



12 South Center Street  
Bensenville, IL 60106

Office: 630.350.3404  
Fax: 630.350.3438  
[www.bensenville.il.us](http://www.bensenville.il.us)

VILLAGE BOARD

December 4, 2019

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Village Manager  
Evan K. Summers

Mr. Paul De Michele  
17W275 Rodeck Lane  
Bensenville, Illinois 60106

Re: November 25, 2019 FOIA Request

Dear Mr. De Michele:

I am pleased to help you with your November 25, 2019 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on November 25, 2019. You requested copies of the items indicated below:

*"A copy of any and all correspondence between the Village of Bensenville and The White Pines Community Alliance between January 1 and November 25, 2019 including but not limited to letters, faxes and emails."*

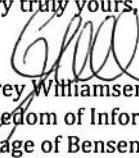
Enclosed are the records found responsive to your request. (294 pgs.)

Section 7(1)(b) of FOIA provided that "private information" is exempt from disclosure. "Private information" is defined in FOIA as, "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords, or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when complied with possibility of attribution to any person." 5ILCS 140/2(c-5). Consequently, certain identifiers have been redacted from the records being provided.

Pursuant to Section 9 of the FOIA, 5 ILCS 140/9, I am required to advise you that I, the undersigned Freedom of Information Officer, reviewed and made the foregoing determination to deny a portion of your FOIA Request as indicated. Should you believe that this Response constitutes an improper denial of your request, you may appeal such by filing a request for review within sixty (60) days of the date of this letter with the Public Access Counselor of the Illinois Attorney General's Office, Public Access Bureau, 500 South Second Street, Springfield, Illinois 62706; telephone 1-887-299-FOIA; e-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us). You may also have a right of judicial review of the denial under Section 11 of the FOIA, 5 ILCS 140/11.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,

  
Corey Williamson  
Freedom of Information Officer  
Village of Bensenville

Corey Williamson  
Deputy Clerk

NOVEMBER 25, 2019

6745

Pursuant to the Freedom of Information Act I am requesting the following:

1. A copy of any and all correspondence between the Village of Bensenville and The White Pines Community Alliance between January 1 and November 25, 2019 including but not limited to letters, faxes and emails.

You can call 630-279-6528 when ready.

Thanks,

Paul D.

PAUL DE MICHELE  
17W275 RODECK LN.  
BENSENVILLE, IL 60106  
PH 630-279-6528  
FAX 630-834-7536

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**From:** White Pines Community Alliance <mywhitepines@gmail.com>  
**Sent:** Friday, January 4, 2019 10:58 AM  
**Subject:** Questions, So Many Questions!  
**Attachments:** 01.04.19 email.docx

Dear White Pines Residents,

The **White Pines Community Alliance** wishes all a Happy New Year! We hope everyone had a fantastic holiday season and have started the year off on a positive note.

Before 2018 ended, the White Pines Civic Association, not associated with our group The **White Pines Community Alliance**, delivered their "Winter Newsletter" to most White Pines residents. In their newsletter there is a notice of an informational "gathering" in January. We encourage those that attend to ask the civic association the following questions:

1. Why wasn't there the free annual Community Christmas Party? Santa was delivered by Fire Truck with gifts for the Children in 2017 and the parties in 2016 and 2017 were the largest our community had seen in a long time. Therefore, why was the civic association Christmas party neither held nor spoken of by the civic association?
2. What happened to the Christmas Caroling by the civic association members as was done in 2017?
3. Why wasn't our subdivision's entrance signs decorated and lighted for the holidays as was done previously when the **White Pines Community Alliance** members were on the civic association?
4. Why hasn't the White Pines' south entrance sign been fixed or, at the least, cleaned up and set upright since it was damaged a few weeks ago?
5. Why wasn't there a fall community garage/yard sale?
6. Why wasn't the spring community garage/yard sale properly advertised in all the garage/yard sale web sites as was previously done, resulting in a poor turn out?
7. Why have the members of the association board changed without a proper election? Elected members were forced to resign and/or were replaced without resident's knowledge or a special meeting called for the community to weigh in on those changes.
8. Why won't the civic association, even when asked, let residents know when they hold regular meetings or allow anyone else to attend as their bylaws state must be done?
9. Why is Paul DeMichele so involved with the White Pines Civic Association when he lives in Oak Dale Woods?
10. Why did Gina Mellenthin, a member of the civic association which is stated to be "apolitical" by their bylaws, pull a packet to run for the Bensenville Park District Board as well as the past DuPage County elections?
11. As stated in the by-laws of the civic association it is to be a neutral entity; however, they have aligned themselves with Dave Lux of the 'Save White Pines' organization and only support those residents that have spoken against annexation.
12. What happened to the two alternative water provider's proposals that were promised by the association many, many months ago?
13. Why, without any alternative water provider proposal, are the civic association and its member, Gina Mellenthin, continuing with the court action to stop our community from using money we all contributed for a safe, modern water system from the Village?
14. Why does civic association member, Gina Mellenthin, continue to claim that she has the authority to speak for all White Pines residents and make decisions for them when she has no such authority?
15. Why has the **White Pines Community Alliance** received information from residents that they feel that they are being bullied for not falling in line with a certain civic association's officer's anti-annexation beliefs?
16. Why hasn't the civic association approached the Village of Bensenville at all in regards to the proposal given in mid-year 2018? Why did they not even meet with the Village or try to negotiate any of the terms outlined in the proposal on behalf of the White Pines residents? We have confirmed that to date there has been no communication made by the civic association

17. Can the Civic Association provide copies of the past three years tax filings and the supporting accounting documents? We asked previously many months ago and were told "they are being worked on" but have yet to see them. This paperwork is to be shared at board meetings and made public to all White Pines residents. When was the last time that White Pines residents received up-to-date financial information regarding the civic association?
18. Lastly, WHAT HAPPENED TO THE SEVERAL THOUSAND DOLLARS THAT WERE IN THE CIVIC ASSOCIATION ACCOUNTS AT THE END OF LAST YEAR AND THE "STICKER DONATION" MONEY FROM THIS YEAR?? When the **White Pines Community Alliance** members resigned a year ago from the civic association, there was **over \$8000.00** in two different accounts. This was BEFORE the new board was elected and residents sent in their 2018-2019 membership/sticker monies. New membership/sticker monies in the past have created thousands in additional revenue for the White Pines Civic Association. Where has all of that money gone? The civic association has now resorted to continually begging for donations, but somehow did not have enough to even hold their annual Christmas party? Something is definitely not adding up with the civic association finances!

The definition of a "Civic Association" simply put is "*A group of neighbors and business owners who work together for changes and improvements such as neighborhood safety, beautification and social activities*". From what we have seen this past year from this current civic association board, they haven't even remotely met that definition of what they are expected to do. Given that the civic association is continually asking for donations for yet another unrelated cause, we suspect that they won't be meeting that definition this coming year either.

For those who have asked; yes the members of the **White Pines Community Alliance** did pay the 2018-2019 membership dues/vehicle sticker donations this year to the civic association. Therefore, we do have a right to question the activities of their board and what they are doing with the money. Some might find it interesting that, although **White Pines Community Alliance** members have paid their dues, they are blocked from the civic association website and do not all receive communications through email or in letter form from the civic association. We fear other residents that do not fully support the civic association beliefs or aren't fully anti-annexation may also have paid their dues and are also being blacklisted from civic association information. The civic association does not have the right to pick and choose who to serve! According to their own by-laws they are to serve the entire community regardless of their own personal beliefs. Residents must ask themselves; how much trust can be put into the civic association at this point? There are just too many questions and without appropriate answers we believe all civic association board members should immediately resign their positions and let those without personal interests or political ambitions guide the community forward.

We're not going to delve into the annexation issue as it is a moot point. A resident can annex if they want to, or not if they don't. It's as simple as that!

It may be time for White Pines residents to demand a special meeting with the civic association board. Residents should demand a review of the actions of the board for the past seven months. Residents should be given the opportunity to voice concerns and question the civic association, especially since the actual elected board has been changed. Civic association board members have quit yet again and residents should know why. Other members have been forced to resign or have been replaced and all of this has been done without the knowledge, support, or input of the community. We want answers!

Thank you,

#### **Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello



Dear White Pines Residents,

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Before 2018 ended, the White Pines Civic Association, not associated with our group The **White Pines Community Alliance**, delivered their "Winter Newsletter" to most WP residents. In their newsletter there is a notice of an informational "gathering" in January. We encourage those that attend to ask the civic association the following questions:

1. Why wasn't there the free annual Community Christmas Party? Santa was delivered by Fire Truck with gifts for the Children in 2017 and the parties in 2016 and 2017 were the largest our community had seen in a long time. Therefore, why was the civic association Christmas party neither held nor spoken of by the civic association?
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16. Why hasn't the civic association approached the Village of Bensenville at all in regards to the proposal given in mid-year 2018? Why did they not even meet with the Village or try to negotiate any of the terms outlined in the proposal on behalf of the White Pines

residents? We have confirmed that to date there has been no communication made by the civic association with the Village in regards to the water system or prior proposals from the Village.

17. Can the Civic Association provide copies of the past three years tax filings and the supporting accounting documents? We asked previously many months ago and were told "they are being worked on" but have yet to see them. This paperwork is to be shared at board meetings and made public to all White Pines residents. When was the last time that White Pines residents received up-to-date financial information regarding the civic association?
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Thank you,

**Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello

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**From:** White Pines Community Alliance <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)>  
**Sent:** Tuesday, January 22, 2019 7:46 PM  
**Subject:** The Saga Continues  
**Attachments:** Sample Letter to Judge.docx

Dear Residents,

We have been informed that Civic Association member Gina Mellenthin, after contacting 15 attorneys, has found one that is willing to work with her in trying to stop the village from spending the money we residents paid to the Village to replace and repair our aging water system. We are concerned because Ms. Mellenthin's interpretation of the White Pines water problem is one sided and will not represent all the facts. Furthermore, we also fear that she is using this suit to speak for all White Pines residents, stating we are all anti-Village/anti-annexation . . . which is of course definitely not the case. Another of our concerns is that at a rate of \$175 per hour, and with many attorney hours on the books, the village is spending a boat load of money to defend this ridiculous case which will eventually trickle down to us residents in the form of higher water rates and/or property taxes.

Given the above, the judge in this case, the Honorable Bonnie M. Wheaton, has given the attorney until February 21<sup>st</sup> to re-plead Mellenthin's case and then the case is set for a status hearing on March 7<sup>th</sup>. To let the Judge know that 1.) Mellenthin does not in any way, shape, or form represent all of the residents of White Pines and 2.) She has no legal authority to say that she does, we are asking any resident who cringes at the thought of Mellenthin representing them to write the Judge prior to February 15<sup>th</sup> to let her know their feelings.

As concerned and effected parties of Mellenthin's lawsuit you have every right to contact the judge at the following:

The Honorable Judge Bonnie M. Wheaton

505 N. County Farm Rd.

Wheaton, Illinois 60187

or

Email: [Bonnie.Wheaton@18thjudicial.org](mailto:Bonnie.Wheaton@18thjudicial.org)

While an email is obviously the easiest way to let your concerns be heard, we believe an old school paper letter sent by snail mail would have more of an impact. Please make sure you have the case name, *Gina Mellenthin vs Frank Desimone*, and case number, 2018CH001065, in your letter. We have attached a sample of a letter that one of the **White Pines Community Alliance** members has written. We ask that you do not use it verbatim but only as a guide for your individual letter.

On a different note, we have also been informed that Ms. Mellenthin has been texting residents, begging for donations to fund her legal action. Since this is a personal suit, White Pines Civic

not feel obligated to donate anything in regards to this personal suit. If you feel harassed, please let the proper authorities know.

**Important Update:** At the Village of Bensenville board meeting tonite the motion was carried and the resolution approved by the trustees to annex six of the properties in White Pines that requested to join the village. The annexation of these six properties now opens the door for other homeowners that border those annexed properties to also request annexation and join the village. More on this update tomorrow.

Thank you,

**Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello

Circuit Judge Bonnie M. Wheaton  
505 N. County Farm Rd.  
Wheaton, Illinois 60187

Dear Honorable Judge Wheaton,

We understand that you will be hearing the case of Gina Mellenthin v. Frank Desimone, previously filed under docket number 18CH001065. As an interested and effected party, and moreover as residents of the White Pines Subdivision in which Ms. Mellenthin resides, we would like to officially state that Ms. Mellenthin does not in any capacity represent us, our family and many, if not the majority, of our subdivision's residents. We find her attempt to stop the spending of funds by the Village of Bensenville from an account all residents contributed to for the exclusive purpose of providing our subdivision with a safe, environmentally secure and affordable water system unconscionable.

Ms. Mellenthin has previously attempted to convince other government officials that she has the authority to represent our entire subdivision because she is a member of a civic association. She somehow believes that a civic association has the same legal authority as a homeowners association. Our residents do not have, nor have they ever had a homeowners association and no single individual or organization represents the whole of our community. We, as well as our family and many of our neighbors, applaud the Village of Bensenville and its President, Frank Desimone, for finally developing a solution for the repair and replacement of our aging water system infrastructure. We are and were fully aware that the funds we submitted to the Village would be used for this purpose and do not oppose the use of said funds for this project.

We would respectfully like you to consider the above when making any determination in the above sited case.

Thank you for your consideration,

Mr. and Mrs. \_\_\_\_\_  
White Pines Residents

**From:** White Pines Community Alliance <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)>  
**Sent:** Saturday, January 26, 2019 10:29 AM  
**Subject:** Public Comments

Dear Residents,

We would like to address the January 22<sup>nd</sup> board meeting for the Village of Bensenville. The Village trustees agreed to carry the motion and approve the resolution to annex six of the properties in White Pines because those specific homeowners requested to join the village. Currently, there are a couple dozen homeowners that want to join the village rather than pay the 275% rate charge as proposed. However, these homeowners cannot annex yet because their properties do not border village properties. With these above six properties annexed into the village, it will open up more opportunities for others that wish to annex. At the January 22<sup>nd</sup> meeting, during the public comment section of the agenda, three individuals associated with the White Pines Civic Association spoke. We, the **White Pines Community Alliance** highly suggest that you watch the video of the public comments section of the January 22nd village board meeting at <https://www.bensenville.il.us/785/Bensenville-Village-Board-Meetings> before reading on.

The first public commenter is a Civic Association board member, Gina Mellenthin. In summary, Mellenthin stated that she was making the board aware that she had a 2015 letter from the village stating that the White Pines water system was an asset of the subdivision by a 1945 agreement between the village and the developer and would remain such until the subdivision was annexed. Now if this is true we would like to ask Mellenthin:

- 1) Is there written documentation of this said agreement?
- 2) Why would White Pines residents want to claim ownership of the 74 year old system that continues to deteriorate on a daily basis?
- 3) Isn't it true that the village would NOT be claiming ownership of the old dilapidated system, which would be left in place and abandoned, as they would be putting in an entirely new modern system other than the newer mains that THEY replaced previously?

If White Pines residents claim ownership of the system, it seems logical that the village could turn around and say "you own it, you fix it!" There is currently NO viable, alternative water provider willing to take on the White Pines water system due to various obstacles, legal and otherwise. Even if there was an entity willing to take on the White Pines water system, the only REASONABLE supplier of the water is the Village of Bensenville. Mellenthin continues to state that the White Pines residents own the system, but has she explained or does she even know herself what that means for our community? What we would be held responsible for? Does she have a plan as to how to move forward with 280 separate homeowners having a right to the decisions regarding our water system? Again, the White Pines Civic Association is a "Civic" association, not a home-owners association; therefore, they have no legal authority to speak for White Pines residents. The health and safety risk for our residents increases each day as Mellenthin tries to delay the village from moving forward as evidenced by her lawsuit against the Village President, Frank De Simone.

