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BOND COUNTY, ILLINOIS

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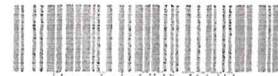
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55 ILCS 5/3-5018

BOND COUNTY CLERK & RECORDER ILLINOIS COUNTY CLERK &
RECORDER



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**STATE OF ILLINOIS - COUNTY OF BOND
CITY OF GREENVILLE**

ORDINANCE NO. 3321

**AN ORDINANCE VACATING A PORTION OF HELVETIA
STREET WITHIN THE CITY OF GREENVILLE, ILLINOIS**

ADOPTED BY THE
CITY COUNCIL
OF
THE CITY OF GREENVILLE
THIS 9th DAY OF JANUARY, 2024

FILED

JAN 12 2024

Mary A. Sylvest
BOND COUNTY CLERK & RECORDER

**STATE OF ILLINOIS - COUNTY OF BOND
CITY OF GREENVILLE**

ORDINANCE NO. 3321

**AN ORDINANCE VACATING A PORTION OF HELVETIA STREET
WITHIN THE CITY OF GREENVILLE, ILLINOIS**

WHEREAS, the City of Greenville of Bond County, has determined that the public interest will be served by vacating a portion of a certain street known as Helvetia Street, to vacate within the City of Greenville; and

WHEREAS, 65 ILCS 5/1 1-91-1 states the following:

"5/11-91-1. Vote; hearing; compensation from abutting owners; reservations; public interest; damages.

Sec. 11-91-1. Whenever the corporate authorities of any municipality, whether incorporated by special act or under any general law, determine that the public interest will be subserved by vacating any street or alley, or part thereof, within their jurisdiction in any incorporated area, they may vacate that street or alley, or part thereof, by an ordinance. The ordinance shall provide the legal description or permanent index number of the particular parcel or parcels of property acquiring title to the vacated property. But this ordinance shall be passed by the affirmative vote of at least three-fourths of the aldermen, trustees or commissioners then holding office. This vote shall be taken by ayes and nays and entered on the records of the corporate authorities.

No ordinance shall be passed vacating any street or alley under a municipality's jurisdiction and within an unincorporated area without notice thereof and a hearing thereon. At least 15 days prior to such a hearing, notice of its time, place and subject matter shall be published in a newspaper of general circulation within the unincorporated area which the street or alley proposed for vacation serves. At the hearing all interested persons shall be heard concerning the proposal for vacation. The ordinance may provide that it shall not become effective until the owners of all property or the owner or owners of a particular parcel or parcels of property abutting upon the street or alley, or part thereof so vacated, shall pay compensation in an

amount which, in the judgment of the corporate authorities, shall be the fair market value of the property acquired or of the benefits which will accrue to them by reason of that vacation, and if there are any public service facilities in such street or alley, or part thereof, the ordinance shall also reserve to the municipality or to the public utility, as the case may be, owning such facilities, such property, rights of way and easements as, in the judgment of the corporate authorities, are necessary or desirable for continuing public service by means of those facilities and for the maintenance, renewal and reconstruction thereof. If the ordinance provides that only the owner or owners of one particular parcel of abutting property shall make payment, then the owner or owners of the particular parcel shall acquire title to the entire vacated street or alley, or the part thereof vacated.

The determination of the corporate authorities that the nature and extent of the public use or public interest to be subserved in such as to warrant the vacation of any street or alley, or part thereof, is conclusive, and the passage of such an ordinance is sufficient evidence of that determination, whether so recited in the ordinance or not. The relief to the public from further burden and responsibility of maintaining any street or alley, or part thereof, constitutes a public use or public interest authorizing the vacation.

When property is damaged by the vacation or closing of any street or alley, the damage shall be ascertained and paid as provided by law.

(Source: P.A. 93-383, eff. 7-25-03; 93-703, eff. 7-9-04.)

WHEREAS, all requisite procedures which are delineated in 65 ILCS 5/1 1-91-1 have been observed; and,

WHEREAS, an affirmative vote of 3/4 of the council is required to vacate such a street and alley; and

WHEREAS, it is in the best interest of the City of Greenville that Helvetia street be vacated; and

NOW, THEREFORE, LET IT BE ORDAINED by the Mayor and the City Council of the City of Greenville as follows:

SECTION 1 - GENERAL STATEMENT: The below described portion of Helvetia Street within the City of Greenville is hereby vacated:

See attached **Exhibit A**

SECTION 2 - REPEAL: All prior ordinances which are inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 3 - SAVINGS PROVISION: In the event any section, subsection, sentence or phrase of this ordinance should be declared invalid, all other provisions hereof shall not be affected by such invalidity and shall remain in full force and effect.

SECTION 4-EFFECTIVE DATE: This Ordinance shall become in full force and effect from and upon its passage.

Adopted this 9th day of January 2024 at a regular meeting of the City of Greenville's

City Council with a quorum present upon a vote of the Board as follows:

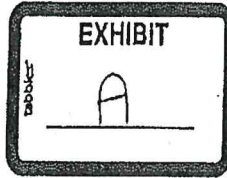
Blake Knox:	<u>aye</u>
Kyle Littlefield:	<u>aye</u>
Ivan Estevez:	<u>aye</u>
Lisa Stephens:	<u>aye</u>

George Barber
George Barber, Mayor

ATTEST: Jody Weiss
Jody Weiss, City Clerk

Prepared By:
PATRICK F. SCHAUFELBERGER
Reg.No. 06209949
THE SCHAUFELBERGER
LAW OFFICES, LTD.

