities, wireless support structures, or utility poles

and that is not a wireless services provider but is acting as an agent or a contractor for a wireless services provider for the application submitted to the Village.

Wireless provider means a wireless infrastructure provider or a wireless services provider.

Wireless services mean any services provided to the general public, including a particular class of customers, and made available on a nondiscriminatory basis using licensed or unlicensed spectrum, whether at a fixed location or mobile, provided using wireless facilities.

Wireless services provider means a person who provides wireless services.

Wireless support structure means a freestanding structure, such as a monopole; tower, either guyed or self-supporting; billboard; or other existing or proposed structure designed to support or capable of supporting wireless facilities. Wireless support structure does not include a utility pole.

### **Sec. 86-332. Regulation of Small Wireless Facilities.**

- (A) Permitted Use. Small wireless facilities shall be classified as permitted uses and subject to administrative review, except as provided in paragraph (I) of Section 86-333 regarding Height Exceptions or Variances, but not subject to zoning review or approval if they are collocated (i) in rights-of-way in any zoning district, or (ii) outside rights-of-way in property zoned exclusively for commercial or industrial use.
- (B) Permit Required. An applicant shall obtain one or more permits from the Village to collocate a small wireless facility. An application shall be received and processed, and permits issued shall be subject to the following conditions and requirements:
- (1) Application Requirements. A wireless provider shall provide the following information to the Village, together with the Village's Small Cell Facilities Permit Application, as a condition of any permit application to collocate small wireless facilities on a utility pole or wireless support structure:
    - (a) Site specific structural integrity and, for a municipal utility pole, make-ready analysis prepared by a structural engineer, as that term is defined in Section 4 of the Structural Engineering Practice Act of 1989; and
    - (b) The location where each proposed small wireless facility or utility pole would be installed and photographs of the location and its immediate surroundings depicting the utility poles or structures on which each proposed small wireless facility would be mounted or location where utility poles or structures would be installed. This should include a depiction of the completed facility; and
    - (c) Specifications and drawings prepared by a structural engineer, as that term is defined in Section 4 of the Structural Engineering Practice Act of 1989, for each proposed small wireless facility covered by the application as it is proposed to be installed; and

- (d) The equipment type and model numbers for the antennas and all other wireless equipment associated with the small wireless facility; and
- (e) A proposed schedule for the installation and completion of each small wireless facility covered by the application, if approved; and
- (f) Certification that the collocation complies with the Collocation Requirements and Conditions contained herein, to the best of the applicant's knowledge; and
- (g) In the event that the proposed small wireless facility is to be attached to an existing pole owned by an entity other than the Village, the wireless provider shall provide legally competent evidence of the consent of the owner of such pole to the proposed collocation.

(2) Application Process. The Village shall process applications as follows:

- (a) The first completed application shall have priority over applications received by different applicants for collocation on the same utility pole or wireless support structure.
- (b) An application to collocate a small wireless facility on an existing utility pole or wireless support structure, or replacement of an existing utility pole or wireless support structure shall be processed on a nondiscriminatory basis and shall be deemed approved if the Village fails to approve or deny the application within 90 days after the submission of a completed application.

However, if an applicant intends to proceed with the permitted activity on a deemed approved basis, the applicant shall notify the Village in writing of its intention to invoke the deemed approved remedy no sooner than 75 days after the submission of a completed application.

The permit shall be deemed approved on the latter of the 90th day after submission of the complete application or the 10th day after the receipt of the deemed approved notice by the Village. The receipt of the deemed approved notice shall not preclude the Village's denial of the permit request within the time limits as provided under this Ordinance.

- (c) An application to collocate a small wireless facility that includes the installation of a new utility pole shall be processed on a nondiscriminatory basis and deemed approved if the Village fails to approve or deny the application within 120 days after the submission of a completed application.

However, if an applicant intends to proceed with the permitted activity on a deemed approved basis, the applicant shall notify the Village in writing of its intention to invoke the deemed approved remedy no sooner than 105 days after the submission of a completed application.



The permit shall be deemed approved on the latter of the 120th day after submission of the complete application or the 10th day after the receipt of the deemed approved notice by the Village. The receipt of the deemed approved notice shall not preclude the Village's denial of the permit request within the time limits as provided under this Ordinance.

- (d) The Village shall deny an application which does not meet the requirements of this Ordinance.

If the Village determines that applicable codes, ordinances or regulations that concern public safety, or the Collocation Requirements and Conditions contained herein require that the utility pole or wireless support structure be replaced before the requested collocation, approval shall be conditioned on the replacement of the utility pole or wireless support structure at the cost of the provider.

The Village shall document the basis for a denial, including the specific code provisions or application conditions on which the denial is based, and send the documentation to the applicant on or before the day the Village denies an application.

The applicant may cure the deficiencies identified by the Village and resubmit the revised application once within 30 days after notice of denial is sent to the applicant without paying an additional application fee. The Village shall approve or deny the revised application within 30 days after the applicant resubmits the application or it is deemed approved. Failure to resubmit the revised application within 30 days of denial shall require the applicant to submit a new application with applicable fees, and recommencement of the Village's review period.

The applicant must notify the Village in writing of its intention to proceed with the permitted activity on a deemed approved basis, which may be submitted with the revised application.

Any review of a revised application shall be limited to the deficiencies cited in the denial. However, this revised application does not apply if the cure requires the review of a new location, new or different structure to be collocated upon, new antennas, or other wireless equipment associated with the small wireless facility.

- (e) *Pole Attachment Agreement.* Within 30 days after an approved permit to collocate a small wireless facility on a municipal utility pole, the Village and the applicant shall enter into a Master Pole Attachment Agreement, provided by the Village for the initial collocation on a municipal utility pole by the applicant. For subsequent approved permits to collocate on a small wireless facility on a municipal utility pole, the Village and the applicant shall enter into a License Supplement of the Master Pole Attachment Agreement.

- (3) Completeness of Application. Within 30 days after receiving an application, the Village shall determine whether the application is complete and notify the applicant. If an application is incomplete, the Village must specifically identify the missing information. An application shall be deemed complete if the Village fails to provide notification to the applicant within 30 days after all documents, information and fees specifically enumerated in the Village's permit application form are submitted by the applicant to the Village.

Processing deadlines are tolled from the time the Village sends the notice of incompleteness to the time the applicant provides the missing information.

- (4) Tolling. The time period for applications may be further tolled by:
- (a) An express written agreement by both the applicant and the Village;  
or
  - (b) A local, State or federal disaster declaration or similar emergency that causes the delay.
- (5) Consolidated Applications. An applicant seeking to collocate small wireless facilities within the jurisdiction of the Village shall be allowed, at the applicant's discretion, to file a consolidated application and receive a single permit for the collocation of up to 25 small wireless facilities if the collocations each involve substantially the same type of small wireless facility and substantially the same type of structure.

If an application includes multiple small wireless facilities, the Village may remove small wireless facility collocations from the application and treat separately small wireless facility collocations for which incomplete information has been provided or that do not qualify for consolidated treatment or that are denied. The Village may issue separate permits for each collocation that is approved in a consolidated application.