The second speaker was Mr. Paul DeMichele. We have asked this question before and will ask once again, why is DeMichele so involved with the "White Pines" civic association and so concerned with the goings on of our subdivision when he lives in OAK DALE WOODS! Mr. DeMichele claims to represent *Bensenville Fire Protection District #1*, yet we find no mention of him on their very limited web site. Mr. DeMichele continually defends the operations of *Bensenville Fire Protection District #1*, an operation that has no station, no equipment, no offices, no working phone number, no email address and pays for service from *Bensenville Fire Protection District #2* which literally has a station just a few blocks from our subdivision!! *Bensenville Fire Protection District #1* is nothing more than a "paper district," with paid board members. It is a layer of government that we pay for, yet has no purpose.

The final civic association member to speak was Garry Gardner. From the information that we, the **White Pines Community Alliance**, have been able to obtain, Gardner was far off base with his comments. Gardner continually

not truthfully explain was that the village IS NOT forcing anyone to annex!!! There are two choices proposed by the Village. They may not be the choices all residents had hoped for, but there is a choice. We should also make Gardner aware that there are residents in our subdivision that want to annex and become a part of the Village of Bensenville. They have every right to make that decision if they choose to do so.

Gardner stated that the water rate increase coming this year was "extortion" by the village president. We know that Gardner is aware that, due to state legislation, the village could legally institute a water surcharge of up to 400%. Of course the 275% rate is higher than residents may have expected, but it is still far below what the village could be charging us.

Gardner also stated that DeSimone negotiated with "a small group pretending to represent the White Pines residents." We are assuming that Gardner meant us, the **White Pines Community Alliance**, when he made that statement. Mr. Gardner, we have NEVER claimed to represent the residents of White Pines. We did in fact meet with the village, but only to get clarification on a number of questions that residents were asking us, assumingly because the "civic association" did nothing to get questions answered and present actual facts. According to the village, the civic association never had or asked for a meeting with the village to discuss the proposal from them!

In fact Mr. Gardner, it is our opinion that you are probably the least productive of any of the civic association board members and we state this from our past experience with you before we resigned from that board. Further, it is our opinion that the reason that you do not want to annex and that you do not want a new water system is because you are currently on a well and septic system, one of which you once told us you "share" with your neighbor. (Sharing a well is a violation of county code). Lastly Mr. Gardner, you complained in your public comment about the "very large sum of money" that the village makes by selling water to the White Pines residents. Although the Village collects approximately \$250,000 annually from White Pines residents, due to the increased unincorporated water rates, that revenue is used directly to cover expenses related to the White Pines water system. As we do not currently pay village property taxes we must pay our proportional share of the purchase price the City of Chicago and the DuPage Water Commission charges the village for water as well as the storage, testing, distribution and maintenance of the water systems. Evan Summers, the village manager, can explain this information to any individual interested and also clarify that the actual profit made from White Pines is less than \$10,000 per year. As is the case of Paul DeMichele, since you share a well and septic system with a neighbor, why are you so concerned with the White Pines water system? You personally do not pay for water or sewer service from the village! Many would consider this ironic and hypocritical.

We will not comment on the 4<sup>th</sup> speaker, Brian Jefferson, as he does not hold himself out as a representative of the community and is fully entitled to speak his mind and ask anything he chooses.

Once again folks, the Alliance does not "pretend" to represent any resident. We respect all of our resident's decisions and opinions. Our goal is to provide accurate and fact-based information so that residents can make decisions that are fully informed.

Thank you,

Your **White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello

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**From:** White Pines Community Alliance <mywhitepines@gmail.com>  
**Sent:** Thursday, February 21, 2019 11:08 AM  
**Subject:** Annexation Update

Dear Residents,

Last Tuesday night the Village of Bensenville acknowledged the will of yet another group of White Pines residents that requested to be annexed into the village and approved all of the following from the agenda of the night's *Committee of the Whole* board meeting, which we attended:

- 1. Consideration of an Ordinance Approving a Text Amendment to the Village Code for a White Pines Neighborhood Overlay*
- 2. Consideration of an Ordinance to Approve the Annexation of 4N401 Hawthorne Avenue (Parcel number: 03-23-303-001) and 4N360 Hawthorne Avenue (Parcel number: 03-23-303-012)*
- 3. Consideration of an Ordinance Approving the Annexation Agreement for 4N401 Hawthorne*
- 4. Consideration of an Ordinance Approving the Annexation Agreement for 4N360 Hawthorne*
- 5. Consideration of an Ordinance Annexing 4N371 Hawthorne into the Village of Bensenville*
- 6. Consideration of an Ordinance Approving the Annexation Agreement for 4N240 Church*
- 7. Consideration of an Ordinance Approving the Annexation Agreement for 4N252 Church*
- 8. Consideration of an Ordinance Approving the Annexation Agreement for 4N323 Hawthorne*
- 9. Consideration of an Ordinance Approving the Annexation Agreement for 4N324 Church*
- 10. Consideration of an Ordinance Approving the Annexation Agreement for 4N385 Hawthorne*
- 11. Consideration of an Ordinance Approving the Annexation Agreement for 4N386 Church*
- 12. Consideration of an Ordinance Approving the Annexation Agreement for 16W603 White Pine.*

The annexation of the above properties will ultimately allow more residents to annex their properties as they become contiguous to them.

As anticipated, this did not make a small group of anti-annexation residents happy, so much so that some disrupted the meeting by resorting to childish tantrums and playground antics. Their outburst in the hallway directly outside the board meeting room became so unruly that it necessitated the intervention of the Chief of Police. Strangely the biggest mouth and most antagonistic in the group was an individual that doesn't live in the neighborhood or own any property here. His uninformed comments would be laughable if they weren't such a sad and pathetic attempt at puffery in front of a crowd. We will say that not all of those against annexation were as boisterous and a few actually wanted to voice their opinions in a reasonable manner and we want to thank them for that.

We do want to say one final thing, as it becomes more apparent that we will become a community with some properties annexed to the village and others remaining unincorporated, it needs to be pointed out that many of the properties north of Third Avenue have lived happily this way for many, many years. The same goes for a few Wood Dale areas west of Route 83. In fact, when we have talked to residents in these areas they all wondered what we were so concerned about as they were quite content with the way things were in their communities and the relationships they have with their neighbors. Whether to annex or not is a very personal decision and we encourage property owners to do what is best for their families and their specific economic situation. They should not be chastised for making that decision, whichever way they choose.

Thank you,

Your White Pines Community Alliance

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello

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**From:** Corey Williamsen  
**Sent:** Monday, February 25, 2019 2:15 PM  
**To:** 'White Pines Community Alliance'  
**Cc:** Nancy Quinn  
**Subject:** Bensenville FOIA Response - February 25, 2019 - Brill #5037  
**Attachments:** 5037\_James\_Brill\_FOIA\_Complete.pdf

Tracking:	Recipient	Delivery
	'White Pines Community Alliance'	
	Nancy Quinn	
	NQuinn@bensenville.il.us	Delivered: 2/25/2019 2:15 PM

Good Morning Afternoon Mr. Brill-

Please see the attached FOIA response dated February 25, 2019 in regards to your FOIA request dated February 22, 2019.

Please let me know if you have any questions.

Thanks!

**Corey Williamsen**  
Deputy Village Clerk



12 South Center Street, Bensenville, IL 60106  
P: 630.350.3404 F: 630.350.3438

**From:** White Pines Community Alliance <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)>  
**Sent:** Friday, February 22, 2019 11:08 AM  
**To:** Corey Williamsen <[CWilliamsen@bensenville.il.us](mailto:CWilliamsen@bensenville.il.us)>  
**Subject:** 02.22.19 FOIA Request

Dear Mr. Williamsen,

Please find attached our 02.22.19 FOIA request.

Thank you,

**Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello



12 South Center Street  
Bensenville, IL 60016  
Office: 630.350.3404  
Fax: 630.350.3438  
[www.bensenvilleil.us](http://www.bensenvilleil.us)

VILLAGE BOARD

February 25, 2019

**President**

Frank Hellmann

**Board of Trustees**

Gina Mellenthin  
Tom Tracy  
Agnieszka "Agnie" Agnieszka  
Dolores Gómez  
Douglas Farniglio Jr.  
Matthew Tracy

**Village Clerk**  
Nancy Larson

**Village Manager**  
David R. Schaeffer

Mr. James Brill  
White Pines Community Alliance

Re: February 22, 2019 FOIA Request

Dear Mr. Brill:

I am pleased to help you with your February 22, 2019 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on February 22, 2019 and extended by the Village on February 18, 2019. You requested copies of the items indicated below:

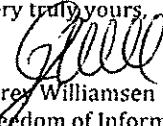
*"Any legal documents or correspondence that were served upon or sent to the Village, its Officials or employees by or from Gina Mellenthin, the White Pines Civic Association or any attorney or individual claiming to represent them within the time period of February 19, 2019 through the date of this request."*

After a search of Village files, the following information was found responsive to your request:

- 1) Circuit Court of the Eighteenth Judicial District, DuPage County Case No. 18CH001065. (19 pgs.)

These are all the records found responsive to your request.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,  
  
Corey Williamsen  
Freedom of Information Officer  
Village of Bensenville

**Freedom of Information Request**

**To**

**Village of Bensenville, Illinois**

5037

Cory Williamsen  
Freedom of Information Officer  
Village of Bensenville  
12 S. Center Street  
Bensenville, Illinois 60106

February 22, 2019

Dear Mr. Williamsen

Under the Illinois Freedom of Information Act, 5 ILCS 140/1-11, we are requesting the following information or copies of records/documents indicating the following information.

1. Any legal documents or correspondence that were served upon or sent to the Village, its Officials or employees by or from Gina Mellenthin, the White Pines Civic Association or any attorney or individual claiming to represent them within the time period of February 19, 2019 through the date of this request.

We understand that the Illinois Act permits a public body to charge a reasonable copying fee of .15 per page of standard paper after the initial 50 free pages. I also understand that Illinois law allows the public body to waive said fees when the information sought is not for a commercial purpose and is in the public interest, as is the case for this request. As such I am requesting that any fees be waived and if they are not we are only willing to pay fees for this request up to a maximum of ten dollars (\$10). If you estimate that the fee will exceed this limit, please inform us first.

We request that the above information be transmitted to us electronically in a PDF or JPEG format at [MyWhitePines@gmail.com](mailto:MyWhitePines@gmail.com). If it is not possible to send the requested information in this format, a representative of the White Pines Community Alliance will be available pick up the documents at your earliest convenience.

Respectfully,

James Brill  
White Pines Community Alliance  
[REDACTED]

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL DISTRICT  
DUPAGE COUNTY, WHEATON, ILLINOIS

GINA MELLENTHIN, KURT IGLEMAN,  
CELESTE SHAW, PHIL ADCOCK, AND  
GARRY GARDNER

Plaintiffs,

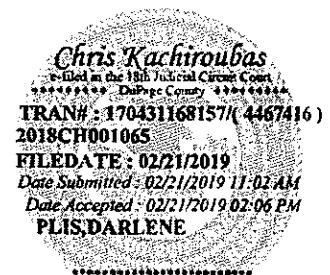
v.

FRANK DESIMONE, ROSA CAMONA, ANN  
FRANZ, ANGIESZKA JAWORSKA,  
MCLANE LORAX, NICHOLAS PANICOLA,  
JR., AND ARMANDO PEREZ

Defendants.

No.: 18 CH 001065

Judge Bonnie Wheaton



**AMENDED COMPLAINT**

NOW COMES, the Plaintiffs, GINA MELLENTHIN, KURT IGLEMAN, CELESTE SHAW, PHIL ADCOCK, AND GARRY GARDNER, by and through their attorneys, Matton and Werwas, P.C., with their Amended Complaint, and in support thereof state as follows:

**PARTIES**

1. Frank Desimone is Village of Bensenville President and a resident of DuPage County.
2. Rosa Camona is a Village of Bensenville Trustee and a resident of DuPage County.
3. Ann Franz is a Village of Bensenville Trustee and a resident of DuPage County.
4. Angieszka Jaworska is a Village of Bensenville Trustee and a resident of DuPage County.
5. Mclane Lorax is a Village of Bensenville Trustee and a resident of DuPage County.
6. Nicholas Panicola is a Village of Bensenville Trustee and a resident of DuPage County.
7. Armando Perez is a Village of Bensenville Trustee and a resident of DuPage County.

8. Gina Mellenthin is a resident of unincorporated Bensenville of DuPage County.
9. Kurt Igleman is a resident of unincorporated Bensenville of DuPage County.
10. Celeste Shaw is a resident of unincorporated Bensenville of DuPage County.
11. Phil Adcock is a resident of unincorporated Bensenville of DuPage County.
12. Garry Gardner is a resident of unincorporated Bensenville of DuPage County.

### **FACTS**

13. The Plaintiffs in this lawsuit are similarly situated Plaintiffs and are all unincorporated owners within the Village of Bensenville.
14. The Village of Bensenville is in charge of the unincorporated owners water service.
15. The Plaintiff unincorporated owners cannot vote for the Village of Bensenville representatives and trustees.
16. The Plaintiff unincorporated owners have been contributing funds through their water bill to a capital fund called “Unincorporated Utility Fund” for capital improvements to the unincorporated owners water system.
17. The Unincorporated Utility Fund is defined as “accounts for deposits made by the unincorporated water and sewer utility users with the intent of providing various water and sewer system improvements that would directly benefit those depositors. See Exhibit A.
18. The Village of Bensenville trustees and representatives are supposed to put the funds received from the unincorporated owners into the Unincorporated Utility Fund.
19. The Village of Bensenville trustees and representatives have not been putting the funds received from the unincorporated owners into the Unincorporated Utility Fund. See Group Exhibit B.

20. The amount that is showing at the end of year 2017 in the Unincorporated Utility Fund is \$912,081. See Group Exhibit B.

21. From at least 2013 through 2017, the receivables are \$0 that have been attributed by the Village of Bensenville to the Unincorporated Utility Fund. See Group Exhibit B.

22. There should be approximately an additional \$300,000.00 in the Unincorporated Utility Fund because for the years 2013 through 2017, \$0 were attributed by the Village of Bensenville to the Unincorporated Utility Fund.

23. There should be approximately an additional \$60,000.00 of funds attributed each year for years 2013 through 2017 by the Village of Bensenville to the Unincorporated Utility Fund.

#### **BREACH OF FIDUCIARY DUTY**

24. Plaintiffs restate and incorporate paragraphs 1 through 23 herein.

25. Defendants have knowingly and recklessly and in bad faith violated fiduciary duties of care, loyalty, good faith, and independence owed to the Plaintiff unincorporated owners.

26. Defendants have breached their fiduciary duties of loyalty, good faith, and independence owed to the Plaintiffs because they did not place the funds received from Plaintiffs into the Unincorporated Utility Fund.

27. As a result of the Defendants' breaches of their fiduciary duties, Plaintiffs have and will continue to suffer irreparable injury in that the moneys that have been paid to the Unincorporated Utility Fund have disappeared.

28. At least \$300,000.00 that is supposed to be used to pay for capital improvements to the unincorporated residents' water system is missing from the Unincorporated Utility Fund.

29. Unless enjoined by this Court, the Defendants will continue to breach their fiduciary duties owed to Plaintiffs to the irreparable harm of Plaintiffs and will continue to do so until Defendants conform with the intention of the Unincorporated Utility Fund.

WHEREFORE, Plaintiffs, GINA MELLENTHIN, KURT IGLEMAN, CELESTE SHAW, PHIL ADCOCK, AND GARRY GARDNER, ask this court to enter an Order against Defendants for a full accounting and return of the funds to the Unincorporated Utility Fund and for whatever else this Court deems just.

Respectfully submitted,

/s/ Keith H. Werwas

---

Keith H. Werwas

Matton and Werwas, PC  
Attorneys for Plaintiff, Mellenthin  
134 N. LaSalle Street  
Suite 1040  
Chicago, IL 60602  
(312)236-6800  
kwerwas@mattonandwerwas.com  
DuPage Attorney No.: 328992

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL DISTRICT  
DUPAGE COUNTY, WHEATON, ILLINOIS

GINA MELLENTHIN, KURT IGLEMAN,  
CELESTE SHAW, PHIL ADCOCK, AND  
GARRY GARDNER

Plaintiffs,

v.