107 South Fourth Street, Vandalia, IL 62471-2899 Telecopier: (618) 283-1413 - Telephone:
(618) 283-1411



A part of the Northwest Quarter of Section 14, Township 5 North, Range 3 West of the Third Principal Meridian, Bond County, Illinois, being more particularly described as follows:

BEGINNING at the Southwest Corner of Parcel 05-30-14-102-009, being a point;

Thence, Northeasterly along the West line of Parcel 05-30-14-102-009, to the Northeast Corner of Parcel 05-30-14-102-009, being a point;

Thence, Northwesterly along a line perpendicular to the West line of Parcel 05-30-14-102-009, to the North Right-of-Way line of the existing alleyway, being a point;

Thence, Southwesterly along the North Right-of-Way line of the existing alleyway, to the intersection of the North Right-of-Way line of the existing alleyway and the projected North Right-of-Way line of Helvetia Street, being a point;

Thence, Easterly along the projected North Right-of-Way line of Helvetia Street, to the POINT OF BEGINNING.

**STATE OF ILLINOIS - COUNTY
OF BOND CITY OF GREENVILLE**

CERTIFICATE

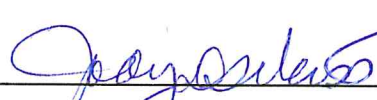
I, Jody Weiss, certify that I am the duly appointed and acting City Clerk of the City of Greenville, Bond County, Illinois.

I further certify that on January 9, 2024, the Corporate Authorities of such municipality passed and approved Ordinance No. 3321, entitled:

**"AN ORDINANCE VACATING A PORTION OF HELVETIA STREET WITHIN
THE CITY OF GREENVILLE, ILLINOIS"**

Dated at Greenville, Illinois, this 9th day of January, 2024.

{SEAL}



Jody Weiss, City Clerk



Prepared By:
PATRICK F. SCHAUFELBERGER
Reg. No. 06209949
THE
SCHAUFELBERGER
LAW OFFICES, LTD.
107 South Fourth Street
Vandalia, IL 62471-2899

PFS/klh

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Public Hearing was opened at 6:16 PM. Ketten explained the Crouch's are wanting to build a garage. It appears the home on the property was built prior to the zoning. There is no need to conserve the existing right of way. Public Hearing closed at 6:19 PM.

- C) Consideration of pay estimate #4 to Grunloh Builders in the amount of \$596,819.60
- D) Consideration of pay estimate #4 to DMS Contracting in the amount of \$39,266.06 for safe route to schools.
- E) Consideration of Change Order #2 for a built in place inlet for the safe route to schools project.

7.6. Approval of consent items

Approval of consent agenda items (<--this text will not show on output document; motion/recommendation will show)

Motion by Kyle Littlefield, seconded by Lisa Stephens, Motion to approve Consent Items 7.1 - 7.6.

RESULT:	Carried
MOVER:	Kyle Littlefield
SECONDER:	Lisa Stephens
AYES:	George Barber, Ivan Estevez, Kyle Littlefield, Lisa Stephens, and Blake Knox

8. **MATTERS OF COUNCIL CONSIDERATION**

8.1. Consideration of Ordinance 3320 for paid leave workers act.

Motion by Ivan Estevez, seconded by Blake Knox, Motion to approve the ordinance 3320 concerning Paid Leave for all Workers Act.

RESULT:	Carried
MOVER:	Ivan Estevez
SECONDER:	Blake Knox
AYES:	George Barber, Ivan Estevez, Kyle Littlefield, Lisa Stephens, and Blake Knox

8.2. Consideration of contract award to Schafer Excavating for the demolition of the FP Joy Building, the Annex Building, and the old attorney offices building in the amount of \$493,000.

Motion by Lisa Stephens, seconded by Blake Knox, Motion to find that Groundworks Contracting is not a responsible bidder and therefore further move to award the contract to Schafer Excavating as the lowest responsive and responsible bidder in the amount of \$493,000.

RESULT:	Carried
MOVER:	Lisa Stephens
SECONDER:	Blake Knox
AYES:	George Barber, Ivan Estevez, Kyle Littlefield, Lisa Stephens, and Blake Knox

8.3. Consideration of revolving loan with Nelson and McPherson (LLC to be created) for the downtown Microtel project in the amount of \$375,000.

This item will be tabled.

- Elm Street Overlay
- Source Water Protection Plan
- Idler Lane Water Main Replacement
- Buzzard Bay Sidewalk
- Survey on Spring Street
- Easements for Lights on College Avenue
- Survey on Pecan Street
- Patio at 102 N Second Street
- School Streets
- Chemical Feed Modifications

7. **CONSENT AGENDA**

7.1. Minutes of:

- A) December meeting minutes
- B) Additional payables

7.2. Financial Statement

- A) December Financial Statement

7.3. Approval of Unpaid Bills

- A) January payables

7.4. Administrative Reports

- A) Police Department
- B) Public Works Department
- C) Sewer Department
- D) Water Department
- E) Building Permits
- F) Building Inspector / Code Enforcement Officer
- G) Record - None

7.5. Other Items:

- A) Ratification of change order to Grunloh Building, Inc. for Water Plant in the amount of \$45,595.97. This is to increase the height of ground storage take from 37' to 40' to provide a 500K working capacity while still meeting the interior head height requirements.
- B) Consideration of Margaret Crouch Request to Vacate Street to 305 Helvetia Avenue