- (6) Duration of Permits. The duration of a permit shall be for a period of not less than 5 years, and the permit shall be renewed for equivalent durations unless the Village makes a finding that the small wireless facilities or the new or modified utility pole do not comply with the applicable Village codes or any provision, condition or requirement contained in this Ordinance.

If the Act is repealed as provided in Section 90 therein, renewals of permits shall be subject to the applicable Village code provisions or regulations in effect at the time of renewal.

- (7) Means of Submitting Applications. Applicants shall submit applications, supporting information and notices to the Village by personal delivery at the Village's designated place of business, by regular mail postmarked on the date due or by any other commonly used means, including electronic mail.

**Sec. 86-333. Collocation Requirements and Conditions.**

- (A) Public Safety Space Reservation. The Village may reserve space on municipal utility poles for future public safety uses, for the Village's electric utility uses, or both, but a

reservation of space may not preclude the collocation of a small wireless facility unless the Village reasonably determines that the municipal utility pole cannot accommodate both uses.

(B) *Installation and Maintenance.* The wireless provider shall install, maintain, repair and modify its small wireless facilities in safe condition and good repair and in compliance with the requirements and conditions of this Ordinance. The wireless provider shall ensure that its employees, agents or contracts that perform work in connection with its small wireless facilities are adequately trained and skilled in accordance with all applicable industry and governmental standards and regulations.

(C) *No interference with public safety communication frequencies.* The wireless provider's operation of the small wireless facilities shall not interfere with the frequencies used by a public safety agency for public safety communications. A wireless provider shall install small wireless facilities of the type and frequency that will not cause unacceptable interference with a public safety agency's communications equipment.

Unacceptable interference will be determined by and measured in accordance with industry standards and the FCC's regulations addressing unacceptable interference to public safety spectrum or any other spectrum licensed by a public safety agency. If a small wireless facility causes such interference, and the wireless provider has been given written notice of the interference by the public safety agency, the wireless provider, at its own expense, shall remedy the interference in a manner consistent with the abatement and resolution procedures for interference with public safety spectrum established by the FCC including 47 CFR 22.970 through 47 CFR 22.973 and 47 CFR 90.672 through 47 CFR 90.675.

The Village may terminate a permit for a small wireless facility based on such interference if the wireless provider is not in compliance with the Code of Federal Regulations cited in the previous paragraph. Failure to remedy the interference as required herein shall constitute a public nuisance.

(D) *Prohibited collocations.* The wireless provider shall not collocate small wireless facilities on Village utility poles that are part of an electric distribution or transmission system within the communication worker safety zone of the pole or the electric supply zone of the pole.

However, the antenna and support equipment of the small wireless facility may be located in the communications space on the Village utility pole and on the top of the pole, if not otherwise unavailable, if the wireless provider complies with applicable codes for work involving the top of the pole.

For purposes of this subparagraph, the terms "communications space", "communication worker safety zone", and "electric supply zone" have the meanings given to those terms in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

- (E) Compliance with codes. The wireless provider shall comply with all applicable codes and local code provisions or regulations that concern public safety.
- (F) Compliance with design standards. The wireless provider shall comply with written design standards that are generally applicable for decorative utility poles, or reasonable stealth, concealment and aesthetic requirements that are set forth in a Village ordinance, written policy adopted by the Village, a comprehensive plan or other written design plan that applies to other occupiers of the rights-of-way, including on a historic landmark or in a historic district.
- (G) Alternate Placements. Except as provided in this Collocation Requirements and Conditions Section, a wireless provider shall not be required to collocate small wireless facilities on any specific utility pole, or category of utility poles, or be required to collocate multiple antenna systems on a single utility pole. However, with respect to an application for the collocation of a small wireless facility associated with a new utility pole, the Village may propose that the small wireless facility be collocated on an existing utility pole or existing wireless support structure within 100 feet of the proposed collocation, which the applicant shall accept if it has the right to use the alternate structure on reasonable terms and conditions, and the alternate location and structure does not impose technical limits or additional material costs as determined by the applicant.

If the applicant refuses a collocation proposed by the Village, the applicant shall provide written certification describing the property rights, technical limits or material cost reasons the alternate location does not satisfy the criteria in this paragraph.

- (H) Height Limitations. The maximum height of a small wireless facility shall be no more than 10 feet above the utility pole or wireless support structure on which the small wireless facility is collocated.

New or replacement utility poles or wireless support structures on which small wireless facilities are collocated may not exceed the higher of:

- (1) 10 feet in height above the tallest existing utility pole, other than a utility pole supporting only wireless facilities, that is in place on the date the application is submitted to the Village, that is located within 300 feet of the new or replacement utility pole or wireless support structure and that is in the same right-of-way within the jurisdictional boundary of the Village, provided the Village may designate which intersecting right-of-way within 300 feet of the proposed utility pole or wireless support structures shall control the height limitation for such facility; or
  - (2) 45 feet above ground level.
- (I) Height Exceptions or Variances. If an applicant proposes a height for a new or replacement pole in excess of the above height limitations on which the small wireless facility is proposed for collocation, the applicant shall apply for a special use permit or variance in conformance with procedures, terms and conditions set forth in Section 12 of the Village of Stickney Code of Ordinances (the "Village Code").

- (J) Contractual Design Requirements. The wireless provider shall comply with requirements that are imposed by a contract between the Village and a private property owner that concern design or construction standards applicable to utility poles and ground-mounted equipment located in the right-of-way.
- (K) Ground-mounted Equipment Spacing. The wireless provider shall comply with applicable spacing requirements in applicable codes and ordinances concerning the location of ground-mounted equipment located in the right-of-way if the requirements include a waiver, zoning or other process that addresses wireless provider requests for exception or variance and do not prohibit granting of such exceptions or variances.
- (L) Undergrounding Regulations. The wireless provider shall comply with local code provisions or regulations concerning undergrounding requirements that prohibit the installation of new or the modification of existing utility poles in a right-of-way without prior approval if the requirements include a waiver, zoning or other process that addresses requests to install such new utility poles or modify such existing utility poles and do not prohibit the replacement of utility poles.
- (M) Collocation Completion Deadline. Collocation for which a permit is granted shall be completed within 180 days after issuance of the permit, unless the Village and the wireless provider agree to extend this period or a delay is caused by make-ready work for a municipal utility pole or by the lack of commercial power or backhaul availability at the site, provided the wireless provider has made a timely request within 60 days after the issuance of the permit for commercial power or backhaul services, and the additional time to complete installation does not exceed 360 days after issuance of the permit. Otherwise, the permit shall be void unless the Village grants an extension in writing to the applicant.