FRANK DESIMONE, ROSA CAMONA,  
ANN FRANZ, ANGIESZKA JAWORSKA,  
MCLANE LORAX, NICHOLAS PANICOLA,  
JR., AND ARMANDO PEREZ

Defendants.

No.: 18 CH 001065

Judge Bonnie Wheaton



**NOTICE OF FILING**

TO: Richard F. Bruen, Jr.  
Montana & Welch, LLC.  
11950 S Harlem Ave, Suite 102  
Palos Heights, IL 60463  
rbruен@montanawelch.com

Please take notice that on February 21, 2019, there will be filed with the Clerk of the Circuit Court of DuPage County, County Department, Chancery Division, the Plaintiffs' Amended Complaint.

MATTON and WERWAS, P.C.

/s/Keith H. Werwas

By:

Keith H. Werwas

Matton and Werwas, P.C.  
Attorneys for Plaintiffs  
134 N. LaSalle Street  
Suite 1040  
Chicago, IL 60602  
(312)236-6800  
Attorney No.: 328992  
kwerwas@mattonandwerwas.com

**CERTIFICATE OF SERVICE**

I, Christopher Dempsey, a non-attorney, under penalties as provided in 735 ILCS 5/1-109, certify that I caused to be served a copy of the above Notice, together with its referenced documents to be served upon those persons delineated above by e-mail on February 21, 2019.

/s/Christopher Dempsey

---

Christopher Dempsey

Matton and Werwas, P.C.  
Attorneys for Plaintiffs  
134 N. LaSalle St., Suite 1040  
Chicago, IL 60602  
(312) 236-6800  
Attorney No.: 328992  
kwerwas@mattonandwerwas.com

STATE OF ILLINOIS

UNITED STATES OF AMERICA  
IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

COUNTY OF DU PAGE

GINA MELLENTHIN, ET AL.

Plaintiff,

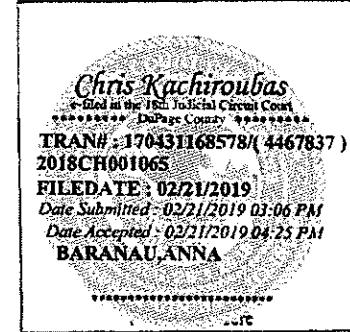
v.

FRANK DESIMONE, ET AL.

Defendant,

18 CH 001065

Case Number



### EXHIBIT COVER SHEET

Local Court Rules 5.06 and 5.09

EXHIBIT NAME: EXHIBIT A

TITLE OF DOCUMENT THIS EXHIBIT BELONGS WITH:

AMENDED COMPLAINT

Document File Date: 2/21/2019

(The file date of the document this exhibit belongs with)

EXHIBIT FILED ON BEHALF OF: GINA MELLENTHIN

(Case Party Name)

Submitted by: Keith H. Werwas

Name: Matton and Werwas, PC  Pro Se

DuPage Attorney Number: 328992

Attorney for: Plaintiff, Mellenthin

Address: 134 N. LaSalle Street

City/State/Zip: Chicago, IL 60602

Telephone Number: (312) 236-6800

Email: kwerwas@mattonandwerwas.com

CHRIS KACHIROUBAS, CLERK OF THE 18TH JUDICIAL CIRCUIT COURT  
WHEATON, ILLINOIS 60187-0707

# EXHIBIT A

#### NON-MAJOR SPECIAL REVENUE FUNDS

A SPECIAL REVENUE FUND IS USED TO FINANCE PARTICULAR ACTIVITIES AND IS CREATED OUT OF REVENUE OF SPECIFIC TAXES OR OTHER EARMARKED REVENUE. SUCH FUNDS ARE AUTHORIZED BY STATUTORY PROVISIONS TO PAY FOR CERTAIN ACTIVITIES WITH SOME SPECIAL FORM OF CONTINUING REVENUE. THE FOLLOWING ARE THE VILLAGES ACTIVE SPECIAL REVENUE FUNDS:

Dis-J-A-Bus Fund - Accounts for the subsidies received from PACE and bus fares collected to fund operating costs of the local transit system.

Motor Fuel Tax Fund - Accounts for the state allowances used to fund street maintenance approved by the State of Illinois.

Illinois Municipal Retirement Fund - Accounts for the specific levy of taxes to fund payments to the state controlled Pension Fund.

Social Security Retirement Fund - Accounts for the specific levy of taxes to fund payments to the federal controlled Pension Fund.

Police Forfeiture Fund - Accounts for monies received from drug seizures to fund drug prevention programs.

Unincorporated Utility Fund - Accounts for deposits made by the unincorporated water and sewer utility users with the intent of providing various water and sewer system improvements that would directly benefit those depositors.

STATE OF ILLINOIS

UNITED STATES OF AMERICA  
IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

COUNTY OF DU PAGE

GINA MELLENTHIN, ET AL.

Plaintiff,

v.

FRANK DESIMONE, ET AL.

Defendant,

18 CH 001065

Case Number

Chris Kachioubas  
e-filed in the 18th Judicial Circuit Court  
\*\*\*\*\* DuPage County \*\*\*\*\*  
TRAN# : 170431168578/(4467837)  
2018CH001065  
FILEDATE : 02/21/2019  
Date Submitted : 02/21/2019 03:06 PM  
Date Accepted : 02/21/2019 04:25 PM  
BARANAU, ANNA  
\*\*\*\*\*  
File stamp Here

**EXHIBIT COVER SHEET**

Local Court Rules 5.06 and 5.09

**EXHIBIT NAME: GROUP EXHIBIT B**

**TITLE OF DOCUMENT THIS EXHIBIT BELONGS WITH:**

**AMENDED COMPLAINT**

**Document File Date: 2/21/2019**

*(The file date of the document this exhibit belongs with)*

**EXHIBIT FILED ON BEHALF OF: GINA MELLENTHIN**

*(Case Party Name)*

Submitted by: Keith H. Werwas

Name: Matton and Werwas, PC  Pro Se

DuPage Attorney Number: 328992

Attorney for: Plaintiff, Mellenthin

Address: 134 N. LaSalle Street

City/State/Zip: Chicago, IL 60602

Telephone Number: (312) 236-6800

Email: kwerwas@mattonandwerwas.com

CHRIS KACHIROUBAS, CLERK OF THE 18TH JUDICIAL CIRCUIT COURT  
WHEATON, ILLINOIS 60187-0707

# GROUP EXHIBIT B

VILLAGE OF BENSENVILLE, ILLINOIS

Nonmajor Governmental Funds

Combining Balance Sheet

December 31, 2013

	Special Revenue		
	Unincorporated Utility	Capital Projects	Totals
<b>ASSETS</b>			
Cash and Investments	\$ 968,723	3,844,180	4,812,903
Receivables - Net of Allowances			
Property Taxes		297,064	297,064
Accounts	9,657	70,000	79,657
<b>Total Assets</b>	<b>978,380</b>	<b>4,211,244</b>	<b>5,189,624</b>
<b>LIABILITIES</b>			
Accounts Payable	2,033	108,409	110,442
Accrued Interest	-	8,624	8,624
Due to Other Funds	-	11,354	11,354
Advances from Other Funds	-	1,488,982	1,488,982
Other Payables	-	89,881	89,881
<b>Total Liabilities</b>	<b>2,033</b>	<b>1,707,250</b>	<b>1,709,283</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Property Taxes	-	289,773	289,773
<b>Total Liabilities and Deferred Infloows of Resources</b>	<b>2,033</b>	<b>1,997,023</b>	<b>1,999,056</b>
<b>FUND BALANCES</b>			
Restricted	-	2,182,908	2,182,908
Committed	976,347	-	976,347
Assigned	-	772,844	772,844
Unassigned	-	(741,531)	(741,531)
<b>Total Fund Balances</b>	<b>976,347</b>	<b>2,214,221</b>	<b>3,190,568</b>
<b>Total Liabilities, Deferred Infloows of Resources and Fund Balances</b>	<b>978,380</b>	<b>4,211,244</b>	<b>5,189,624</b>

VILLAGE OF BENSENVILLE, ILLINOIS

Nonmajor Governmental Funds

Combining Balance Sheet  
December 31, 2014

	Special Revenue		
	Unincorporated Utility	Capital Projects	Totals
<b>ASSETS</b>			
Cash and Investments	\$ 1,041,374	4,218,527	5,259,901
Receivables - Net of Allowances			
Property Taxes	-	410,045	410,045
Accounts	4,204	35,000	39,204
Prepays	-	37,063	37,063
<b>Total Assets</b>	<b>1,045,578</b>	<b>4,700,635</b>	<b>5,746,213</b>
<b>LIABILITIES</b>			
Accounts Payable	7,032	93,815	100,847
Advances from Other Funds	-	1,500,584	1,500,584
Other Payables	-	54,882	54,882
<b>Total Liabilities</b>	<b>7,032</b>	<b>1,649,281</b>	<b>1,656,313</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Property Taxes	-	410,045	410,045
<b>Total Liabilities and Deferred Inflows of Resources</b>	<b>7,032</b>	<b>2,059,326</b>	<b>2,066,358</b>
<b>FUND BALANCES</b>			
Nonspendable	-	37,063	37,063
Restricted	-	2,360,964	2,360,964
Committed	1,038,546	-	1,038,546
Assigned	-	1,042,530	1,042,530
Unassigned	-	(799,248)	(799,248)
<b>Total Fund Balances</b>	<b>1,038,546</b>	<b>2,641,309</b>	<b>3,679,855</b>
<b>Total Liabilities, Deferred Inflows of Resources and Fund Balances</b>	<b>1,045,578</b>	<b>4,700,635</b>	<b>5,746,213</b>

VILLAGE OF BENSENVILLE, ILLINOIS

Nonmajor Governmental Funds

Combining Balance Sheet

December 31, 2015

	Special Revenue		
	Unincorporated Utility	Capital Projects	Totals
<b>ASSETS</b>			
Cash and Investments	\$ 1,025,077	4,481,596	5,506,673
Receivables - Net of Allowances			
Property Taxes	-	320,729	320,729
Accounts	745	34,995	35,740
<b>Total Assets</b>	<b>1,025,822</b>	<b>4,837,320</b>	<b>5,863,142</b>
<b>LIABILITIES</b>			
Accounts Payable	26,824	238,412	265,236
Advances from Other Funds	-	1,500,584	1,500,584
Other Payables	-	19,887	19,887
<b>Total Liabilities</b>	<b>26,824</b>	<b>1,758,883</b>	<b>1,785,707</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Property Taxes	-	319,957	319,957
Total Liabilities and Deferred Inflows of Resources	26,824	2,078,840	2,105,664
<b>FUND BALANCES</b>			
Restricted	-	2,493,820	2,493,820
Committed	998,998	-	998,998
Assigned	-	1,046,364	1,046,364
Unassigned	-	(781,704)	(781,704)
<b>Total Fund Balances</b>	<b>998,998</b>	<b>2,758,480</b>	<b>3,757,478</b>
<b>Total Liabilities, Deferred Inflows of Resources and Fund Balances</b>	<b>1,025,822</b>	<b>4,837,320</b>	<b>5,863,142</b>

VILLAGE OF BENSENVILLE, ILLINOIS

Nonmajor Governmental Funds

Combining Statement of Revenues, Expenditures and Changes in Fund Balances  
For the Fiscal Year Ended December 31, 2015

	Special Revenue		
	Unincorporated Utility	Capital Projects	Totals
Revenues			
Taxes	\$ -	1,279,628	1,279,628
Charges for Services	6,579	-	6,579
Interest	-	6,393	6,393
Miscellaneous	-	35,000	35,000
Total Revenues	<u>6,579</u>	<u>1,321,021</u>	<u>1,327,600</u>
Expenditures			
Public Works	46,127	-	46,127
Community Development	-	331,091	331,091
Debt Service	-		
Principal Retirement	-	822,765	822,765
Interest and Fiscal Charges	-	550,084	550,084
Total Expenditures	<u>46,127</u>	<u>1,703,940</u>	<u>1,750,067</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	(39,548)	(382,919)	(422,467)
Other Financing Sources			
Transfers In	-	500,090	500,090
Net Change in Fund Balances	(39,548)	117,171	77,623
Fund Balances - Beginning	<u>1,038,546</u>	<u>2,641,309</u>	<u>3,679,855</u>
Fund Balances - Ending	<u>998,998</u>	<u>2,758,480</u>	<u>3,757,478</u>

**VILLAGE OF BENSENVILLE, ILLINOIS**

**Nonmajor Governmental Funds**

**Combining Balance Sheet**  
**December 31, 2016**

	Special Revenue		
	Unincorporated Utility	Capital Projects	Totals
<b>ASSETS</b>			
Cash and Investments	\$ 919,941	4,668,660	5,588,601
Receivables - Net of Allowances			
Property Taxes	-	303,659	303,659
Accounts	431	34,995	35,426
<b>Total Assets</b>	<b>920,372</b>	<b>5,007,314</b>	<b>5,927,686</b>
<b>LIABILITIES</b>			
Accounts Payable	-	172,959	172,959
Advances from Other Funds	-	1,500,584	1,500,584
Other Payables	-	19,877	19,877
<b>Total Liabilities</b>	<b>-</b>	<b>1,693,420</b>	<b>1,693,420</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Property Taxes	-	303,659	303,659
<b>Total Liabilities and Deferred Inflows of Resources</b>	<b>-</b>	<b>1,997,079</b>	<b>1,997,079</b>
<b>FUND BALANCES</b>			
Restricted	-	2,650,423	2,650,423
Committed	920,372	-	920,372
Assigned	-	1,136,526	1,136,526
Unassigned	-	(776,714)	(776,714)
<b>Total Fund Balances</b>	<b>920,372</b>	<b>3,010,235</b>	<b>3,930,607</b>
<b>Total Liabilities, Deferred Inflows of Resources and Fund Balances</b>	<b>920,372</b>	<b>5,007,314</b>	<b>5,927,686</b>

**VILLAGE OF BENSENVILLE, ILLINOIS**

**Nonmajor Governmental Funds**

**Combining Statement of Revenues, Expenditures and Changes in Fund Balances  
For the Fiscal Year Ended December 31, 2016**

	Special Revenue		
	Unincorporated Utility	Capital Projects	Totals
<b>Revenues</b>			
Taxes	\$ -	1,343,502	1,343,502
Interest	-	20,037	20,037
<b>Total Revenues</b>	<b>-</b>	<b>1,363,539</b>	<b>1,363,539</b>
<b>Expenditures</b>			
Public Works	78,626	-	78,626
Community Development	-	773,742	773,742
Debt Service			
Principal Retirement	-	909,177	909,177
Interest and Fiscal Charges	-	570,477	570,477
<b>Total Expenditures</b>	<b>78,626</b>	<b>2,253,396</b>	<b>2,332,022</b>
<b>Excess (Deficiency) of Revenues Over (Under) Expenditures</b>	<b>(78,626)</b>	<b>(889,857)</b>	<b>(968,483)</b>
<b>Other Financing Sources</b>			
Debt Issuance	-	570,612	570,612
Transfers In	-	571,000	571,000
	-	1,141,612	1,141,612
<b>Net Change in Fund Balances</b>	<b>(78,626)</b>	<b>251,755</b>	<b>173,129</b>
<b>Fund Balances - Beginning</b>	<b>998,998</b>	<b>2,758,480</b>	<b>3,757,478</b>
<b>Fund Balances - Ending</b>	<b>920,372</b>	<b>3,010,235</b>	<b>3,930,607</b>

**VILLAGE OF BENSENVILLE, ILLINOIS**  
**NONMAJOR GOVERNMENTAL FUNDS**  
**COMBINING BALANCE SHEET**  
**DECEMBER 31, 2017**

