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**VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 1015

**AN ORDINANCE AUTHORIZING AND APPROVING A CERTAIN
PAYOUT REQUEST IN CONNECTION WITH THE "2006 50/50
SIDEWALK PROGRAM" IN THE VILLAGE OF MELROSE PARK,
COUNTY OF COOK, STATE OF ILLINOIS.**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF MELROSE PARK**

THIS 8TH DAY OF JANUARY 2007

**RONALD M. SERPICO, Village President
MARY ANN PAOLANTONIO SALEMI, Village Clerk**

Board Of Trustees

**JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
THOMAS KLEIN
RUBEN LOMELI
ARTURO J. MOTA
ANTHONY J. PRIGNANO**

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**Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 9TH day of JANUARY 2007**

ORDINANCE NO. 1015

AN ORDINANCE AUTHORIZING AND APPROVING A CERTAIN PAYOUT REQUEST IN CONNECTION WITH THE "2006 50/50 SIDEWALK PROGRAM" IN THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

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WHEREAS, the Village of Melrose Park, County of Cook, State of Illinois (the "Village") is a duly organized and existing village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the Village; and

WHEREAS, the Village President, the Honorable Ronald M. Serpico (the "President"), the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, and the Village Board of Trustees, namely, the Honorable John S. Conteduca, Cathleen Cossident Italia, Tom "T.K." Klein, Ruben Lomeli, Trustee Arturo J. Mota and Anthony J. Prignano (the "Board of Trustees"), all having taken office on May 2, 2005, constitute the duly elected, qualified and acting officials of the Village (collectively, the President and Village Board constitute the "Corporate Authorities"); and

WHEREAS, the Village previously entered into an agreement with Kings Point General Cement, Inc., located at 920 County Line Road, Bensenville, IL 60106, ("Kings Point") via Val Ricci its president, whereby Kings Point was to improve certain municipal sidewalks within the Village in conjunction with a program referred to as "2006 50/50 Sidewalk Program; MF Section 06-0000-01-GM; EHE No. 600-06-14203" (the "Sidewalk Program"); and

WHEREAS, Kings Point submitted its "Payment Estimate No. 2 and Final" (the "Request for Payment"), dated December 6, 2006, in the amount of Nine Thousand, Seventy Five and 76/100 U.S. Dollars (\$9,075.76), pursuant to its agreement with the Village for construction services rendered in conjunction with the Sidewalk Program; the Request for Payment is attached hereto as Exhibit "A" and made a part hereof by this reference; and

WHEREAS, the Village Engineer recommended that the Request for Payment be approved, subject to certain qualifications and review, and has submitted its recommendation, dated December 8, 2006, to the Corporate Authorities, a copy of which is attached hereto as Exhibit "B" and made a part hereof; and

NOW, THEREFORE, BE IT ORDAINED by the Village President and the Board of Trustees of the Village of Melrose Park, County of Cook, State of Illinois, as follows:

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

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

Section 02. Purpose.

The purpose of this Ordinance is to approve the Request for Payment.

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to this Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

**ARTICLE II.
AUTHORIZATION FOR PAYMENT APPLICATION**

Section 05. Approval for Payment Application Request.

That the Request for Payment is hereby approved in substantially the same form, specifications and amount as particularly described in Exhibit "A" and as modified by Exhibit "B".

Section 06. 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 transactions contemplated by this Ordinance and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any documents required to be delivered in connection with the Request for Payment.

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

Section 07. Headings.

The headings for the articles, sections, paragraphs and sub-paragraphs 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 provisions of this Ordinance.

Section 08. Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part 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. It is hereby declared to be the legislative intent of the Corporate Authorities that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof been included.

Section 09. Superseder.

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

Section 10. 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.

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Section 11. Effective Date.

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

On The Individual Poll And Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Italia, Trustee Klein, Trustee Lomeli,
Trustee Mota, Trustee Prignano

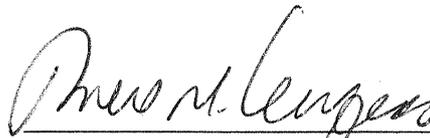
NAY VOTES:

ABSTAIN:

ABSENT: Trustee Conteduca

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS
EIGHTH DAY OF JANUARY, 2007 A.D.

APPROVED:



RONALD M. SERPICO,
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: January 8, 2007
Published in pamphlet form: January 9, 2007