**Sec. 86.334. Application Fees.**

Application fees are imposed as follows:

- (A) Applicant shall pay an application fee of \$650 for an application to collocate a single small wireless facility on an existing utility pole or wireless support structure, and \$350 for each small wireless facility addressed in a consolidated application to collocate more than one small wireless facility on existing utility poles or wireless support structures.
- (B) Applicant shall pay an application fee of \$1,000 for each small wireless facility addressed in an application that includes the installation of a new utility pole for such collocation.
- (C) Notwithstanding any contrary provision of State law or local ordinance, applications pursuant to this Section shall be accompanied by the required application fee. Application fees shall be non-refundable.
- (D) The Village shall not require an application, approval or permit, or require any fees or other charges, from a communications service provider authorized to occupy the rights-of-way, for:

- (1) Routine maintenance; or
  - (2) The replacement of wireless facilities with wireless facilities that are substantially similar, the same size, or smaller if the wireless provider notifies the Village at least 10 days prior to the planned replacement and includes equipment specifications for the replacement of equipment consistent with subsection d. under the Section titled Application Requirements; or
  - (3) The installation, placement, maintenance, operation or replacement of micro wireless facilities suspended on cables that are strung between existing utility poles in compliance with applicable safety codes.
- (E) Wireless providers shall secure a permit from the Village to work within rights-of-way for activities that affect traffic patterns or require lane closures.

**Sec. 86-335. Exceptions to Applicability.**

Nothing in this Ordinance authorizes a person to collocate small wireless facilities on:

- (A) Property owned by a private party or property owned or controlled by the Village or another unit of local government that is not located within rights-of-way, or a privately-owned utility pole or wireless support structure without the consent of the property owner; or
- (B) Property owned, leased, or controlled by a park district, forest preserve district, or conservation district for public park, recreation or conservation purposes without the consent of the affected district, excluding the placement of facilities on rights-of-way located in an affected district that are under the jurisdiction and control of a different unit of local government as provided by the Illinois Highway Code; or
- (C) Property owned by a rail carrier registered under Section 18c-7201 of the Illinois Vehicle Code, Metra Commuter Rail or any other public commuter rail service, or an electric utility as defined in Section 16-102 of the Public Utilities Act, without the consent of the rail carrier, public commuter rail service, or electric utility. The provisions of this Ordinance do not apply to an electric or gas public utility or such utility's wireless facilities if the facilities are being used, developed and maintained consistent with the provisions of subsection (i) of Section 16-108.5 of the Public Utilities Act.

For the purposes of this subsection, "public utility" has the meaning given to that term in Section 3-105 of the Public Utilities Act. Nothing in this Ordinance shall be construed to relieve any person from any requirement (a) to obtain a franchise or a State-issued authorization to offer cable service or video service or (b) to obtain any required permission to install, place, maintain, or operate communications facilities, other than small wireless facilities subject to this Ordinance.

**Sec. 86-336. Pre-Existing Agreements.**

Existing agreements between the Village and wireless providers that relate to the collocation of small wireless facilities in the right-of-way, including the collocation of small wireless facilities on Village utility poles, that were in effect on June 1, 2018,

remain in effect for all small wireless facilities collocated on the Village's utility poles pursuant to applications submitted to the Village before June 1, 2018, subject to applicable termination provisions contained therein. Agreements entered into after June 1, 2018, shall comply with this Ordinance.

A wireless provider that has an existing agreement with the Village on the effective date of the Act may accept the rates, fees and terms that the Village makes available under this Ordinance for the collocation of small wireless facilities or the installation of new utility poles for the collocation of small wireless facilities that are the subject of an application submitted two or more years after the effective date of the Act by notifying the Village that it opts to accept such rates, fees and terms. The existing agreement remains in effect, subject to applicable termination provisions, for the small wireless facilities the wireless provider has collocated on the Village's utility poles pursuant to applications submitted to the Village before the wireless provider provides such notice and exercises its option under this paragraph.

#### **Sec. 86-337. Annual Recurring Rate.**

A wireless provider shall pay to the Village an annual recurring rate to collocate a small wireless facility on a Village utility pole located in a right-of-way that equals (i) \$200 per year or (ii) the actual, direct and reasonable costs related to the wireless provider's use of space on the Village utility pole.

If the Village has not billed the wireless provider actual and direct costs, the fee shall be \$200 payable on the first day after the first annual anniversary of the issuance of the permit or notice of intent to collocate, and on each annual anniversary date thereafter.

#### **Sec. 86-338. Abandonment.**

A small wireless facility that is not operated for a continuous period of 12 months shall be considered abandoned. The owner of the facility shall remove the small wireless facility within 90 days after receipt of written notice from the Village notifying the wireless provider of the abandonment.

The notice shall be sent by certified or registered mail, return receipt requested, by the Village to the owner at the last known address of the wireless provider. If the small wireless facility is not removed within 90 days of such notice, the Village may remove or cause the removal of such facility pursuant to the terms of its pole attachment agreement for municipal utility poles or through whatever actions are provided for abatement of nuisances or by other law for removal and cost recovery.

A wireless provider shall provide written notice to the Village if it sells or transfers small wireless facilities within the jurisdiction of the Village. Such notice shall include the name and contact information of the new wireless provider.

#### **Sec. 86-339. Dispute Resolution.**

The Circuit Court of Cook County shall have exclusive jurisdiction to resolve all disputes arising under the Small Wireless Facilities Deployment Act. Pending resolution of a dispute concerning rates for collocation of small wireless facilities on municipal utility

poles within the right-of-way, the Village shall allow the collocating person to collocate on its poles at annual rates of no more than \$200 per year per municipal utility pole, with rates to be determined upon final resolution of the dispute.

**Sec. 86-340. Indemnification.**

A wireless provider shall indemnify and hold the Village harmless against any and all liability or loss from personal injury or property damage resulting from or arising out of, in whole or in part, the use or occupancy of the Village improvements or right-of-way associated with such improvements by the wireless provider or its employees, agents, or contractors arising out of the rights and privileges granted under this Ordinance and the Act. A wireless provider has no obligation to indemnify or hold harmless against any liabilities and losses as may be due to or caused by the sole negligence of the Village or its employees or agents. A wireless provider shall further waive any claims that they may have against the Village with respect to consequential, incidental, or special damages, however caused, based on the theory of liability.

**Sec. 86-341. Insurance.**

The wireless provider shall carry, at the wireless provider's own cost and expense, the following insurance:

(A) Property insurance for its property's replacement cost against all risks;

(B) Workers' compensation insurance, as required by law;

OR

(C) Commercial general liability insurance with respect to its activities on the Village improvements or rights-of-way to afford minimum protection limits consistent with its requirements of other users of Village improvements or rights-of-way, including coverage for bodily injury and property damage.

The wireless provider shall include the Village as an additional insured on the commercial general liability policy and provide certification and documentation of inclusion of the Village in a commercial general liability policy prior to the collocation of any wireless facility.

If the Applicant is not providing such insurance to protect the contractors and subcontractors performing the work, then such contractors and subcontractors shall comply with this section.