	Special Revenue			Totals
	Unincorporated Utility	Capital Projects		
<b>Assets</b>				
Cash and investments	\$ 911,917	\$ 8,727,458	\$ 9,639,375	
Receivables - net of allowances				
Property taxes	164	194,384	194,548	
Accounts	-	45,883	45,883	
Total assets	912,081	8,967,725	9,879,805	
<b>Liabilities</b>				
Accounts payable	-	292,485	292,485	
Advances from other funds	-	2,763,397	2,763,397	
Other payables	-	19,922	19,922	
Total liabilities	-	3,075,804	3,075,804	
<b>Deferred inflows of Resources</b>				
Property taxes	-	194,379	194,379	
Total liabilities and deferred inflows of resources	-	3,270,183	3,270,183	
<b>Fund Balances</b>				
Restricted	-	5,906,825	5,906,825	
Committed	\$12,081	-	912,081	
Assigned	-	1,016,190	1,016,190	
Unassigned	-	(1,225,473)	(1,225,473)	
Total fund balances	912,081	5,697,542	6,609,623	
Total liabilities, deferred inflows of resources and fund balances	\$ 912,081	\$ 8,967,725	\$ 9,879,805	

**VILLAGE OF BENSENVILLE, ILLINOIS**  
**NONMAJOR GOVERNMENTAL FUNDS**  
**COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES**  
**FOR THE YEAR ENDED DECEMBER 31, 2017**

	Special Revenue			
	Unincorporated Utility	Capital Projects	Totals	
<b>Revenue</b>				
Taxes	\$ -	\$ 2,884,289	\$ 2,884,289	
Interest	- -	87,334	87,334	
<b>Total revenues</b>	<b>- -</b>	<b>2,971,623</b>	<b>2,971,623</b>	
<b>Expenditures</b>				
Public works	8,291	- -	8,291	
Community development	- -	685,251	685,251	
Debt services				
Principal retirement	- -	1,231,428	1,231,428	
Interest and fiscal charges	- -	1,737,438	1,737,438	
<b>Total expenditures</b>	<b>8,291</b>	<b>3,654,117</b>	<b>3,662,408</b>	
<b>Excess (Deficiency) of Revenues Over (Under) Expenditures</b>	<b>(8,291)</b>	<b>(682,494)</b>	<b>(690,785)</b>	
<b>Other Financing Sources (Uses)</b>				
Debt issuance	- -	9,945,000	9,945,000	
Bond discount	- -	(67,129)	(67,129)	
Payment to escrow agent	- -	(9,787,091)	(9,787,091)	
Transfers in	- -	350,000	350,000	
Transfers out	- -	(190,000)	(190,000)	
<b>Total other financing sources (uses)</b>	<b>- -</b>	<b>250,780</b>	<b>250,780</b>	
<b>Net Change in Fund Balances</b>	<b>(8,291)</b>	<b>(431,714)</b>	<b>(440,005)</b>	
<b>Fund Balances - Beginning</b>	<b>920,372</b>	<b>6,129,256</b>	<b>7,049,628</b>	
<b>Fund Balances - Ending</b>	<b>\$ 912,081</b>	<b>\$ 5,697,542</b>	<b>\$ 6,609,623</b>	

---

**From:** Corey Williamsen  
**Sent:** Thursday, February 28, 2019 2:39 PM  
**To:** 'White Pines Community Alliance'  
**Cc:** Nancy Quinn  
**Subject:** Bensenville FOIA Response - February 28, 2019 - Brill #5062  
**Attachments:** 5062\_James\_Brill\_FOIA\_Complete.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	'White Pines Community Alliance'	
	Nancy Quinn	
	NQuinn@bensenville.il.us	Delivered: 2/28/2019 2:39 PM

Good Afternoon Mr. Brill-

Please see the attached FOIA response dated February 28, 2019 in regards to your FOIA request dated February 28, 2019.

Please let me know if you have any questions.

Thanks!

**Corey Williamsen**  
Deputy Village Clerk



12 South Center Street, Bensenville, IL 60106  
P: 630.350.3404 F: 630.350.3438

---

**From:** White Pines Community Alliance <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)>  
**Sent:** Thursday, February 28, 2019 9:38 AM  
**To:** Corey Williamsen <[CWilliamsen@bensenville.il.us](mailto:CWilliamsen@bensenville.il.us)>  
**Subject:** 02.28.19 FOIA Request

Mr. Williamsen,

Please find attached our 02.28.19 FOIA request.

Thank you,

Your **White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello



BENSENVILLE

12 South Center Street

Bensenville, IL 60106

Office: 630.350.3404

Fax: 630.350.3438

[www.bensenville.il.us](http://www.bensenville.il.us)

VILLAGE BOARD

February 28, 2019

President  
Frank DeSimone

Board of Trustees

Dave Garber  
Tom Lusk  
James A. "Mike" Amato  
Melanie Daniels  
Jeffrey P. Gammie  
Dorothy Herwe

Village Clerk  
Nancy Tamm

Village Manager  
Evan C. Summers

Mr. James Brill  
White Pines Community Alliance

Re: February 28, 2019 FOIA Request

Dear Mr. Brill:

I am pleased to help you with your February 28, 2019 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on February 28, 2019. You requested copies of the items indicated below:

1. *"At the February 26th, 2019 Village Board Meeting Mr. George Jefferies submitted a letter to the board from Bensenville Fire Protection District 1 attorney, Pat Bond. We are requesting a copy of said letter."*
2. *"We are requesting a copy of any FOIA request submitted by Gina Mellenthin within the period of 02/15/19 through the date of this FOIA request but not yet completed for any reason."*

After a search of Village files, the following information was found responsive to your request:

- 1) Bond, Dickson & Conway Letter Dated February 26, 2019 Submitted to the Village Board at the February 26, 2019 Village Board Meeting. (1 pg.)
- 2) Gina Mellenthin FOIA Request dated February 21, 2019 Requesting Emails or Texts sent By Frank DeSimone. (1 pg.)
- 3) Gina Mellenthin FOIA Request dated February 21, 2019 Requesting Emails or Texts sent By Evan Summers. (1 pg.)

These are all the records found responsive to your request.

Section 7(1)(b) of FOIA provided that "private information" is exempt from disclosure. "Private information" is defined in FOIA as, "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords, or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when complied without possibility of attribution to any person." 5ILCS 140/2(c-5). Consequently, certain identifiers have been redacted from the records being provided.

Pursuant to Section 9 of the FOIA, 5 ILCS 140/9, I am required to advise you that I, the undersigned Freedom of Information Officer, reviewed and made the foregoing determination to deny a portion of your FOIA Request as indicated. Should you believe that this Response constitutes an improper denial of your request, you may appeal such by filing a request for review within sixty (60) days of the date of this letter with the Public Access Counselor of the Illinois Attorney General's Office, Public Access Bureau, 500 South Second Street, Springfield, Illinois 62706; telephone 1-887-299-FOIA; e-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us). You may also have a right of judicial review of the denial under Section 11 of the FOIA, 5 ILCS 140/11.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,

  
Corey Williamse  
Freedom of Information Officer  
Village of Bensenville

**Freedom of Information Request**

**To**

**Village of Bensenville, Illinois**

5062

Cory Williamsen  
Freedom of Information Officer  
Village of Bensenville  
12 S. Center Street  
Bensenville, Illinois 60106

February 28, 2019

Dear Mr. Williamsen

Under the Illinois Freedom of Information Act, 5 ILCS 140/1-11, we are requesting the following information or copies of records/documents indicating the following information.

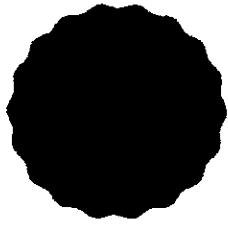
1. At the February 26<sup>th</sup>, 2019 Village Board Meeting Mr. George Jefferies submitted a letter to the board from Bensenville Fire Protection District 1 attorney, Pat Bond. We are requesting a copy of said letter.
2. We are requesting a copy of any FOIA request submitted by Gina Mellenthin within the period of 02/15/19 through the date of this FOIA request but not yet completed for any reason.

We understand that the Illinois Act permits a public body to charge a reasonable copying fee of .15 per page of standard paper after the initial 50 free pages. I also understand that Illinois law allows the public body to waive said fees when the information sought is not for a commercial purpose and is in the public interest, as is the case for this request. As such I am requesting that any fees be waived and if they are not we are only willing to pay fees for this request up to a maximum of ten dollars (\$10). If you estimate that the fee will exceed this limit, please inform us first.

We request that the above information be transmitted to us electronically in a PDF or JPEG format at [MyWhitePines@gmail.com](mailto:MyWhitePines@gmail.com). If it is not possible to send the requested information in this format, a representative of the White Pines Community Alliance will be available pick up the documents at your earliest convenience.

Respectfully,

James Brill  
White Pines Community Alliance  
[REDACTED]



# BOND, DICKSON & CONWAY

400 S. Knoll Street, Unit C, Wheaton, Illinois 60187 P 630.681.1000 F 630.681.1020

February 26, 2019

**VIA HAND DELIVERY**

Mr. Frank DeSimone  
President  
Village of Bensenville  
12 S. Center Street  
Bensenville, IL 60106

Re: The Ordinance or Resolution  
Approving Annexation  
Our File No.: 09-994

Dear President DeSimone:

I am writing in connection with the Public Hearing scheduled for this evening on the proposed property annexations to the municipal boundaries of the Village of Bensenville. The Bensenville Fire Protection District No. 1 has researched the properties sought to be annexed by the Village and has determined that several of the properties are not, in fact, contiguous to the Village of Bensenville. As such, the Village lacks the legal authority to annex properties which do not satisfy the legal contiguity requirements of the statute.

The Fire District is requesting that the Village defer any action on the proposed annexations until such time as all of the properties sought to be annexed can be reviewed and evaluated to determine whether they can be annexed, pursuant to law. A Representative of the Fire District will be present at the Public Hearing this evening to express the concerns of the Fire District.

Very truly yours,

BOND, DICKSON & CONWAY

*Patrick K. Bond*

Patrick K. Bond  
Attorney for Bensenville Fire  
Protection District No. 1



## VILLAGE OF BENSENVILLE FREEDOM OF INFORMATION ACT REQUEST FORM

TO: **COREY WILLIAMSEN**

*Freedom of Information Officer  
Village of Bensenville  
12 S. Center Street  
Bensenville, IL 60106*

FROM: Name Gina Mellenthin c/o white pines

Address ██████████

Phone ██████████

E-Mail ██████████

### **TITLES OR DESCRIPTION OF RECORDS REQUESTED (Please Include Date of Birth and Case Number for Police Records):**

Pursuant to the freedom of information act White Pines is requesting any and all emails or texts  
From FRANK Desi, 9/10/10 to Jim Brill or Kelly Novello or Marianne Faraone from Jan 2018 to Feb 2019

**THIS REQUEST IS FOR A COMMERCIAL PURPOSE** (*You must state whether your request is for a commercial purpose.* A request is for a "commercial purpose" if all or any part of the information will be used in any form for sale, resale, or solicitation or advertisement for sales or services. Failure to disclose whether a request is for a commercial purpose is a prosecutable violation of FOIA.)

Would like your request delivered via:  E-Mail  U.S. Mail  Pick-Up\*

\*Pick-Up is available by appointment at Village Hall Monday thru Friday, between 8:00 a.m. - 5:00 p.m.

I understand that any payment need be received before any documents are copied and/or mailed.

2/21/2019

Date

Sig. ██████████

All FOIA responses are posted on the Village's website. Name and address of the requestor will be made public.

The first fifty (50) pages of the request are free. The fee charge is fifteen (15) cents after the first fifty (50) pages.

Unless otherwise notified, your request for public records will be compiled within five (5) working days.

Unless otherwise notified, any request for commercial purposes will be compiled within twenty-one (21) days working days.

-----  
**COREY WILLIAMSEN, FREEDOM OF INFORMATION OFFICER**

Telephone: (630) 350-3404 Facsimile: (630) 350-3438

E-mail Address: FOIArequest@bensenville.il.us

\*\*\*For Freedom of Information Officer Use Only\*\*\*

Date Request Received

Date Response Due

Date Extended Response Due

Total Charges

Date Documents Copied or Inspected

Received by Employee: ██████████



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**From:** Corey Williamsen  
**Sent:** Tuesday, March 12, 2019 8:19 AM  
**To:** 'White Pines Community Alliance'  
**Cc:** Nancy Quinn  
**Subject:** Bensenville FOIA Response - March 12, 2019 - Brill #5131  
**Attachments:** 5131\_James\_Brill\_FOIA\_Complete.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	'White Pines Community Alliance'	
	Nancy Quinn	
	NQuinn@bensenville.il.us	Delivered: 3/12/2019 8:19 AM

Good Morning Mr. Brill-

Please see the attached FOIA response dated March 12, 2019 in regards to your FOIA request dated March 7, 2019.

Please let me know if you have any questions.

Thanks!

**Corey Williamsen**

Deputy Village Clerk



12 South Center Street, Bensenville, IL 60106  
P: 630.350.3404 F: 630.350.3438

---

**From:** White Pines Community Alliance <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)>  
**Sent:** Thursday, March 7, 2019 12:59 PM  
**To:** Corey Williamsen <[CWilliamsen@bensenville.il.us](mailto:CWilliamsen@bensenville.il.us)>  
**Subject:** FOIA request

Corey,

Please find attached our FOIA request.

Thank you,

**Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello



BENSENVILLE

12 South Center Street  
Bensenville, IL 60105

Office: 630.250.3204  
Fax: 630.250.3436  
[www.bensenville.il.us](http://www.bensenville.il.us)

VILLAGE BOARD

March 12, 2019

President  
Leslie DeSimone

Board of Trustees  
Lisa Lammons  
Amy Fries  
Agneska "Mimi" Jaworska  
Marilyn Lamm  
Veronica Paszadla de  
Monteith-Perez

Village Clerk  
Nancy Williams

Village Manager  
Carolyn Williamsen

Mr. James Brill  
White Pines Community Alliance

Re: March 7, 2019 FOIA Request

Dear Mr. Brill:

I am pleased to help you with your March 7, 2019 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on March 7, 2019. You requested copies of the items indicated below:

1. *"Any written response from the village or its agent to a letter dated February 26, 2019 from Patrick Bond and submitted by a Fire Protection District 1 representative at the February 26, 2019 village board meeting."*
2. *"Any document submitted to the Circuit Court of the Eighteenth Judicial Circuit in the matter of Gina Mellenthin vs Frank DeSimone, Case #2018CH001065 between the dates of January 19, 2019 and to this present date."*

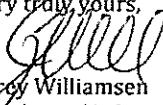
After a search of Village files, the following information was found responsive to your request:

- 1) The Circuit Court of the Eighteenth Judicial Circuit Case Number 2018CH001065 Order Dated March 7, 2019. (1pg.)

These are all the records found responsive to your request.

The Village has no documents responsive to your request for *"Any written response from the village or its agent to a letter dated February 26, 2019 from Patrick Bond and submitted by a Fire Protection District 1 representative at the February 26, 2019 village board meeting."*

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,  
  
Carolyn Williamsen  
Freedom of Information Officer  
Village of Bensenville

**Freedom of Information Request**

**To**

**Village of Bensenville, Illinois**

5131

Cory Williamsen  
Freedom of Information Officer  
Village of Bensenville  
12 S. Center Street  
Bensenville, Illinois 60106

March 7, 2019

Dear Mr. Williamsen

Under the Illinois Freedom of Information Act, 5 ILCS 140/1-11, we are requesting the following information or copies of records/documents indicating the following information.

1. Any written response from the village or its agent to a letter dated February 26, 2019 from Patrick Bond and submitted by a Fire Protection District 1 representative at the February 26, 2019 village board meeting.
2. Any document submitted to the Circuit Court of the Eighteenth Judicial Circuit in the matter of Gina Mellenthin vs Frank Desimone, Case #2018CH001065 between the dates of January 19, 2019 and to this present date.

We understand that the Illinois Act permits a public body to charge a reasonable copying fee of .15 per page of standard paper after the initial 50 free pages. I also understand that Illinois law allows the public body to waive said fees when the information sought is not for a commercial purpose and is in the public interest, as is the case for this request. As such I am requesting that any fees be waived and if they are not we are only willing to pay fees for this request up to a maximum of ten dollars (\$10). If you estimate that the fee will exceed this limit, please inform us first.

