

=====

VILLAGE OF MELROSE PARK  
COOK COUNTY, ILLINOIS

ORDINANCE NO. 1248

AN ORDINANCE AUTHORIZING AND APPROVING THE  
EXECTUION OF AN AGREEMENT FOR ENGINEERING WORK  
REGARDING THE NORTH AVENUE BICYCLE PATH, FOR 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 12<sup>TH</sup> DAY OF JANUARY 2009

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

Board Of Trustees

JOHN S. CONTEDEUCA  
CATHLEEN COSSIDENT ITALIA  
ARTURO J. MOTA  
ANTHONY J. PRIGNANO  
MARY RAMIREZ TACONI  
JAIME ANGUIANO

=====

Published by authority of the  
President and Board of Trustees  
Of the Village of Melrose Park,  
Cook County, Illinois on  
This 13<sup>TH</sup> day of JANUARY 2009

**ORDINANCE NO. 1248**

**AN ORDINANCE AUTHORIZING AND APPROVING THE EXECUTION OF AN AGREEMENT FOR ENGINEERING WORK REGARDING THE NORTH AVENUE COMMUTER BICYCLE PATH, FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

\* \* \* \* \*

**WHEREAS**, the Village of Melrose Park, County of Cook, State of Illinois (the “Village”) is a duly organized and existing and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions 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 (the “Village Clerk”), having taken office on May 2, 2005, and the Board of Trustees of the Village, the Honorable John S. Conteduca, Cathleen Cossident Italia, Arturo J. Mota, Anthony J. Prignano, and Mary Ramirez Taconi, having taken office on May 14, 2007, and the Honorable Jaime Anguiano, having taken office on March 10, 2008 (the “Village Board”), constitute the duly elected, qualified and acting officials of the Village; and

**WHEREAS**, the President and the Village Board (collectively, the “Corporate Authorities”) find that it is advisable, necessary and in the best interests of the Village and its residents that the Village retain Edwin Hancock Engineering Company (the “Engineer”) by agreement (the “Agreement”), a copy of which is attached hereto and incorporated herein as Exhibit “A”, for the purpose of and as related to engineering services necessary for a commuter bicycle path to be constructed along North Avenue from approximately Mannheim Road to

Thatcher Avenue in the Village (the “Improvements”); and

**WHEREAS**, the engineering services include, but are not limited to, surveying, planning, and design of the Improvements, and the preparation of necessary environmental and planning documents, and the performance of other necessary engineering services as further outlined in the Agreement; and

**WHEREAS**, the Village has previously appropriated or allocated from its budget sufficient funds to retain the Engineer as herein described, the funds are readily available, and the Village intends to use the aforementioned funds to retain the Engineer as herein described; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and 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 this Ordinance as legislative findings.

**Section 02. Purpose.**

The purpose of this Ordinance is to authorize the President or his designee to enter into, approve and execute an agreement with the Engineer in a form similar to the Agreement attached hereto.

**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.

**Sections 05-09. Reserved.**

**ARTICLE II.  
AUTHORIZATION**

**Section 10.00 Authorization.**

That the Village Board hereby approves the Agreement and authorizes and directs the President or his designee to enter into, approve and execute an agreement with the Engineer in a form similar to the Agreement attached hereto, with such insertions, omissions and changes as shall be approved by the President and the Village Attorney.

That the Village Board hereby authorizes and directs the Village to undertake all steps necessary to carry out the intention of this Ordinance, including the expenditure of all necessary funds.

That the Village Clerk is hereby authorized and directed to attest to and countersign the aforesaid agreement and any such other documentation as may be necessary to carry out and effectuate the purpose of this Ordinance, and is further authorized and directed to affix the Seal of the Village to such documentation as is necessary.

That the Village Board hereby authorizes the officers, employees and/or agents of the Village to take all action necessary or reasonably required to carry out, give effect to and consummate the intent of this Ordinance and to take all action necessary in conformity therewith.

That the Village Board hereby ratifies any and all previous action taken to effectuate the intent of this Ordinance.

**Section 11.00 – Section 15.00 Reserved.**

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

**Section 16.00 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 17.00 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, clause, sentence, paragraph, sub-paragraph, section, or part 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 Village Board 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 18.00 Repeal of Prior Ordinances.**

All prior ordinances and resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

**Section 19.00 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 20.00 Effective Date.**

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

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

AYE VOTES: Trustee Conteduca, Trustee Italia, Trustee Mota,  
Trustee Prignano, Trustee Taconi, Trustee Anguiano

NAY VOTES:

ABSTAIN:


ABSENT:

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE  
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS TWELFTH DAY  
OF JANUARY, 2009 A.D.

APPROVED:

  
RONALD M. SERPICO,  
VILLAGE PRESIDENT

ATTEST:

  
Mary Ann Paolantonio Salemi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: January 12, 2009  
Published in pamphlet form: January 13, 2009