(a) A wireless provider may self-insure all or a portion of the insurance coverage and limit requirement required by the Village. A wireless provider that self-insures is not required, to the extent of the self-insurance, to comply with the requirement for the name of additional insureds under this Section. A wireless provider that elects to self-insure shall provide to the Village evidence sufficient to demonstrate its financial ability to self-insure the insurance coverage limits required by the Village.

**Sec. 86-330. Definitions.**



For the purposes of this Division, the following terms will have the following meaning:

-

~~*Alternative Antenna Structure* shall mean an existing pole or other structure within the public right-of-way that can be used to support an antenna and is not a utility pole or a Village-owned infrastructure.~~

~~*Antenna* shall mean communications equipment that transmits or receives electromagnetic radio signals used in the provision of any type of wireless communications services.~~

~~*Applicant* shall mean any person or entity submitting an application to install personal wireless telecommunication facilities or structures to support the facilities within a public right-of-way.~~

~~*Distributed Antenna System ("DAS")* shall mean a network or facility to which all the following apply: (1) it distributes radio frequency signals to provide Wireless Service; (2) it meets the size limitations of a Small Cell Facility; and (3) it consists of all the following: (a) remote antenna nodes deployed throughout a desired coverage area; (b) a high-capacity signal transport medium connected to a central hub site; and (c) equipment located at the hub site to process or control the radio frequency signals through the antennas.~~

-

~~*Facility* shall mean all structures, devices, objects and materials (including, but not limited to, track and rails, wires, ducts, fiber optic cable antennas, Distributed Antenna Systems, Small Cell Facilities, vaults, boxes, equipment enclosures, cabinets, pedestals, poles, conduits, grates, covers, pipes, cables, and appurtenances thereto) located on, over, above, along, upon, under, across or within rights-of-way governed by this Division. For purposes of this Division, the term "facility" shall not include any facility owned or operated by the Village, unless otherwise provided herein.~~

~~*Landscape Screening* shall mean the installation at grade of plantings, shrubbery, bushes or other foliage intended to screen the base of a personal wireless telecommunication facility from public view.~~

~~*Monopole* shall mean a structure composed of a single spire, pole or tower designed and used to support antennas or related equipment and that is not a utility pole, an alternative antenna structure, or a Village-owned infrastructure.~~

~~*Personal Wireless Telecommunication Antenna* shall mean an antenna that is part of a personal wireless telecommunications facility.~~

~~*Personal Wireless Telecommunication Equipment* shall mean equipment, exclusive of an antenna, that is part of a personal wireless telecommunications facility.~~

~~*Personal Wireless Telecommunications Facility* shall mean an antenna, equipment, and related improvements used, or designed to be used, to provide wireless transmission of voice, data video streams, images, or other information including, but not limited to, cellular phone service, personal communication service, paging and Wi-Fi antenna service.~~

~~*Replace or replacement* shall mean to substitute a new facility, in its entirety, for an existing facility.~~

~~*Right-of-Way* shall mean land dedicated or utilized for a street, trail, sidewalk, utility, railroad or other similar purpose.~~

~~Small Cell Facility shall mean a Personal Wireless Telecommunications Facility consisting of an antenna and related equipment either installed singly or as part of a network to provide coverage or enhance capacity in a limited defined area. Generally, these installations are single-service provider installations. Small Cell Facilities used to provide Wireless Service shall conform to the following size limitations: (1) each antenna is located inside an enclosure of not more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all its exposed elements could fit within an enclosure of not more than six (6) cubic feet in volume; and (2) all other wireless equipment associated with the facility is cumulatively not more than twenty-eight (28) cubic feet in volume. The calculation of equipment volume shall not include electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.~~

~~Tower shall mean any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers, and that is not a utility pole, an alternative antenna structure, or a Village-owned infrastructure. Except as otherwise provided for by this Ordinance, the requirements for a tower and associated antenna facilities shall be those required in this Ordinance.~~

~~Utility Pole shall mean an upright pole designed and used to support electric cables, telephone cables, telecommunication cables, cable service cables, which are used to provide lighting, traffic control, signage or a similar function.~~

~~Variance or variation shall mean a grant of relief by the Superintendent of Public Works or his/her designee.~~

~~Village-Owned Infrastructure shall mean infrastructure in public right-of-way within the boundaries of the Village, including, but not limited to, streetlights, traffic signals, towers, structures, or buildings owned, operated or maintained by the Village.~~

~~Wi-Fi Antenna shall mean an antenna used to support Wi-Fi broadband Internet access service based on the IEEE 802.11 standard that typically uses unlicensed spectrum to enable communication between devices.~~

~~Wireless Service shall mean any telecommunications service using licensed or unlicensed wireless spectrum, whether at a fixed location or mobile, provided using Distributed Antenna Systems or Small Cell Facilities.~~

**Sec. 86-331. Permit required; permit application.**

~~A. Permit required. Permits, applications, and fees related to personal wireless facilities and applications for the same in the right of way shall be governed by of this Division; however, where this Division is silent related to certain building permit fees or licensing fees, Chapter 18 (Building and Building Regulations) and any other applicable provisions of the Village Code shall control. No person shall construct any facility on, over, above, along, upon, under, across or within any Village right-of-way which: (1) changes the location of the facility; (2) adds a new facility; (3) disrupts the right-of-way; or (4) materially increases the amount of area or space occupied by the facility on, over, above, along, under, across or within the right-of-way, without first filing an application with the Building Department and obtaining a~~

~~permit from the Village therefor, except as otherwise provided in this Division. No permit shall be required for the installation and maintenance of service connections to customers' premises where there will be no disruption of a right-of-way. All applications shall go through site review and approval with the Superintendent of Public Works or his/her designee.~~

~~B. *Permit application.* All applications for permits pursuant to this Division shall be filed on a form provided by the Village and shall be filed in such number of duplicate copies as the Village may designate.~~

~~C. *Minimum general application requirements.* The application shall be made by the Applicant or its duly authorized representative and shall contain, at a minimum, the following:~~

- ~~1. The Applicant's name, address and telephone and facsimile numbers and a statement of the Applicant's interest in the work;~~
- ~~2. The names, addresses, telephone and facsimile numbers and e-mail addresses of all professional consultants, if any, advising the Applicant with respect to the application;~~
- ~~3. A general description of the proposed work and the purposes and intent of the facility and the uses to which the facility will be put. The scope and detail of such description shall be appropriate to the nature and character of the work to be performed, with special emphasis on those matters likely to be affected or impacted by the work proposed. The scope of work shall also indicate the type of equipment or facilities being installed and whether the equipment or facilities are new, a swap out or exchange of facilities or equipment, or an upgrade to existing facilities and equipment.~~
- ~~4. Evidence that the Applicant has placed on file with the Village:
  - ~~a. A written traffic control plan demonstrating the protective measures and devices that will be employed, which shall be consistent with IDOT's Illinois Manual on Uniform Traffic Control Devices, to prevent injury or damage to persons or property and to minimize disruptions to efficient pedestrian and vehicular traffic; and~~
  - ~~b. An emergency contingency plan, which shall specify the nature of potential emergencies including, without limitation, construction and hazardous materials emergencies and the intended response by the Applicant. The intended response shall include notification to the Village and shall promote protection of the safety and convenience of the public. Compliance with ICC regulations for emergency contingency plans constitutes compliance with this Division, unless the Village finds that additional information or assurances are needed.~~~~
- ~~5. Drawings, plans and specifications showing the work proposed, including the certification of an engineer that such drawings, plans and specifications comply with applicable laws, codes, rules and regulations;~~
- ~~6. Evidence of insurance as required by Section 86-258;~~