We request that the above information be transmitted to us electronically in a PDF or JPEG format at [MyWhitePines@gmail.com](mailto:MyWhitePines@gmail.com). If it is not possible to send the requested information in this format, a representative of the White Pines Community Alliance will be available pick up the documents at your earliest convenience.

Respectfully,

James Brill  
White Pines Community Alliance  
[REDACTED]

ORDER

2018CH001065-113

STATE OF ILLINOIS

UNITED STATES OF AMERICA

COUNTY OF DU PAGE

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

GINA MELLENTHIN

-VS-

FRANK DESIMONE

2018CH001065  
CASE NUMBER

**FILED**

19 Mar 07 AM 09:36

*Chris Kachioubas*  
CLERK OF THE  
18TH JUDICIAL CIRCUIT  
DUPAGE COUNTY, ILLINOIS

ORDER

This matter coming before this Court, and this Court having jurisdiction, it is hereby Ordered:

- Defendants have 28 days (through April 4, 2019) to file a motion to dismiss Plaintiff's Amended Complaint.
- Plaintiff's have 21 days (through April 25, 2019) to respond.
- Defendants have 14 days (through May 9, 2019) to reply.
- Matter is set for hearing on June 6, 2019 at 9:30 am in Room 2007.

Submitted by: KEITH WERWAS

Attorney Firm: MATTON AND WERWAS PC

DuPage Attorney Number: 328992

Attorney for:

Address: 134 N LASALLE ST, SUITE 1040

City/State/Zip: CHICAGO, IL, 60602

Phone number: 312-236-6800

Email address : kwerwas@mattonandwerwas.com

Entered: *3/07/2019 10:34:07 AM*

JUDGE BONNIE M WHEATON

Validation ID : DP-03072019-0936-15401

Date: 03/07/2019

---

**From:** White Pines Community Alliance <mywhitepines@gmail.com>  
**Sent:** Friday, April 5, 2019 1:09 PM  
**To:** Corey Williamsen  
**Subject:** FOIA request  
**Attachments:** 04.05.19 Bensenville FOIA request.docx

Corey,

Please see our attached FOIA request.

Thank you,

**Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello

**Freedom of Information Request**

**To**

**Village of Bensenville, Illinois**

Cory Williamsen  
Freedom of Information Officer  
Village of Bensenville  
12 S. Center Street  
Bensenville, Illinois 60106

April 5, 2019

Dear Mr. Williamsen

Under the Illinois Freedom of Information Act, 5 ILCS 140/1-11, we are requesting the following information or copies of records/documents indicating the following information.

1. Any document submitted to the Circuit Court of the Eighteenth Judicial Circuit in the matter of Gina Mellenthin vs Frank Desimone, Case #2018CH001065 between the dates of March 20, 2019 and to this present date.

We understand that the Illinois Act permits a public body to charge a reasonable copying fee of .15 per page of standard paper after the initial 50 free pages. I also understand that Illinois law allows the public body to waive said fees when the information sought is not for a commercial purpose and is in the public interest, as is the case for this request. As such I am requesting that any fees be waived and if they are not we are only willing to pay fees for this request up to a maximum of ten dollars (\$10). If you estimate that the fee will exceed this limit, please inform us first.

We request that the above information be transmitted to us electronically in a PDF or JPEG format at [MyWhitePines@gmail.com](mailto:MyWhitePines@gmail.com). If it is not possible to send the requested information in this format, a representative of the White Pines Community Alliance will be available pick up the documents at your earliest convenience.

Respectfully,

James Brill  
White Pines Community Alliance  
[REDACTED]

---

**From:** Corey Williamsen  
**Sent:** Friday, April 5, 2019 5:02 PM  
**To:** White Pines Community Alliance  
**Subject:** Re: Foia request

Will do. Thanks, have a good weekend.

Corey Williamsen  
Deputy Village Clerk  
Village of Bensenville  
Sent from my iPhone

On Apr 5, 2019, at 4:47 PM, White Pines Community Alliance <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)> wrote:

Corey,

Please disregard our FOIA request submitted earlier today.

Thank you,

**Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana,  
Debbie Brill and Jim Novello

---

**From:** Corey Williamsen  
**Sent:** Thursday, April 18, 2019 11:03 AM  
**To:** 'White Pines Community Alliance'  
**Cc:** Nancy Quinn  
**Subject:** Bensenville FOIA Response - April 18, 2019 - Brill #5404  
**Attachments:** 5404\_James\_Brill\_FOIA\_Complete.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	'White Pines Community Alliance'	
	Nancy Quinn	
	NQuinn@bensenville.il.us	Delivered: 4/18/2019 11:03 AM

Good Morning Mr. Brill-

Please see the attached FOIA response dated April 18, 2018 in regards to your FOIA request dated April 11, 2018.

Please let me know if you have any questions.

Thanks!

**Corey Williamsen**

Deputy Village Clerk



12 South Center Street, Bensenville, IL 60106  
P: 630.350.3404 F: 630.350.3438

---

**From:** White Pines Community Alliance <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)>  
**Sent:** Thursday, April 11, 2019 1:39 PM  
**To:** Corey Williamsen <[CWilliamsen@bensenville.il.us](mailto:CWilliamsen@bensenville.il.us)>  
**Subject:** Requested FOIA

Corey,

Please see our attached FOIA request.

Thank you,

**Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello



BENSENVILLE

12 South Center Street  
Bensenville, IL 60106

Office: 630.250.2404  
Fax: 630.250.2408  
[www.bensenville.il.us](http://www.bensenville.il.us)

VILLAGE BOARD

April 18, 2019

**President**  
Frank DeSimone

**Board of Trustees**  
Dwight Brummitt  
Dee Fink  
Agata "Gwen" Jaworska  
Lisa Klemm  
Jeffrey Parcinski  
Terriann Tracy

**Village Clerk**  
Sonya Hump

**Village Manager**  
Corey Williamsen

**Mr. James Brill**  
White Pines Community Alliance

Re: April 11, 2019 FOIA Request

Dear Mr. Brill:

I am pleased to help you with your April 11, 2019 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on April 11, 2019. You requested copies of the items indicated below:

*"Any document submitted to the Circuit Court of the Eighteenth Judicial Circuit in the matter of Gina Mellenthin vs Frank DeSimone, Case #2018CH001065 between the dates of March 20, 2019 and to this present date."*

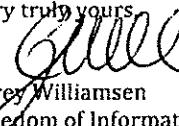
After a search of Village files, the following information was found responsive to your request:

- 1) Circuit Court of the Eighteenth Judicial Circuit County of DuPage Case No. 2018CH001065 Filed April 11, 2019. (13 pgs.)

These are all the records found responsive to your request.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,

  
Corey Williamsen  
Freedom of Information Officer  
Village of Bensenville

**Freedom of Information Request**

**To**

**Village of Bensenville, Illinois**

5404

Cory Williamson  
Freedom of Information Officer  
Village of Bensenville  
12 S. Center Street  
Bensenville, Illinois 60106

April 11, 2019

Dear Mr. Williamson

Under the Illinois Freedom of Information Act, 5 ILCS 140/1-11, we are requesting the following information or copies of records/documents indicating the following information.

1. Any document submitted to the Circuit Court of the Eighteenth Judicial Circuit in the matter of Gina Mellenthin vs Frank Desimone, Case #2018CH001065 between the dates of March 20, 2019 and to this present date.

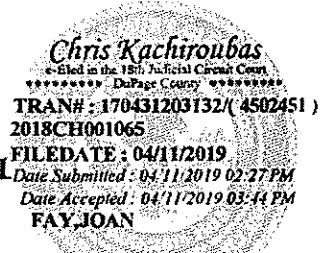
We understand that the Illinois Act permits a public body to charge a reasonable copying fee of .15 per page of standard paper after the initial 50 free pages. I also understand that Illinois law allows the public body to waive said fees when the information sought is not for a commercial purpose and is in the public interest, as is the case for this request. As such I am requesting that any fees be waived and if they are not we are only willing to pay fees for this request up to a maximum of ten dollars (\$10). If you estimate that the fee will exceed this limit, please inform us first.

We request that the above information be transmitted to us electronically in a PDF or JPEG format at [MyWhitePines@gmail.com](mailto:MyWhitePines@gmail.com). If it is not possible to send the requested information in this format, a representative of the White Pines Community Alliance will be available pick up the documents at your earliest convenience.

Respectfully,

James Brill  
White Pines Community Alliance  
[REDACTED]

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL  
CIRCUIT COUNTY OF DU PAGE



Gina Mellenthin, Kurt Igleman, )  
Celeste Shaw, Phil Adcock, and )  
Garry Gardner )  
 )  
Plaintiffs. )  
 )  
vs. ) Case No. 2018 CH 001065  
 )  
Frank DeSimone, Rosa Carmona, )  
Ann Franz, Agnieszka Jaworska, )  
McLane Lomax, Nicholas Panicola, Jr., )  
and Armando Perez. )  
 )  
Defendants. )

**DEFENDANTS' SECTION 2-615 AND 2-619**  
**MOTIONS TO DISMISS PLAINTIFFS' AMENDED COMPLAINT**

Defendants, Frank DeSimone, Rosa Carmona, Ann Franz, Agnieszka Jaworska, McLane Lomax, Nicholas Panicola, Jr., and Armando Perez, through their attorneys, Montana and Welch, LLC, present the following as their motion to dismiss Plaintiffs' Amended Complaint pursuant to Section 2-615 and Section 2-619 of the *Code of Civil Procedure*, 735 ILCS 5/2-615 and 2-619.

**I. Plaintiffs' Allegations<sup>1</sup>**

Plaintiffs allege that they are all similarly situated Plaintiffs and are all unincorporated owners within the Village of Bensenville. (Amended Complaint, ¶ 13). Plaintiffs contend that the Village is in charge of their water service. (Amended Complaint, ¶ 14). Plaintiffs assert that they cannot vote for the Village's representatives and trustees. (Amended Complaint, ¶ 15). Plaintiffs state that they have been contributing funds through their water bill to a capital fund called

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<sup>1</sup> By citing to and arguing regarding Plaintiffs' pled facts in this Motion, Defendants in no way admit that these facts are true. Plaintiffs' pled facts are contested and Defendants reserve the right to deny them in an answer should their Motion not be granted.

“Unincorporated Utility Fund” for capital improvements to their water system. (Amended Complaint, ¶ 16).

Plaintiffs, citing to an undated exhibit for which no foundation is provided, plead that the Unincorporated Utility Fund is an account “for deposits made by the unincorporated water and sewer utility users with the intent of providing various water and sewer system improvements that would directly benefit those depositors.” (Amended Complaint, ¶ 17, citing Ex. A). Plaintiffs allege that the “Village of Bensenville trustees and representatives are supposed to put the funds received from the unincorporated owners into the Unincorporated Utility Fund.” (Amended Complaint, ¶ 18).

Plaintiffs plead that while there was \$912,081 in the Unincorporated Utility Fund as of the end of 2017, no monies were attributed by the Village to the Unincorporated Utility Fund from at least 2013 through 2017. (Amended Complaint, ¶ 19-21, citing Ex. B). All told, there would be an additional \$300,000 in the Unincorporated Utility Fund but for the zero contribution during these years. Plaintiffs allege. (Amended Complaint, ¶ 22-23).

Plaintiffs argue that the above pled facts establish a claim that the individual Village Trustees and Village President breached a fiduciary duty of care, loyalty, good faith, and independence that the Defendants (the current Trustees of the Village Board and the Village President) owed to them. Though they acknowledge that there was nearly \$1 million in the Unincorporated Utility Fund as of the end of 2017, they still claim that they “have and will continue to suffer irreparable injury in that the moneys that have been paid to the Unincorporated Utility Fund have disappeared.” (Amended Complaint, ¶ 27).

Plaintiffs conclude that “[u]nless enjoined by this Court, the Defendants will continue to breach their fiduciary duties owed to Plaintiffs to the irreparable harm of Plaintiffs and will

continue to do so until Defendants conform with the intention of the Unincorporated Utility Fund.” (Amended Complaint, ¶ 29).

Plaintiffs are asking this Court to issue an injunction against Defendants requiring a “full accounting and a return of the funds to the Unincorporated Utility Fund.” (Amended Complaint, Prayer for Relief). For the reasons which will be discussed below, Plaintiffs’ Amended Complaint should be dismissed.

## **II. Discussion**

### **A. Plaintiffs Lack Standing to Bring this Action**

Lack of standing is an affirmative matter which may be raised in a motion to dismiss pursuant to Section 2-619(a)(9) of the Code of Civil Procedure. 735 ILCS 5/2-619(a)(9). *Winnebago County Citizens for Controlled Growth v. County of Winnebago*, 383 Ill. App. 3d 735, 739 (2<sup>nd</sup> Dist. 2008). Plaintiffs bring the Amended Complaint in their individual capacities seeking to affect the rights of the other unincorporated property owners who receive water service from the Village.

Plaintiffs do not allege that they have any representational relationship with these residents (past and present), nor do they plead any facts which, if taken as true, would allow them to represent and affect the interests of all of these property owners. They do not allege any of the elements required to bring a class action pursuant to Section 2-801 of the Illinois Code of Civil Procedure. Moreover, Plaintiff Garry Gardner has not paid the Village for any water and sewer services at any point in time, including between 2013-17. (Exhibit A, Affidavit of Village Manager Evan K. Summers, ¶ 2).

Plaintiffs’ Amended Complaint should be dismissed pursuant to Section 2-619(a)(9) because Plaintiffs do not have standing to sue on behalf of all unincorporated property owners who

receive water service from the Village, or to bring this matter as a class action under the facts as alleged.

**B. The Individual Trustees and Board President are not Proper Defendants**

Plaintiffs have sued the Village of Bensenville's President (Frank DeSimone) and the Village's Trustees (Rosa Carmona, Ann Franz, Angnieszka Jawoska, McLane Lomax, Nicholas Panicola, Jr. and Armando Perez) as individual Defendants.

Plaintiffs are seeking a "full accounting and a return of the funds to the Unincorporated Utility Fund." (Amended Complaint, Prayer for Relief). This relief would require official action on the part of the Village. When suit is brought to enjoin a public official from taking some action, the public official must be sued in his official capacity and not his individual capacity. A decree against a public official in his individual capacity does not bind him in his official capacity. *McMechan v. Yenter*, 301 Ill. 508, 512 (1922). See also Moser v. Highway Commissioner of Town of Urbana, 114 Ill.App.3d 137, 141 (4<sup>th</sup> Dist. 1983).

Plaintiffs have not named the Defendants in their official capacities, which results in this Court having no jurisdiction to bind them in their official capacities. Because an injunction issued against Defendants in their individual capacities would accomplish nothing, it is proper to dismiss Plaintiffs' Amended Complaint under 2-615 as Defendants are not proper defendants.

Furthermore, Plaintiffs contend that the alleged breaches of duty occurred between 2013 and 2017. (Amended Complaint, ¶ 19-21, citing Ex. B). Four of the Defendants (Franz, Lomax, Panicola, and Perez) did not take office until May 2017. (Ex. A, Summers Aff. ¶ 3). And the other three Defendants (DeSimone, Carmona and Jaworska) took office in May 2015. *Id.* So none of the Defendants held their offices when the alleged breach of fiduciary duty allegedly began in 2013, and Plaintiff's have failed to specify any action that the Defendants took individually, so it cannot

be determined from the pleading when the specific breaches of fiduciary duty occurred or who committed those breaches. *Id.* This is another ground to dismiss the Amended Complaint, pursuant to Section 2-615 and 2-619(a)(9).

**C. Plaintiffs do not Plead the Elements Necessary for the Issuance of an Injunction**

**1. Plaintiffs Fail to Plead a Clear, Protectable Interest and an Irreparable Injury**

Plaintiffs' Amended Complaint seeks injunctive relief. (Amended Complaint ¶ 29). “[I]n order to be entitled to permanent injunctive relief, a party “must show that he possesses a clear, protectable interest for which there is no adequate remedy at law and that irreparable injury will result if the relief is not granted.” *C.J. v. Dep’t of Human Servs.*, 331 Ill. App. 3d 871, 891 (1<sup>st</sup> Dist. 2002)).

As to a clear, protectible interest, Plaintiffs have not cited to any authority establishing that they have standing to bring legal action to impact the alleged Unincorporated Utility Fund as a whole, or authority that they have standing to bring this claim on behalf of all unincorporated property owners who ever paid into the Unincorporated Utility Fund. As to irreparable injury, Plaintiffs generally allege that “[u]nless enjoined by this Court, the Defendants will continue to breach their fiduciary duties owed to Plaintiffs to the irreparable harm of Plaintiffs and will continue to do so until Defendants conform with the intention of the Unincorporated Utility Fund.” (Amended Complaint ¶ 29). This is a conclusory allegation, which is not sufficient to establish an irreparable injury. *Larkin v. Howlett*, 19 Ill. App. 3d 343, 345 (4<sup>th</sup> Dist 1974).

Nor can any injury be inferred from Plaintiffs' pled facts. Plaintiffs contend that there was nearly \$1 million in the Unincorporated Utility Fund as of the end of 2017. (Amended Complaint ¶ 20). If there was nearly \$1 million in the Unincorporated Utility Fund as of the end of 2017, and

no allegation that the Village was unable to make any specific capital improvement due to the alleged reduction in funds, no injury can be read from Plaintiffs' Amended Complaint.

Further, “[i]t is a well-established rule that, if a party's injury can be adequately compensated through money damages, then it has an adequate remedy at law and does not need the extraordinary remedy of injunctive relief.” *Lumbermen's Mut. Cas. Co. v. Sykes*, 384 Ill. App. 3d 207, 230–31 (1<sup>st</sup> Dist. 2008). “It is only when money is insufficient to compensate the injury, or when the injury cannot be properly quantified in terms of money, that injunctive relief is necessary.” *Id.* at 231.

Plaintiffs are alleging that a specific sum of money - \$300,000 – was not put into the fund. Even if Plaintiff's had standing, even if they pled facts establishing that Defendants had and then breached a fiduciary duty to them, and even if they pled that they suffered a specific injury as a result of that breach, monetary damages would be sufficient to compensate them for their injuries. So they cannot sustain a claim for injunctive relief. Plaintiffs' Amended Complaint should be dismissed under Section 2-615 for these reasons.

## **2. Plaintiffs do not Adequately Plead a Breach of Fiduciary Duty Claim**

“When granting permanent injunctive relief, the trial court, by definition, necessarily decides the plaintiffs' success on the merits of the case.” *Sparks v. Gray*, 334 Ill. App. 3d 390, 395 (5<sup>th</sup> Dist. 2002). Plaintiffs' Amended Complaint is predicated on a breach of fiduciary duty. To prevail on a claim of breach of fiduciary duty, “the plaintiff must show that: 1) there existed a fiduciary duty; 2) that duty was breached; and 3) an injury resulted from the breach.” *In re Edgewater Med. Ctr.*, 373 B.R. 845, 858 (Bankr. N.D. Ill. 2007) (citing *Petri v. Gatlin*, 997 F.Supp. 956, 977 (N.D.Ill.1997)).

Plaintiffs allege that from “at least 2013 through 2017, the receivables are \$0 that have been attributed by the Village of Bensenville to the Unincorporated Utility Fund” and that “Village of Bensenville trustees and representatives are supposed to put the funds received from the unincorporated owners in to the Unincorporated Utility Fund” but have not been doing this. (Amended Complaint, ¶¶ 18-19, 21).

These conclusory allegations are not sufficient to plead a claim for breach of fiduciary duty against Defendants. As an initial matter, Plaintiffs do not plead facts establishing that Defendants owed them a fiduciary duty to deposit the funds received from the unincorporated owners into the Unincorporated Utility Fund. Plaintiffs attach an exhibit to their Amended Complaint which purports to define the “Unincorporated Utility Fund.” (Amended Complaint, Exhibit A). But this undated and unauthenticated document says nothing about any obligation on the part of the Board President or Trustees to deposit money into this fund. And Plaintiffs do not plead facts establishing that the funds were in any way misused by any of the Defendants.

The lack of factual detail about what Defendants allegedly did wrong here is significant given the fact that none of the Defendants were in office in 2013, the time the alleged breaches began. In fact, four of the seven Defendants did not take office until May 2017, which is at the very end of the time period at issue in the Amended Complaint.

Plaintiffs have not pled facts showing that they have suffered any injury as a result of the alleged breaches. So even if, arguendo, the Defendants (individually) owed Plaintiffs a fiduciary duty to put the funds received from the unincorporated owners in to the Unincorporated Utility Fund and nowhere else, and even if, arguendo, they breached that duty, Plaintiffs have not pled any facts showing that they were injured by this.

In short, Plaintiffs fail to plead a valid breach of fiduciary duty claim. This is grounds to dismiss Plaintiffs' Amended Complaint under Section 2-615.

### **III. Conclusion**

For the foregoing reasons, Defendants Frank DeSimone, Rosa Carmona, Ann Franz, Agnieszka Jaworska, McLane Lomax, Nicholas Panicola, Jr., and Armando Perez, in their individual capacities, request that this court dismiss Plaintiffs' Amended Complaint, and grant any further relief deemed just.

Respectfully submitted.

MONTANA & WELCH, LLC.

By: /s/ Richard F. Bruen

One of the attorneys for the Defendants, Frank DiSimone, Rosa Carmona, Ann Franz, Agnieszka Jaworska, McLane Lomax, Nicholas Panicola, Jr., and Armando Perez

Richard F. Bruen, Jr.  
MONTANA & WELCH, LLC  
11950 S. Harlem Avenue – Suite 102  
Palos Heights, IL 60463  
(708) 448-7005  
[rbruenn@montanawelch.com](mailto:rbruenn@montanawelch.com)  
Attorney Code 308878

STATE OF ILLINOIS

UNITED STATES OF AMERICA  
IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

COUNTY OF DU PAGE

Gina Mellenthin, et al.

Plaintiff,

v.

Frank DeSimone, et al.

Defendant,

2018 CH 001065

Case Number



File Stamp Here

## EXHIBIT COVER SHEET

**EXHIBIT NAME:** Exhibit A, Affidavit of Village Manager Evan K. Summers**TITLE OF DOCUMENT THIS EXHIBIT BELONGS WITH:**

Defendants' Section 2-615 and 2-619 Motions to Dismiss Plaintiffs' Amended Complaint

**Document File Date:** April 11, 2019*(The file date of the document this exhibit belongs with)*Defendants, Frank DiSimone, Rosa Carmona, Ann Franz,  
Agnieszka Jaworska, McLane Lomax, Nicholas Panicola, Jr., and**EXHIBIT FILED ON BEHALF OF:** Armando Perez*(Case Party Name)*

Submitted by: Richard F. Bruen, Jr., Montana &amp; Welch, LLC

Name: Richard F. Bruen, Jr.  Pro Se

DuPage Attorney Number: 308878

Attorney for: Defendants

Address: 11950 S. Harlem Avenue, Suite 102

City/State/Zip: Palos Heights, IL 60463

Telephone Number: (708) 448-7005

Email: rbruен@montanawelch.com

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL  
CIRCUIT COUNTY OF DU PAGE**

Chris Kachtroubas  
e-filed in the 18th Judicial Circuit Court  
DuPage County 4th Flr. Vols. 4  
TRAN# : 170331203132/ 4502451 )  
18CH001965  
FILEDATE: 04/11/2019  
Date Submitted : 04/11/2019 02:27 PM  
Date Accepted : 04/11/2019 02:27 PM  
FAY, JOAN

Gina Mellenthin, et al. )  
Plaintiff, )  
vs. ) Case No. 2018 CH 001065  
Frank DeSimone, Rosa Carmona, )  
Ann Franz, Agnieszka Jaworska, )  
McLane Lomax, Nicholas Panicola, Jr., )  
and Armando Perez, )  
Defendants. )

**AFFIDAVIT OF EVAN K. SUMMERS**

I, Evan K. Summers, do hereby swear and affirm as follows pursuant to Illinois Supreme Court Rule 191:

1. I am the Village Manager for the Village of Bensenville. If called to testify in this matter, I would testify consistently with this Affidavit.

2. I have searched the Village's records and could not find any record of a water or sewer customer named Garry Gardner, nor could I find any record showing that the Village charged anyone named Garry Gardner for water or sewer services, in an unincorporated area or otherwise, from January 1, 2013 through December 31, 2017.

3. As to the individual Defendants in this action, their history as elected officials of the Village of Bensenville is as follows:

- a. Frank DeSimone – Was elected to the Village Board of Trustees in May 2015. Was elected as Village President in May 2017;
- b. Rosa Carmona – Was elected to the Village Board of Trustees in May 2015;
- c. Ann Franz – Was elected to the Village Board of Trustees in May 2017;
- d. Agnieszka Jaworska – Was elected to the Village Board of Trustees in May 2015;
- e. McLane Lomax – Was elected to the Village Board of Trustees in May 2017;
- f. Nicholas Panicola, Jr. – Was appointed to the Village Board of Trustees in May 2017; and,
- g. Armando Perez – Was elected to the Village Board of Trustees in May 2017.

None of these individuals served on the Village Board of Trustees prior to the dates stated above.

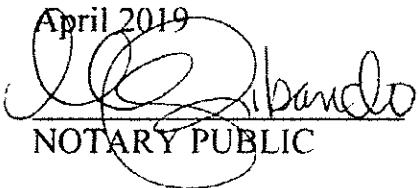
FURTHER AFFIANT SAYETH NOT



Evan K. Summers

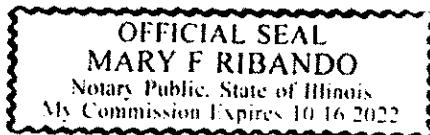
SUBSCRIBED and SWORN to  
Before me on this 10 day of

April 2019



ribando

NOTARY PUBLIC



IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL  
CIRCUIT COUNTY OF DU PAGE

Gina Mellenthin, Kurt Igelman, )  
Celeste Shaw, Phil Adcock, and )  
Garry Gardner )  
Plaintiffs. )  
vs. )  
Frank DeSimone, Rosa Carmona, )  
Ann Franz, Agnieszka Jaworska, )  
McLane Lomax, Nicholas Panicola, Jr., )  
and Armando Perez. )  
Defendants. )

Case No. 2018 CH 001065

Chris Kachiroubas  
e-filed in the 18th Judicial Circuit Court  
\*\*\*\*\* DuPage County \*\*\*\*\*  
TRAN# : 170431203132/ (4502451 )  
2018CH001065  
FILEDATE : 04/11/2019  
Date Submitted : 04/11/2019 02:27 PM  
Date Accepted : 04/11/2019 03:41 PM  
FAY JOAN

**NOTICE OF MOTION**

To: Keith H. Werwas  
Matton and Werwas, P.C.  
134 N. LaSalle Street, Suite 1040  
Chicago, IL 60602  
[kwerwas@mattonandwerwas.com](mailto:kwerwas@mattonandwerwas.com)

PLEASE TAKE NOTICE that on June 6, 2019, at 9:30 a.m. or as soon thereafter as counsel may be heard, we shall appear before the Honorable Judge Bonnie M. Wheaton or any judge sitting in her stead, in Room 2007 of the Circuit Court of DuPage County, DuPage County Judicial Center, 505 North County Farm Road, Wheaton, Illinois 60187 and then and there shall present the attached **Defendants' Section 2-615 and 2-619 Motions to Dismiss Plaintiffs' Amended Complaint**, a copy of which is attached hereto.

MONTANA & WELCH, LLC.

By: /s/ Richard F. Bruen

One of the attorneys for the Defendants

Richard F. Bruen, Jr. (Attorney Code 308878)  
MONTANA & WELCH, LLC  
11950 S. Harlem Avenue – Suite 102  
Palos Heights, IL 60463  
(708) 448-7005  
[rbruenn@montanawelch.com](mailto:rbruenn@montanawelch.com)

**PROOF OF SERVICE**

I, the undersigned, an attorney, on oath state, that on April 11, 2019, I caused a copy of this ***Notice of Motion*** and the foregoing ***Defendants' Section 2-615 and 2-619 Motions to Dismiss Plaintiffs' Amended Complaint*** to be served on the above-listed party by placing same in a properly addressed, postage prepaid envelope and depositing same in the U.S. Mail at Palos Heights, Illinois 60463 before 5:00 p.m. and via email.

/s/ Richard F. Bruen

Richard F. Bruen, Jr. (Attorney Code 308878)  
MONTANA & WELCH, LLC  
11950 S. Harlem Avenue – Suite 102  
Palos Heights, IL 60463  
(708) 448-7005  
[rbruен@montanawelch.com](mailto:rbruен@montanawelch.com)

**From:** Corey Williamsen  
**Sent:** Friday, April 26, 2019 8:33 AM  
**To:** 'White Pines Community Alliance'  
**Cc:** Nancy Quinn  
**Subject:** Bensenville FOIA Response - April 26, 2019 - Brill #5450  
**Attachments:** 5450\_James\_Brill\_FOIA\_Complete.pdf

Tracking:	Recipient	Delivery
	'White Pines Community Alliance'	
	Nancy Quinn	
	NQuinn@bensenville.il.us	Delivered: 4/26/2019 8:33 AM

Good Morning Mr. Brill-

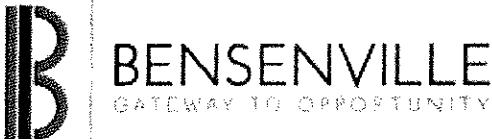
Please see the attached FOIA response dated April 26, 2019 in regards to your FOIA request dated April 25, 2019.

Please let me know if you have any questions.

Thanks!

**Corey Williamsen**

Deputy Village Clerk



12 South Center Street, Bensenville, IL 60106  
P: 630.350.3404 F: 630.350.3438

**From:** White Pines Community Alliance <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)>  
**Sent:** Thursday, April 25, 2019 1:34 PM  
**To:** Corey Williamsen <[CWilliamsen@bensenville.il.us](mailto:CWilliamsen@bensenville.il.us)>  
**Subject:** New FOIA request

Corey,

Please find attached our 04.25.19 FOIA request.

Thank you,

**Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello



12 South Center Street  
Bensenville, IL 60106

Office: 630.250.2404  
Fax: 630.250.3458  
[www.bensenville.il.us](http://www.bensenville.il.us)

**VILLAGE BOARD**

**April 26, 2019**

**President**  
Paul Bensinger

**Board of Trustees**  
Reed Laramore  
Mike Frantz  
Suzanne "Janet" Jaworska  
Patricia Loma  
Cynthia Reynolds  
Anita S. Sherry

**Village Clerk**  
Nancy Breen

**Village Manager**  
Corey Williamsen

**Mr. James Brill**  
White Pines Civic Association

**Re: April 25, 2019 FOIA Request**

**Dear Mr. Brill:**

I am pleased to help you with your April 25, 2019 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on April 25, 2019. You requested copies of the items indicated below:

*"Any FOIA requests sent by the Village of Bensenville to Bensenville Fire Protection District #1, any responses received and any documents regarding actions taken in the event of a nonresponse by BFPD#1."*

After a search of Village files, the following information was found responsive to your request:

- 1) Letter from the Office of the Attorney General Dated April 19, 2019. (10 pgs.)

These are all the records found responsive to your request.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,  
  
Corey Williamsen  
Freedom of Information Officer  
Village of Bensenville

**Freedom of Information Request**

**To**

**Village of Bensenville, Illinois**

5450

Cory Williamsen  
Freedom of Information Officer  
Village of Bensenville  
12 S. Center Street  
Bensenville, Illinois 60106

April 25, 2019

Dear Mr. Williamsen

Under the Illinois Freedom of Information Act, 5 ILCS 140/1-11, we are requesting the following information or copies of records/documents indicating the following information:

Any FOIA requests sent by the Village of Bensenville to Bensenville Fire Protection District #1, any responses received and any documents regarding actions taken in the event of a nonresponse by BFPD #1.