- ~~7. Any request for a variance from one or more provisions of this Division;~~
- ~~8. Such additional information as may be reasonably required by the Village; and~~
- ~~9. Evidence that any "Certificate of Public Convenience and Necessity" or other regulatory authorization that the Applicant is required by law to obtain, or that the Applicant has elected to obtain, has been issued by the ICC or another entity with jurisdictional authority.~~

~~D. Applicant's duty to update information. Throughout the entire permit application review period and the construction period authorized by the permit, any amendments to information contained in a permit application shall be submitted by the Applicant in writing to the Village within thirty (30) calendar days after the change necessitating the amendment.~~

~~E. Application fees. Unless otherwise provided by the applicable franchise, license or similar agreement, all applications for permits pursuant to this Division shall be accompanied by a fee as reasonably determined by the Village each year. No application fee is required to be paid by any electricity utility that is paying the municipal electricity infrastructure maintenance fee pursuant to the Electricity Infrastructure Maintenance Fee Law (35 ILCS 645/15, et seq.).~~

~~**Sec. 86-332. Permitted placement; application and fees for personal wireless service in the right of way.**~~

~~A. Personal wireless telecommunication facilities will be permitted to be placed in right-of-way within the jurisdiction of the Village as attachments to existing utility poles, alternative antenna structures, or Village-owned infrastructure subject to the following regulations:~~

~~1. Number Limitation and Co-Location. The Superintendent of Public Works or his/her designee may regulate the number of personal wireless telecommunications facilities allowed on each utility pole or unit of Village-owned infrastructure except that no more than two (2) personal wireless telecommunications facilities will be permitted on utility poles or Alternative Antenna Structure of ninety (90) feet or less. Additionally, no more than three (3) personal wireless telecommunications facilities will be permitted on utility poles or Alternative Antenna Structures in excess of ninety (90) feet and less than one hundred and twenty (120) feet. This Ordinance does not preclude or prohibit co-location of personal wireless telecommunication facilities on towers or monopoles that meet the requirements as set forth elsewhere in this Division or as required by federal law. In all cases, the Applicant shall provide the longitude and latitude for the location(s) for which the Applicant is applying to place the personal wireless telecommunications facilities described in this Division.~~

~~2. Non-Interference and compliance with applicable codes. Personal wireless telecommunications facilities operating under a federal license shall not interfere in any way with any Village-owned or operated equipment or facilities or any FCC licensed or unlicensed users already having equipment on the facility, radio or other equipment at any time and shall not interfere in any way with FCC licensed or unlicensed users already having equipment on the facility, radio or other equipment placed in the right-of-way. Personal wireless telecommunications facilities shall~~

comply with all applicable rules and requirements of the Federal Communications Commission and all applicable electrical codes and all other applicable codes.

- ~~3. *Separation and Clearance Requirements.* Personal wireless telecommunication facilities may be attached to a utility pole, alternative antenna structure, monopole, or Village-owned infrastructure only where such pole, structure, or infrastructure is located no closer than twenty-five (25) feet from any residential building, excluding garages, and no closer than three hundred (300) feet from any other personal wireless telecommunication facility. These requirements shall not apply to Village-owned equipment or facilities. A separation or lesser clearance may be allowed by the Superintendent of Public Works or his/her designee as an administrative variance to this Division when the Applicant establishes that the lesser separation or clearance is necessary to close a significant coverage or capacity gap in the Applicant's services or to otherwise provide adequate services to customers, and the proposed antenna or facility is the least intrusive means to do so within the right-of-way.~~
- ~~4. *Village-Owned Infrastructure.* Personal wireless telecommunication facilities can only be mounted to Village-owned infrastructure including, but not limited to, streetlights, traffic signal, towers, or buildings, if authorized by a license or other agreement between the owner or Applicant and the Village.~~
- ~~5. *New Towers.* No new monopoles or other towers to support personal wireless telecommunication facilities in excess of sixty (60) feet are permitted to be installed on right of way within the jurisdiction of the Village unless the Village Board finds, based on clear and convincing evidence provided by the Applicant, that locating the personal wireless telecommunications facilities on the right of way is necessary to close a significant coverage or capacity gap in the Applicant's services or to otherwise provide adequate services to customers, and the proposed new monopole or other tower within the right-of-way is the least intrusive means to do so.~~
- ~~6. *Attachment Limitations.* No personal wireless telecommunication antenna or facility within the right-of-way will be attached to a utility pole, alternative antenna structure, tower, or Village-owned infrastructure unless all of the following conditions are satisfied:
  - ~~a. *Surface Area of Antenna.* The personal wireless telecommunication antenna, including antenna panels, whip antennas or dish-shaped antennas, cannot have a surface area of more than seven (7) cubic feet in volume.~~
  - ~~b. *Size of Above-Ground Personal Wireless Telecommunication Facility.* The total combined volume of all above-ground equipment and appurtenances comprising a personal wireless telecommunication facility, exclusive of the antenna itself, cannot exceed thirty-two (32) cubic feet.~~
  - ~~c. *Personal Wireless Telecommunication Equipment.* The operator of a personal wireless telecommunication facility must, whenever possible, locate the base of the equipment or appurtenances at a height of no lower than eight (8) feet above grade.~~~~

- d. ~~*Personal Wireless Telecommunication Services Equipment Mounted at Grade.*~~ In the event that the operator of a personal wireless telecommunication facility proposes to install a facility where equipment or appurtenances are to be installed at grade, screening must be installed to minimize the visibility of the facility. Screening must be installed at least three (3) feet from the equipment installed at grade and eight (8) feet from a roadway.
- e. ~~*Height.*~~ The top of the highest point of the antenna cannot extend more than ten (10) feet above the highest point of the utility pole, alternative antenna support structure, tower or Village-owned infrastructure. If necessary, the replacement or new utility pole, alternative support structure or Village-owned infrastructure located within the public right-of-way may be no more than ten to seventy (10 — 70) feet higher than existing poles adjacent to the replacement or new pole or structure, or no more than ninety (90) feet in height overall, whichever is less, and shall be of a similar look and structure of other poles within a five hundred (500) foot area.
- f. ~~*Color.*~~ A personal wireless telecommunication facility, including all related equipment and appurtenances, must be a color that blends with the surroundings of the pole, structure, tower or infrastructure on which it is mounted and use non-reflective materials which blend with the materials and colors of the surrounding area and structures. Any wiring must be covered with an appropriate cover.
- g. ~~*Antenna Panel Covering.*~~ A personal wireless telecommunication antenna may include a radome, cap, or other antenna panel covering or shield, to the extent such covering would not result in a larger or more noticeable facility and, if proposed, such covering must be of a color that blends with the color of the pole, structure, tower, or infrastructure on which it is mounted.
- h. ~~*Wiring and Cabling.*~~ Wires and cables connecting the antenna to the remainder of the facility must be installed in accordance with the electrical code currently in effect in the Village. No wiring and cabling serving the facility will be allowed to interfere with any wiring or cabling installed by a cable television or video service operator, electric utility or telephone utility.
- i. ~~*Grounding.*~~ The personal wireless telecommunication facility must be grounded in accordance with the requirements of the electrical code currently in effect in the Village.
- j. ~~*Guy Wires.*~~ No guy or other support wires will be used in connection with a personal wireless telecommunication facility unless the facility is to be attached to an existing utility pole, alternative antenna support structure, tower, or Village-owned infrastructure that incorporated guy wires prior to the date that an Applicant has applied for a permit.
- k. ~~*Pole Extensions.*~~ Extensions to utility poles, alternative support structures, towers, and Village-owned infrastructure utilized for the purpose of connecting a personal wireless telecommunications antenna and its related personal wireless telecommunications equipment must have a degree of