We understand that the Illinois Act permits a public body to charge a reasonable copying fee of .15 per page of standard paper after the initial 50 free pages. I also understand that Illinois law allows the public body to waive said fees when the information sought is not for a commercial purpose and is in the public interest, as is the case for this request. As such I am requesting that any fees be waived and if they are not we are only willing to pay fees for this request up to a maximum of ten dollars (\$10). If you estimate that the fee will exceed this limit, please inform us first.

We request that the above information be transmitted to us electronically in a PDF or JPEG format at [MyWPCA@gmail.com](mailto:MyWPCA@gmail.com). If it is not possible to send the requested information in this format, a representative of the White Pines Civic Association will be available pick up the documents at your earliest convenience.

Respectfully,

James Brill  
White Pines Civic Association  
Water Committee  
[REDACTED]



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

KWAME RAOUL  
ATTORNEY GENERAL

April 19, 2019

Mr. Pete Zalewski  
Secretary, Bensenville Fire Protection District #1  
4N521 Briar Lane  
Bensenville, Illinois 60106

RE: FOIA Request for Review – 2019 PAC 57601  
Requester: Mr. Evan K. Summers, Village Manager, Village of Bensenville  
Date of FOIA request: March 25, 2019

Dear Mr. Zalewski:

The Public Access Bureau has received a Request for Review under section 9.5(a) of the Freedom of Information Act (FOIA)<sup>1</sup> alleging that Bensenville Fire Protection District #1 (District) has not responded to the FOIA request listed above. Copies of Mr. Summers's FOIA request and his Request for Review by this office are attached.

As required by section 9.5(c) of FOIA,<sup>2</sup> please advise this office within seven (7) business days whether you have received and responded to this FOIA request. If you have received the request from the requester but have not yet responded, please respond to the requester and provide a copy of your response to this office. A proper response under section 3(d) of FOIA<sup>3</sup> may resolve this matter. To the extent that the request is denied, however, the requester may file a new Request for Review challenging that denial.

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<sup>1</sup>5 ILCS 140/9.5(a) (West 2016).

<sup>2</sup>5 ILCS 140/9.5(c) (West 2016).

<sup>3</sup>Section 3(d) of FOIA (5 ILCS 140/3(d) (West 2016)) requires a public body to "promptly, either comply with or deny a request for public records within 5 business days after its receipt of the request, unless the time for response is properly extended under subsection (e) of this Section."

Mr. Pete Zalewski

April 19, 2019

Page 2

Please contact me at (312) 814-8413 or [jjones@atg.state.il.us](mailto:jjones@atg.state.il.us) if you have questions or would like to discuss this matter. Thank you.

Very truly yours,



JOSHUA JONES  
Deputy Bureau Chief  
Public Access Bureau

Attachment

cc: *Via electronic mail*  
Mr. Evan K. Summers  
Village Manager  
Village of Bensenville  
12 South Center Street  
Bensenville, Illinois 60106  
[esummers@bensenville.il.us](mailto:esummers@bensenville.il.us)

#57601 -

Sanchez, Lidia

Initial docs

**From:** Evan Summers <ESummers@bensenville.il.us>  
**Sent:** Monday, April 8, 2019 11:41 AM  
**To:** Public Access  
**Cc:** Corey Williamsen; Mary Ribando  
**Subject:** FOIA Request for Review – Bensenville Fire Protection District  
**Attachments:** 2019.04.08 FOIA Request for Review - BFPD1 Lack of Response.pdf

Ms. Pratt,

On March 25, 2019 I submitted the attached FOIA request to Mr. Pete Zalewski in his capacity as Secretary of the Bensenville Fire Protection District 1. A copy of the "Contact Us" webpage indicating Mr. Zalewski's position with the Bensenville Fire Protection District 1 is attached.

The purpose of the FOIA request was to obtain information on expenditures pursuant to 5 ILCS 140/2.5 Records of Funds:

- *Sec. 2.5. Records of funds. All records relating to the obligation, receipt, and use of public funds of the State, units of local government, and school districts are public records subject to inspection and copying by the public. (Source: P.A. 96-542, eff. 1-1-10.)*

The FOIA request was delivered to Mr. Zalewski on March 26<sup>th</sup> and signed for as indicated on the attached USPS Return Receipt.

Section 5 ILCS 140/3 of FOIA provides:

- *(d) Each public body shall, promptly, either comply with or deny a request for public records within 5 business days after its receipt of the request, unless the time for response is properly extended under subsection*

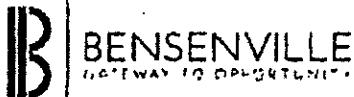
As of today, 10 days after the delivery of the FOIA request, no response or request for extension from the Bensenville Fire Protection District has been obtained. As such, the defacto denial of this request appears to be improper and we implore the Attorney General's Office to review this request and subsequent denial.

Respectfully submitted,

eks

Evan K. Summers

Village Manager



12 South Center Street, Bensenville, IL 60106  
P: 630.350.3420 F: 630.350.1105



12 S. Center St.  
Bensenville, IL 60106

Office: 630.766.8200  
Fax: 630.594.8085

[www.bensenvilleil.us](http://www.bensenvilleil.us)

**VILLAGE BOARD**

Date: April 8, 2019

President  
Frank M. Sennare

Board of Trustees  
Res. Cammons  
Tom Frawley  
Alyssa "Lynn" Jaworska  
Melissa Lerner  
Nicholas Pecchio Jr.  
Armando Perez

Village Clerk  
Kathy Quin

Village Manager  
Evan K. Summers

To: Sarah Pratt  
Public Access Counselor Office of the Attorney General  
500 S. 2nd Street  
Springfield, Illinois 62701

Re: FOIA Request for Review – Bensenville Fire Protection District 1

Ms. Pratt,

On March 25, 2019 I submitted the attached FOIA request to Mr. Pete Zalewski in his capacity as Secretary of the Bensenville Fire Protection District 1. A copy of the "Contact Us" webpage indicating Mr. Zalewski's position with the Bensenville Fire Protection District 1 is attached.

The purpose of the FOIA request was to obtain information on expenditures pursuant to 5 ILCS 140/2.5 Records of Funds:

- *Sec. 2.5. Records of funds. All records relating to the obligation, receipt, and use of public funds of the State, units of local government, and school districts are public records subject to inspection and copying by the public. (Source: P.A. 96-542, eff. 1-1-10.)*

The FOIA request was delivered to Mr. Zalewski on March 26<sup>th</sup> and signed for as indicated on the attached USPS Return Receipt.

Section 5 ILCS 140/3 of FOIA provides:

- *(d) Each public body shall, promptly, either comply with or deny a request for public records within 5 business days after its receipt of the request, unless the time for response is properly extended under subsection*

As of today, 10 days after the delivery of the FOIA request, no response or request for extension from the Bensenville Fire Protection District has been obtained. As such, the defacto denial of this request appears to be improper and we implore the Attorney General's Office to review this request and subsequent denial.

Respectfully,

Evan K. Summers  
Village Manager



12 South Center Street  
Bensenville, IL 60106

Office: 630.350.3404  
Fax: 630.350.3438  
[www.bensenvilleil.us](http://www.bensenvilleil.us)

**VILLAGE BOARD**

March 25, 2019

**President**  
Traci DeShane

**Board of Trustees**  
Rosa Camara  
Anfrew  
Alyssia "Alicia" Jurasik  
Melvin Long  
Nicholas Paredes Jr.  
Amanda Perez

**Village Clerk**  
Nancy O'Brien

**Village Manager**  
Evan K. Summers

**Bensenville Fire Protection District No. 1**

Pete Zalewski  
4N521 Briar Lane  
Bensenville, IL 60106

**Re: Village of Bensenville FOIA Request**

**Dear Bensenville Fire Protection District No. 1:**

This is a request for information under the Illinois Freedom of Information Act ("FOIA"), 5 ILCS 140. I am requesting a copy of the following documents:

1. All Bensenville Fire Protection District No. 1 expenditures for the following years: 2016, 2017 and 2018.

Pursuant to Section 6 of FOIA, please provide a copy of the information requested in electronic PDF format to: [ESummers@bensenvilleil.us](mailto:ESummers@bensenvilleil.us)

This request is not made for commercial purposes.

Do not hesitate to contact me at 630-766-8200, if you have any questions or concerns in connection with this FOIA request.

Sincerely,

Evan K. Summers  
Village Manager  
Village of Bensenville

## Bensenville Fire Protection Dist. #1

Providing Fire Protection and Ambulance Service to the Unincorporated Areas between Bensenville and Elmhurst, IL.

### Contact Us

#### **Bensenville Fire Department, District #1 – Contact Us**

**President:**

Thomas J. Torcasso

**Secretary:**

Pete Zalewski  
4N521 Briar Lane  
Bensenville, IL 60106

**Treasurer:**

George Jeffries  
317 Wood St.  
Bensenville, IL 60106

**Bensenville Fire Department, District #1 – Contact Us**

# USPS Tracking®

[FAQs > \(https://www.usps.com/faqs/uspstracking-faqs.htm\)](https://www.usps.com/faqs/uspstracking-faqs.htm)[Track Another Package +](#)**Tracking Number:** 70180680000186112465[Remove X](#)**Expected Delivery on****TUESDAY****26** MARCH  
2019  by  
8:00pm ** Delivered**

March 26, 2019 at 1:07 pm  
Delivered, Left with Individual  
BENSENVILLE, IL 60106

[Get Updates ▾](#)

---

**Text & Email Updates** 

---

**Tracking History** 

March 26, 2019, 1:07 pm  
Delivered, Left with Individual  
BENSENVILLE, IL 60106

Your item was delivered to an individual at the address at 1:07 pm on March 26, 2019 in BENSENVILLE, IL 60106.

March 26, 2019, 8:08 am  
Out for Delivery  
BENSENVILLE, IL 60106

March 26, 2019, 7:58 am  
Sorting Complete  
BENSENVILLE, IL 60106

March 26, 2019, 3:16 am  
Arrived at Unit  
BENSENVILLE, IL 60106

March 25, 2019, 12:28 pm  
USPS in possession of item  
BENSENVILLE, IL 60106

---

**Product Information**

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[See Less ^](#)

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Go to our FAQs section to find answers to your tracking questions.

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**/entreg**

\*NOTE: Black and white (grayscale) images show the outside, front of letter-sized envelopes and mailpieces that are processed through USPS automated equipment.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Bensenville Fire Protection Dist #1  
Pete Zalewski  
4N521 Briar LN.  
Bensenville, IL 60106



9590 9402 2854 7069 6658 31

Customer Number (Transfer from service label)

7018 0680 0001 8611 2465

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**

Agent  
 Addressee

**B. Received by (Printed Name)****C. Date of Delivery**

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

**3. Service Type**

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Restricted Delivery	

Domestic Return Receipt

---

**From:** Corey Williamsen  
**Sent:** Friday, May 10, 2019 3:00 PM  
**To:** 'White Pines Community Alliance'  
**Cc:** Nancy Quinn  
**Subject:** Bensenville FOIA Response - May 10, 2019 - Brill #5550  
**Attachments:** 5550\_James\_Brill\_FOIA\_Complete.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	'White Pines Community Alliance'	
	Nancy Quinn	Delivered: 5/10/2019 3:00 PM
	NQuinn@bensenville.il.us	Delivered: 5/10/2019 3:00 PM

Good Afternoon Mr. Brill-

Please see the attached FOIA response dated May 10, 2019 in regards to your FOIA request dated May 10, 2019.

Please let me know if you have any questions.

Thanks!

**Corey Williamsen**

Deputy Village Clerk



12 South Center Street, Bensenville, IL 60106  
P: 630.350.3404 F: 630.350.3438

---

**From:** White Pines Community Alliance <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)>

**Sent:** Friday, May 10, 2019 2:47 PM

**To:** Corey Williamsen <[CWilliamsen@bensenville.il.us](mailto:CWilliamsen@bensenville.il.us)>

**Subject:** FOIA request

Hi Corey,

Can you please see the attached FOIA request.

Jim

Thank you,

**Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello



BENSENVILLE  
The Village of Bensenville

12 South Center Street  
Bensenville, IL 60106

Office 630.350.3404  
Fax 630.350.3468  
[www.bensenville.il.us](http://www.bensenville.il.us)

VILLAGE BOARD

May 10, 2019

President  
Frank DeSimone

Board of Trustees  
Rosa Cammarano  
Ana Frazee  
Agenczka "Anita" Jaworska  
Milana Lemo  
Nicholas Parrotta Jr.  
Romualdo Perez

Village Clerk  
Nancy Glare

Village Manager  
Frank K. Williamson

Mr. James Brill  
White Pines Community Alliance

Re: May 10, 2019 FOIA Request

Dear Mr. Brill:

I am pleased to help you with your May 10, 2019 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on May 10, 2019. You requested copies of the items indicated below:

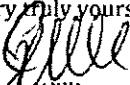
*"Any document submitted, written or received related to the case of Gina Mellenthin vs Frank DeSimone, #2018CH001065, between the dates of April 11, 2019 and this present date that have not already been sent to the White Pines Community Alliance in response to previous FOIA requests."*

After a search of Village files, the following information was found responsive to your request:

- 1) Defendants' Section 2-615 and 2-619 Motions to Dismiss Plaintiffs' Amended Complaint for Case No 2018CH001065 dated April 11, 2019. (13 pgs.)
- 2) Plaintiff's Unopposed Motion to Stay Briefing Schedule and/or for Extension of Time dated May 9, 2019. (3 pgs.)

These are all the records found responsive to your request.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,  
  
Cory Williamson  
Freedom of Information Officer  
Village of Bensenville

**Freedom of Information Request**

**To**

**Village of Bensenville, Illinois**

5550

Cory Williamsen  
Freedom of Information Officer  
Village of Bensenville  
12 S. Center Street  
Bensenville, Illinois 60106

May 10, 2019

Dear Mr. Williamsen

Under the Illinois Freedom of Information Act, 5 ILCS 140/1-11, we are requesting the following information or copies of records/documents indicating the following information.

1. Any document submitted, written or received related to the case of Gina Mellenthin vs Frank Desimone, #2018CH001065, between the dates of April 11, 2019 and this present date that have not already been sent to the White Pines Community Alliance in response to previous FOIA requests.

We understand that the Illinois Act permits a public body to charge a reasonable copying fee of .15 per page of standard paper after the initial 50 free pages. I also understand that Illinois law allows the public body to waive said fees when the information sought is not for a commercial purpose and is in the public interest, as is the case for this request. As such I am requesting that any fees be waived and if they are not we are only willing to pay fees for this request up to a maximum of ten dollars (\$10). If you estimate that the fee will exceed this limit, please inform us first.

We request that the above information be transmitted to us electronically in a PDF or JPEG format at [MyWhitePines@gmail.com](mailto:MyWhitePines@gmail.com). If it is not possible to send the requested information in this format, a representative of the White Pines Community Alliance will be available pick up the documents at your earliest convenience.

Respectfully,

James Brill  
White Pines Community Alliance  
[REDACTED]

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL  
CIRCUIT COUNTY OF DU PAGE

Chris Kachiroubas  
Filed in the 18th Judicial Circuit Court  
DuPage County, Illinois  
TRAN# : 170431203132 ( 4502451 )  
2018CH001065  
FILEDATE: 04/11/2019  
Date Submitted: 04/11/2019 02:27 PM  
Date Accepted: 04/11/2019 03:44 PM  
FAY, JOAN

Gina Mellenthin, Kurt Igleman, )  
Celeste Shaw, Phil Adcock, and )  
Garry Gardner )  
 )  
 Plaintiffs. )  
 )  
 vs. ) Case No. 2018 CH 001065  
 )  
 Frank DeSimone, Rosa Carmona, )  
 Ann Franz, Agnieszka Jaworska, )  
 McLane Lomax, Nicholas Panicola, Jr., )  
 and Armando Perez. )  
 )  
 Defendants. )

**DEFENDANTS' SECTION 2-615 AND 2-619**  
**MOTIONS TO DISMISS PLAINTIFFS' AMENDED COMPLAINT**

Defendants, Frank DeSimone, Rosa Carmona, Ann Franz, Agnieszka Jaworska, McLane Lomax, Nicholas Panicola, Jr., and Armando Perez, through their attorneys, Montana and Welch, LLC, present the following as their motion to dismiss Plaintiffs' Amended Complaint pursuant to Section 2-615 and Section 2-619 of the *Code of Civil Procedure*, 735 ILCS 5/2-615 and 2-619.