~~strength capable of supporting the antenna and any related appurtenances and cabling and capable of withstanding wind forces and ice loads in accordance with the applicable structural integrity standards as set forth in subsection (l) below. An extension must be securely bound to the utility pole, alternative antenna structure, tower, or Village-owned infrastructure in accordance with applicable engineering standards for the design and attachment of such extensions.~~

- ~~l. *Structural Integrity* The personal wireless telecommunication facility, including the antenna, pole extension and all related equipment must be designed to withstand a wind force and ice loads in accordance with applicable standards established in Chapter 25 of the National Electric Safety Code for utility poles, Rule 250-B and 250-C standards governing wind, ice, and loading forces on utility poles, in the American National Standards Institute (ANSI) in TIA/EIA Section 222-G established by the Telecommunications Industry Association (TIA) and the Electronics Industry Association (EIA) for steel wireless support structures and the applicable industry standard for other existing structures, which are hereby adopted for the purpose of this Division. For any facility attached to Village-owned infrastructure or, in the discretion of the Village, for a utility pole, tower, or alternative antenna structure, the operator of the facility must provide the Village with a structural evaluation of each specific location containing a recommendation that the proposed installation passes the standards described above. The evaluation must be prepared by a professional structural engineer licensed in the State of Illinois.~~
- ~~7. *Signage.* Other than signs required by federal law or regulations or identification and location markings, installation of signs on a personal wireless telecommunication facility is prohibited.~~
- ~~8. *Screening.* Screening requirements shall be treated consistently with the landscape requirements herein with the exception that the fence height shall be a minimum of six (6) feet and a maximum of eight (8) feet. Appropriate landscaping must be located and maintained and must provide the maximum achievable screening, as determined by the Village, from view of adjoining properties and public or private streets. Landscape screening when permitted in the right of way must be provided with a clearance of three (3) feet in all directions from the facility. The color of housing for ground-mounted equipment must blend with the surroundings. For a covered structure, the maximum reasonably achievable screening must be provided between such facility and the view from adjoining properties and public or private streets. In lieu of the operator installing the screening, the Village, at its sole discretion, may accept a fee from the operator of the facility for the acquisition, installation, or maintenance of landscaping material by the Village.~~
- ~~9. *Permission to Use Utility Pole or Alternative Antenna Structure.* The operator of a personal wireless telecommunication facility must submit to the Village written copies of the approval from the owner of a utility pole, monopole, or an alternative antenna structure, to mount the personal wireless telecommunication facility on that specific pole, tower, or structure, prior to issuance of the Village permit.~~

~~10. Licenses and Permits. The operator of a personal wireless telecommunication facility must verify to the Village that it has received all concurrent licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of said facility have been obtained and will be maintained within the corporate limits of the Village.~~

~~11. Variance Requirements. Each location of a personal wireless telecommunication facility within a right-of-way must meet all of the requirements of this Division, unless a variance has been obtained. An Applicant requesting a variance from one or more of the provisions of this Division must do so in writing to the Superintendent of Public Works as a part of the permit application. The request shall identify each provision of this Division from which a variance is requested and the reasons why a variance should be granted.~~

~~a. The Superintendent of Public Works shall decide, on an individual basis, whether a variance is authorized for each provision of this Division identified in the variance request. The Superintendent of Public Works may authorize a variance only if the Applicant requesting the variance has demonstrated that:~~

~~1. One or more conditions not under the control of the Applicant (such as terrain features or an irregular right-of-way line) create a special hardship that would make enforcement of the provision unreasonable, given the public purposes to be achieved by the provision; and~~

~~2. All other designs, methods, materials, locations, or facilities that would conform with the provision from which a variance is requested are impracticable in relation to the requested approach.~~

~~b. As a condition for authorizing a variance, the Superintendent of Public Works may require the Applicant requesting the variance to meet reasonable standards and conditions that may or may not be expressly contained within this Division, but which carry out the purposes of this Division.~~

~~c. Any Applicant aggrieved by any order, requirement, decision or determination, including the denial of a variance, made by the Superintendent of Public Works under the provisions of this Division shall have the right to appeal to the Village Board, or such other board or commission as may be designated by the Village Board. The application for appeal shall be submitted in writing to the Village Clerk within thirty (30) calendar days after the date of such order, requirement, decision, or determination. The Village Board shall commence its consideration of the appeal at the Village Board's next regularly scheduled meeting occurring at least seven (7) calendar days after the filing of the appeal. The Village Board shall timely decide the appeal.~~

~~12. Abandonment and Removal. Any personal wireless telecommunication facility located within the corporate limits of the Village that is not operated for a continuous period of twelve (12) months, shall be considered abandoned and the owner of the facility must remove same within ninety (90) calendar days of receipt of written notice from the Village notifying the owner of such abandonment. Such notice shall be sent by certified or registered mail, return receipt requested, by the Village to such owner~~



~~at the last known address of such owner. In the case of personal wireless telecommunication facilities attached to Village owned infrastructure, if such facility is not removed within ninety (90) calendar days of such notice, the Village may remove or cause the removal of such facility through the terms of the applicable license agreement or through whatever actions are provided by law for removal and cost recovery.~~

~~13. *Reimbursements for Costs.* The Applicant or telecommunications retailer shall be solely responsible for any and all costs incurred by the Village associated with the installation, repair, replacement, or removal of the Applicant or telecommunications provider's equipment. The costs shall include but are not limited to impact fees for street closures; costs related to traffic enforcement at the site where the installation, repair, replacement, or removal has occurred; any costs related to returning the right-of-way to its original state prior to the installation, repair, replacement, or removal of the Applicant or telecommunications provider's equipment.~~

~~B. *Application and Annual fees.*~~

- ~~1. Unless otherwise provided by the applicable franchise, license, or similar agreement, all applications for permits pursuant to this Division shall be accompanied by a fee as reasonably determined by the Village each year. The Applicant shall also reimburse the Village for any fees charged to the Village for professional services (engineering fees, legal fees, site review fees, etc.) related to the processing of the applications. The application fees are intended to reimburse the Village for its internal administrative costs related to processing the applications made under this Division.~~
- ~~2. No application fee is required to be paid by any electricity utility that is paying the municipal electricity infrastructure maintenance fee pursuant to the Electricity Infrastructure Maintenance Fee Law (35 ILCS 645/15, et seq.). However, such Applicants shall remain responsible for reimbursing the Village for the cost of its professional services employed in reviewing the application.~~
- ~~3. For the installation of a Distributed Antenna System or Small Cell Facility, a telecommunications retailer shall pay the following application fees:
  - ~~a. Two thousand dollars (\$2,000.00) for a new facility.~~
  - ~~b. Two thousand dollars (\$2,000.00) for the attachment to and, if applicable, replacement of a Village-owned facility.~~
  - ~~c. One thousand dollars (\$1,000.00) for the attachment to a utility-owned facility.~~~~
- ~~4. A telecommunications retailer that obtained a permit and installed a Distributed Antenna System or a Small Cell Facility within the Village's jurisdiction shall pay the following annual license fees:
  - ~~a. Three thousand six hundred dollars (\$3,600.00) for a new facility.~~
  - ~~b. Three thousand six hundred dollars (\$3,600.00) per attachment to and, if applicable, replacement of a Village-owned facility.~~~~

~~e. One thousand two hundred dollars (\$1,200.00) per attachment to a utility-owned facility.~~

~~5. The Village shall invoice the telecommunications retailer for such annual fee(s) due on or about January 1 of each year, and the telecommunications retailer shall pay such invoice within thirty (30) calendar days after its receipt thereof.~~

~~C. Penalty for Violations~~

~~1. Any and all persons or parties who violate the terms and provisions of this Division shall be subject to a minimum fine of \$750.00 per day. Each day shall be considered a new violation.~~

~~2. Any fine levied shall be appealable pursuant to the Illinois Administrative Review Act, 735 ILCS 5/3-101, et seq.~~

~~D. Conflict of Laws.~~

~~1. Where the conditions imposed by any provisions of this Division regarding the siting and installation of personal wireless telecommunication facilities are more restrictive than comparable conditions imposed elsewhere in any other local law, ordinance, resolution, rule or regulation, the regulations of this Division will govern; however, where this Division conflicts with federal laws or state laws pre-empting the Village's home rule powers, the federal or State laws will govern.~~

**SECTION 3.1. OTHER ACTIONS AUTHORIZED.**

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

**ARTICLE III.  
HEADINGS, SAVINGS CLAUSES, PUBLICATION,  
EFFECTIVE DATE**

**SECTION 4. HEADINGS.**

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the 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 in full force and effect immediately upon passage, approval and publication, as provided by law.

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2019.

AYES:

NAYS:

ABSENT:

ABSTENTION:

APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jeff Walik, President

ATTESTED AND FILED in my  
office this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Audrey McAdams, Village Clerk

**RESOLUTION NO. 12-2019**

**A RESOLUTION AUTHORIZING AND APPROVING A CERTAIN PROPOSAL FROM AMPSTUN CORPORATION FOR CERTAIN BILLING AND DATA CONVERSION SERVICES FOR THE VILLAGE OF STICKNEY.**

**WHEREAS**, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the Village has the authority to adopt ordinances and resolutions and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, resolutions, rules and regulations; 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") are committed to the efficient and effective operation of the Village and its services; and

**WHEREAS**, the Village is in need of certain services that include web-based billing for transactions and data conversion to ensure that it continues to efficiently and effectively operate (the "Services"); and

**WHEREAS**, the Corporate Authorities have determined that it is advisable and necessary to waive any applicable competitive bidding requirements for the Services; and

**WHEREAS**, Ampstun Corporation ("Ampstun") has provided the Corporate Authorities with a certain proposal (the "Proposal"), a copy of which is attached hereto and incorporated herein as Exhibit A, which sets forth the terms, covenants and conditions under which Ampstun will perform the Services; and

**WHEREAS**, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to authorize and approve a proposal with terms substantially the same as the Proposal; and

**WHEREAS**, the President is authorized to enter into and the Village Attorney (the "Attorney") is authorized to revise agreements for the Village making such insertions, omissions and changes as shall be approved by the President and the Attorney;

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:**

**SECTION 1: RECITALS.** The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

**SECTION 2: PURPOSE.** The purpose of this Resolution is to authorize the President or his designee to authorize and approve the Proposal whereby Ampstun will provide the Services to the Village, to waive any bidding requirement applicable to the Services, and to further authorize the President or his designee to take all steps necessary to carry out the terms of the Proposal and to ratify any steps taken to effectuate those goals.

**SECTION 3: AUTHORIZATION.** The Village Board hereby waives any bidding requirement which may be applicable to the Services, authorizes and directs the President or his designee to authorize and approve the Proposal in accordance with its terms, or any modification thereof, and to ratify any and all previous action taken to effectuate the intent of this Resolution. The Village Board authorizes and directs the President or his designee to execute the applicable Proposal, with such insertions, omissions and changes as shall be approved by the President and the Attorney. The Village Board further authorizes the President or his designee to execute any and all additional documentation that may be necessary to carry out the intent of this Resolution. 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 Resolution. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. The officers, agents and/or employees of the Village shall take all action necessary or reasonably required by the Village to carry out, give effect to and consummate the purpose of this Resolution and shall take all action necessary in conformity therewith.

**SECTION 4. HEADINGS.** The headings of the articles, sections, paragraphs and subparagraphs of this Resolution are inserted solely for the convenience of reference and form no substantive part of this Resolution nor should they be used in any interpretation or construction of any substantive provision of this Resolution.

**SECTION 5. SEVERABILITY.** The provisions of this Resolution are hereby declared to be severable and should any provision of this Resolution 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 Resolution 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 Resolution shall be effective and in full force immediately upon passage and approval as provided by law.

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

**PASSED** this \_\_\_ day of \_\_\_\_\_, 2019.

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTENTION:**

**APPROVED** by me this \_\_\_ day of \_\_\_\_\_, 2019.

---

**Jeff Walik, President**

**ATTESTED AND FILED** in my  
office this \_\_ day of  
\_\_\_\_\_, 2019.

---

**Audrey McAdams, Village Clerk**

**EXHIBIT A**



# Ampstun Corporation

PO Box 784  
Richmond, KY 40476-0784  
1-888-252-4784



May 1, 2019

## Ampstun System Proposal: Full Data Conversion Prepared for Village of Stickney

<b><u>Ampstun System - Utility Billing Module</u></b>	<b>\$9,125.00</b>
Billing module includes: Customer Care, Customer Billing, Online Payment Center, eBilling option for electronic billing, Meter Reading, Work Orders and Administrative.	
<b><u>Full Data Conversion</u></b>	<b>\$6,200.00</b>
Conversion Cost Based on: <i>2000 Accounts</i>	
Full data conversion programming includes accounts, locations, meters, and beginning balance per account, with all transaction history. The cost is calculated based on the following schedule: \$4,200 plus \$1.00 per converted account.	
<b><u>On-Site Training and Support</u></b>	<b>\$6,750.00</b>
- Ampstun Web-based System Training: Billing (3 days)	
- Ampstun Web-based System Training: Billing Follow-up (3 days)	
In person training includes: balancing, data refinement and general training. The cost of the support and training services covers the trainers' rental car and/or airfare, travel time and living expenses while on-site. <i>See proposal notes for additional details regarding training.</i>	

<b>Proposal Total</b>	<b>\$22,075.00</b>
<b>25% Down Payment</b>	<b>\$5,518.75</b>

Sign: \_\_\_\_\_

Date: \_\_\_\_\_ PO#: \_\_\_\_\_

*Proposal valid until 12/31/2019*

### Proposal Notes

This proposal is based on the following number of customers, pricing may be adjusted  
if the number of converted accounts changes significantly: **2000 Accounts**

### **Payment Terms**

Unless other payment terms are arranged, final payment for the proposal is due at the beginning of the training visit. Ampstun Corporation also requires a twenty-five percent down payment and one of the following with the acceptance of this proposal - a valid purchase order, or a letter of intent stating the proposal has been accepted and payment will be made in full when the system is installed.

### **Proposal Acceptance**

The Ampstun Corporation proposal total cost is based on the understanding that the entire proposal and all components are accepted as presented. Both parties agree that this written proposal constitutes the complete and exclusive statement of the agreement between them which supersedes all proposals, oral or written, and all other communication between them relating to the proposal scope and content. Both parties agree that all Ampstun Corporation software is provided subject to the standard Ampstun Corporation Software License Agreement shown below.

Ampstun Corporation, Inc. grants to you a non-exclusive, non-transferable license to use the software programs and related documentation in this package (collectively referred to as the "Software"). Any attempted sublicense, assignment, rental, sale or other transfer of the Software or the rights or obligations of this Software License Agreement, without the prior written consent of Ampstun Corporation, Inc., shall be void. This agreement will be governed by the laws of the Commonwealth of Kentucky.

This Software and documentation are copyrighted. Unauthorized copying, reverse engineering, decompiling, disassembling, and creating derivative works based on the Software are prohibited. Title to the Software is not transferred to you by this license. Ownership and title to the Software and to the actual contents of this package, including the copy of the Software and the media on which it is stored and the associated documentation, are retained by Ampstun Corporation, Inc. This agreement sets forth the entire agreement between parties. The terms herein may not be changed or modified except by an instrument in writing duly signed on behalf of both parties.

Ampstun Corporation, Inc. does not warrant that the Software will be free from error or will meet your specific requirements. You assume complete responsibility for decisions made or actions taken regarding selection of the Software to achieve your intended results. Ampstun Corporation, Inc. shall not be responsible for incidental, special, or consequential damages resulting from the use of this Software.

### **Ampstun Corporation Annual Support Fees**

Software updates, unlimited toll-free phone support, and remote modem support are provided to users who remain on support with Ampstun Corporation. This fee is due on the installation anniversary each year. Current pricing for annual support fees:

Billing	\$1,875
---------	---------

<b>TOTAL</b>	<b>\$1,875</b>
--------------	----------------

### **On-Site Training and Support**

When the proposal includes Ampstun Corporation software without the sale of personal computers, the customer is responsible for installing all software prior to the on-site training visit. Ampstun Corporation phone technical support is available to assist a local vendor with the installation. By accepting this proposal you agree to have your computer-networking expert(s) on site for a minimum of the first two hours (or longer if problems warrant) of the Ampstun Corporation Representative's on site "going live" visit. Any issues related to computers, networking, modem, or printing problems can be resolved quickly and efficiently. Failure on your part to meet this requirement could have a negative impact on the amount of training time that is actually available to your staff during the time allotted for the on site visit.

When the proposal includes Ampstun Corporation software and personal computers Ampstun Corporation will deliver the computers with the software installed. These procedures help to protect the on-site time for training-conversion purposes. If they are not observed then there will be a negative impact on training time.

The on-site training-conversion visit is designed to address three equally important tasks, 1) training, 2) data refinement and, 3) account balancing. In most cases these functions are carried out simultaneously throughout the on-site visit. There will always be the need for both data refinement and account balancing activities during the on-site visit.

A preliminary, tentative, planning only date for the on-site visit will be established at the time that the proposal is prepared. When there is data conversion included in the proposal the final confirmed date for the on-site visit will not be established until after the customer has signed for the acceptance of the first data conversion.

The total number of on-site days for this service is indicated in the On-Site Training and Support Services pricing section of this proposal. If additional days of conversion support and training might be desirable, these additional days can be added to the proposal before acceptance. Additional support days can also be requested during the software conversion visit. These days are charged at a rate of \$875.00 per day plus travel time and travel expenses. Lodging, meals and transportation costs for installation and training services are included in the proposal. If hand held meter reading computers are included in this proposal the amount of training for these items is included with their pricing. The on-site time quoted in this proposal is our best estimate of what will be required and should not be considered a guarantee.

In some cases the travel expense dollars included in the proposal includes an amount for airplane tickets. To get a lower fare, and to save you money, we usually purchase the ticket well in advance of the planned trip. If it becomes necessary to change the dates of travel you agree to pay the additional charges associated with the change of tickets and plans.

VILLAGE OF STICKNEY  
6533 W. PERSHING ROAD  
STICKNEY, IL 60402-4018  
708-749-4400 FAX: 708-749-4451

RECEIVED

JUN 21 2019

VILLAGE OF STICKNEY

**BLOCK PARTY APPLICATION**

**BLOCK INVOLVED:** 41ST & MAPLE

**CONTACT PERSON/ORGANIZER:**

**NAME:** RAY FROW

**ADDRESS:** 4141 MAPLE AVE

**PHONE NUMBER:** \_\_\_\_\_

**DATE OF EVENT:** ~~8-17-19~~ 8-17-19 **HOURS:** 10:00 AM - 10:00 PM

**STREETS TO BE BLOCKED OFF:**

42ND & 41ST MAPLE

**WILL THERE BE A BAND, DISC JOCKEY OR ANY AMPLIFIED MUSIC OR ANNOUNCEMENTS?**

**YES:**  **NO:**

**IF YES, NAME OR THE BAND OR DISC JOCKEY:**

RAY FROW

**NOTE: HOURS FOR THE BLOCK PARTY ARE LIMITED FROM 10:00 a.m. UNTIL 10:00 p.m.**

**AT THE CLOSE OF THE BLOCK PARTY, THE ORGANIZER MUST CLEAN UP AND RESTORE ALL PUBLIC PROPERTY TO THE CONDITION THAT IT WAS IN PRIOR TO THE BLOCK PARTY.**