**I. Plaintiffs' Allegations<sup>1</sup>**

Plaintiffs allege that they are all similarly situated Plaintiffs and are all unincorporated owners within the Village of Bensenville. (Amended Complaint, ¶ 13). Plaintiffs contend that the Village is in charge of their water service. (Amended Complaint, ¶ 14). Plaintiffs assert that they cannot vote for the Village's representatives and trustees. (Amended Complaint, ¶ 15). Plaintiffs state that they have been contributing funds through their water bill to a capital fund called

---

<sup>1</sup> By citing to and arguing regarding Plaintiffs' pled facts in this Motion, Defendants in no way admit that these facts are true. Plaintiffs' pled facts are contested and Defendants reserve the right to deny them in an answer should their Motion not be granted.

“Unincorporated Utility Fund” for capital improvements to their water system. (Amended Complaint, ¶ 16).

Plaintiffs, citing to an undated exhibit for which no foundation is provided, plead that the Unincorporated Utility Fund is an account “for deposits made by the unincorporated water and sewer utility users with the intent of providing various water and sewer system improvements that would directly benefit those depositors.” (Amended Complaint, ¶ 17, citing Ex. A). Plaintiffs allege that the “Village of Bensenville trustees and representatives are supposed to put the funds received from the unincorporated owners into the Unincorporated Utility Fund.” (Amended Complaint, ¶ 18).

Plaintiffs plead that while there was \$912,081 in the Unincorporated Utility Fund as of the end of 2017, no monies were attributed by the Village to the Unincorporated Utility Fund from at least 2013 through 2017. (Amended Complaint, ¶ 19-21, citing Ex. B). All told, there would be an additional \$300,000 in the Unincorporated Utility Fund but for the zero contribution during these years, Plaintiffs allege. (Amended Complaint, ¶ 22-23).

Plaintiffs argue that the above pled facts establish a claim that the individual Village Trustees and Village President breached a fiduciary duty of care, loyalty, good faith, and independence that the Defendants (the current Trustees of the Village Board and the Village President) owed to them. Though they acknowledge that there was nearly \$1 million in the Unincorporated Utility Fund as of the end of 2017, they still claim that they “have and will continue to suffer irreparable injury in that the moneys that have been paid to the Unincorporated Utility Fund have disappeared.” (Amended Complaint, ¶ 27).

Plaintiffs conclude that “[u]nless enjoined by this Court, the Defendants will continue to breach their fiduciary duties owed to Plaintiffs to the irreparable harm of Plaintiffs and will

continue to do so until Defendants conform with the intention of the Unincorporated Utility Fund.” (Amended Complaint, ¶ 29).

Plaintiffs are asking this Court to issue an injunction against Defendants requiring a “full accounting and a return of the funds to the Unincorporated Utility Fund.” (Amended Complaint, Prayer for Relief). For the reasons which will be discussed below, Plaintiffs’ Amended Complaint should be dismissed.

## **II. Discussion**

### **A. Plaintiffs Lack Standing to Bring this Action**

Lack of standing is an affirmative matter which may be raised in a motion to dismiss pursuant to Section 2-619(a)(9) of the Code of Civil Procedure. 735 ILCS 5/2-619(a)(9). *Winnebago County Citizens for Controlled Growth v. County of Winnebago*, 383 Ill. App. 3d 735, 739 (2<sup>nd</sup> Dist. 2008). Plaintiffs bring the Amended Complaint in their individual capacities seeking to affect the rights of the other unincorporated property owners who receive water service from the Village.

Plaintiffs do not allege that they have any representational relationship with these residents (past and present), nor do they plead any facts which, if taken as true, would allow them to represent and affect the interests of all of these property owners. They do not allege any of the elements required to bring a class action pursuant to Section 2-801 of the Illinois Code of Civil Procedure. Moreover, Plaintiff Garry Gardner has not paid the Village for any water and sewer services at any point in time, including between 2013-17. (**Exhibit A**, Affidavit of Village Manager Evan K. Summers, ¶ 2).

Plaintiffs’ Amended Complaint should be dismissed pursuant to Section 2-619(a)(9) because Plaintiffs do not have standing to sue on behalf of all unincorporated property owners who

receive water service from the Village, or to bring this matter as a class action under the facts as alleged.

**B. The Individual Trustees and Board President are not Proper Defendants**

Plaintiffs have sued the Village of Bensenville's President (Frank DeSimone) and the Village's Trustees (Rosa Carmona, Ann Franz, Angnieszka Jawoska, McLane Lomax, Nicholas Panicola, Jr. and Armando Perez) as individual Defendants.

Plaintiffs are seeking a "full accounting and a return of the funds to the Unincorporated Utility Fund." (Amended Complaint, Prayer for Relief). This relief would require official action on the part of the Village. When suit is brought to enjoin a public official from taking some action, the public official must be sued in his official capacity and not his individual capacity. A decree against a public official in his individual capacity does not bind him in his official capacity. *McMechan v. Yenter*, 301 Ill. 508, 512 (1922). See also Moser v. Highway Commissioner of Town of Urbana, 114 Ill.App.3d 137, 141 (4<sup>th</sup> Dist. 1983).

Plaintiffs have not named the Defendants in their official capacities, which results in this Court having no jurisdiction to bind them in their official capacities. Because an injunction issued against Defendants in their individual capacities would accomplish nothing, it is proper to dismiss Plaintiffs' Amended Complaint under 2-615 as Defendants are not proper defendants.

Furthermore, Plaintiffs contend that the alleged breaches of duty occurred between 2013 and 2017. (Amended Complaint, ¶ 19-21, citing Ex. B). Four of the Defendants (Franz, Lomax, Panicola, and Perez) did not take office until May 2017. (Ex. A, Summers Aff. ¶ 3). And the other three Defendants (DeSimone, Carmona and Jaworska) took office in May 2015. *Id.* So none of the Defendants held their offices when the alleged breach of fiduciary duty allegedly began in 2013, and Plaintiffs have failed to specify any action that the Defendants took individually, so it cannot

be determined from the pleading when the specific breaches of fiduciary duty occurred or who committed those breaches. *Id.* This is another ground to dismiss the Amended Complaint, pursuant to Section 2-615 and 2-619(a)(9).

**C. Plaintiffs do not Plead the Elements Necessary for the Issuance of an Injunction**

**1. Plaintiffs Fail to Plead a Clear, Protectable Interest and an Irreparable Injury**

Plaintiffs' Amended Complaint seeks injunctive relief. (Amended Complaint ¶ 29). “[I]n order to be entitled to permanent injunctive relief, a party “must show that he possesses a clear, protectable interest for which there is no adequate remedy at law and that irreparable injury will result if the relief is not granted.” *C.J. v. Dep’t of Human Servs.*, 331 Ill. App. 3d 871, 891 (1<sup>st</sup> Dist. 2002)).

As to a clear, protectible interest, Plaintiffs have not cited to any authority establishing that they have standing to bring legal action to impact the alleged Unincorporated Utility Fund as a whole, or authority that they have standing to bring this claim on behalf of all unincorporated property owners who ever paid into the Unincorporated Utility Fund. As to irreparable injury, Plaintiffs generally allege that “[u]nless enjoined by this Court, the Defendants will continue to breach their fiduciary duties owed to Plaintiffs to the irreparable harm of Plaintiffs and will continue to do so until Defendants conform with the intention of the Unincorporated Utility Fund.” (Amended Complaint ¶ 29). This is a conclusory allegation, which is not sufficient to establish an irreparable injury. *Larkin v. Howlett*, 19 Ill. App. 3d 343, 345 (4<sup>th</sup> Dist 1974).

Nor can any injury be inferred from Plaintiffs' pled facts. Plaintiffs contend that there was nearly \$1 million in the Unincorporated Utility Fund as of the end of 2017. (Amended Complaint, ¶ 20). If there was nearly \$1 million in the Unincorporated Utility Fund as of the end of 2017, and

no allegation that the Village was unable to make any specific capital improvement due to the alleged reduction in funds, no injury can be read from Plaintiffs' Amended Complaint.

Further, “[i]t is a well-established rule that, if a party's injury can be adequately compensated through money damages, then it has an adequate remedy at law and does not need the extraordinary remedy of injunctive relief.” *Lumbermen's Mut. Cas. Co. v. Sykes*, 384 Ill. App. 3d 207, 230–31 (1<sup>st</sup> Dist. 2008). “It is only when money is insufficient to compensate the injury, or when the injury cannot be properly quantified in terms of money, that injunctive relief is necessary.” *Id.* at 231.

Plaintiffs are alleging that a specific sum of money - \$300,000 – was not put into the fund. Even if Plaintiffs had standing, even if they pled facts establishing that Defendants had and then breached a fiduciary duty to them, and even if they pled that they suffered a specific injury as a result of that breach, monetary damages would be sufficient to compensate them for their injuries. So they cannot sustain a claim for injunctive relief. Plaintiffs' Amended Complaint should be dismissed under Section 2-615 for these reasons.

## **2. Plaintiffs do not Adequately Plead a Breach of Fiduciary Duty Claim**

“When granting permanent injunctive relief, the trial court, by definition, necessarily decides the plaintiffs' success on the merits of the case.” *Sparks v. Gray*, 334 Ill. App. 3d 390, 395 (5<sup>th</sup> Dist. 2002). Plaintiffs' Amended Complaint is predicated on a breach of fiduciary duty. To prevail on a claim of breach of fiduciary duty, “the plaintiff must show that: 1) there existed a fiduciary duty; 2) that duty was breached; and 3) an injury resulted from the breach.” *In re Edgewater Med. Ctr.*, 373 B.R. 845, 858 (Bankr. N.D. Ill. 2007) (citing *Petri v. Gatlin*, 997 F.Supp. 956, 977 (N.D.Ill.1997)).

Plaintiffs allege that from “at least 2013 through 2017, the receivables are \$0 that have been attributed by the Village of Bensenville to the Unincorporated Utility Fund” and that “Village of Bensenville trustees and representatives are supposed to put the funds received from the unincorporated owners in to the Unincorporated Utility Fund” but have not been doing this. (Amended Complaint, ¶¶ 18-19, 21).

These conclusory allegations are not sufficient to plead a claim for breach of fiduciary duty against Defendants. As an initial matter, Plaintiffs do not plead facts establishing that Defendants owed them a fiduciary duty to deposit the funds received from the unincorporated owners into the Unincorporated Utility Fund. Plaintiffs attach an exhibit to their Amended Complaint which purports to define the “Unincorporated Utility Fund.” (Amended Complaint, Exhibit A). But this undated and unauthenticated document says nothing about any obligation on the part of the Board President or Trustees to deposit money into this fund. And Plaintiffs do not plead facts establishing that the funds were in any way misused by any of the Defendants.

The lack of factual detail about what Defendants allegedly did wrong here is significant given the fact that none of the Defendants were in office in 2013, the time the alleged breaches began. In fact, four of the seven Defendants did not take office until May 2017, which is at the very end of the time period at issue in the Amended Complaint.

Plaintiffs have not pled facts showing that they have suffered any injury as a result of the alleged breaches. So even if, arguendo, the Defendants (individually) owed Plaintiffs a fiduciary duty to put the funds received from the unincorporated owners in to the Unincorporated Utility Fund and nowhere else, and even if, arguendo, they breached that duty, Plaintiffs have not pled any facts showing that they were injured by this.

In short, Plaintiffs fail to plead a valid breach of fiduciary duty claim. This is grounds to dismiss Plaintiffs' Amended Complaint under Section 2-615.

### III. Conclusion

For the foregoing reasons, Defendants Frank DeSimone, Rosa Carmona, Ann Franz, Agnieszka Jaworska, McLane Lomax, Nicholas Panicola, Jr., and Armando Perez, in their individual capacities, request that this court dismiss Plaintiffs' Amended Complaint, and grant any further relief deemed just.

Respectfully submitted,

MONTANA & WELCH, LLC.

By: /s/ Richard F. Bruen

One of the attorneys for the Defendants, Frank DiSimone, Rosa Carmona, Ann Franz, Agnieszka Jaworska, McLane Lomax, Nicholas Panicola, Jr., and Armando Perez

Richard F. Bruen, Jr.  
MONTANA & WELCH, LLC  
11950 S. Harlem Avenue – Suite 102  
Palos Heights, IL 60463  
(708) 448-7005  
[rbruен@montanawelch.com](mailto:rbruен@montanawelch.com)  
Attorney Code 308878

STATE OF ILLINOIS

UNITED STATES OF AMERICA  
IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

COUNTY OF DU PAGE

Gina Mellenthin, et al.

Plaintiff,

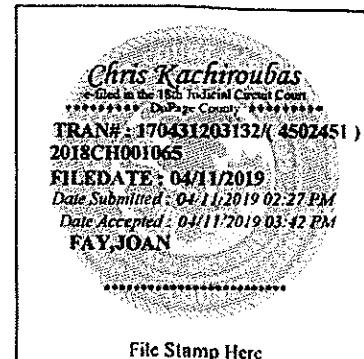
v.

Frank DeSimone, et al.

Defendant,

2018 CH 001065

Case Number



## EXHIBIT COVER SHEET

EXHIBIT NAME: Exhibit A, Affidavit of Village Manager Evan K. Summers

## TITLE OF DOCUMENT THIS EXHIBIT BELONGS WITH:

Defendants' Section 2-615 and 2-619 Motions to Dismiss Plaintiffs' Amended Complaint

Document File Date: April 11, 2019

(The file date of the document this exhibit belongs with)

Defendants, Frank DiSimone, Rosa Carmona, Ann Franz,  
Agnieszka Jaworska, McLane Lomax, Nicholas Panicola, Jr., and

EXHIBIT FILED ON BEHALF OF: Armando Perez

(Case Party Name)

Submitted by: Richard F. Bruen, Jr., Montana &amp; Welch, LLC

Name: Richard F. Bruen, Jr.  Pro Se

DuPage Attorney Number: 308878

Attorney for: Defendants

Address: 11950 S. Harlem Avenue, Suite 102

City/State/Zip: Palos Heights, IL 60463

Telephone Number: (708) 448-7005

Email: rbruен@montanawelch.com

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL  
CIRCUIT COUNTY OF DU PAGE

Gina Mellenthin, et al.

)

Plaintiff,

)

vs.

)

Case No. 2018 CH 001065

Frank DeSimone, Rosa Carmona,  
Ann Franz, Agnieszka Jaworska,  
McLane Lomax, Nicholas Panicola, Jr.,  
and Armando Perez,

)

Defendants.

)



**AFFIDAVIT OF EVAN K. SUMMERS**

I, Evan K. Summers, do hereby swear and affirm as follows pursuant to Illinois Supreme Court Rule 191:

1. I am the Village Manager for the Village of Bensenville. If called to testify in this matter, I would testify consistently with this Affidavit.

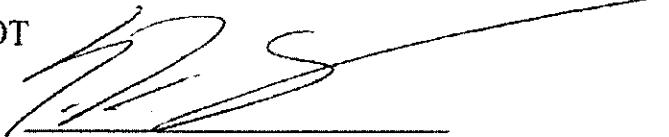
2. I have searched the Village's records and could not find any record of a water or sewer customer named Garry Gardner, nor could I find any record showing that the Village charged anyone named Garry Gardner for water or sewer services, in an unincorporated area or otherwise, from January 1, 2013 through December 31, 2017.

3. As to the individual Defendants in this action, their history as elected officials of the Village of Bensenville is as follows:

- a. Frank DeSimone – Was elected to the Village Board of Trustees in May 2015. Was elected as Village President in May 2017;
- b. Rosa Carmona – Was elected to the Village Board of Trustees in May 2015;
- c. Ann Franz – Was elected to the Village Board of Trustees in May 2017;
- d. Agnieszka Jaworska – Was elected to the Village Board of Trustees in May 2015;
- e. McLane Lomax – Was elected to the Village Board of Trustees in May 2017;
- f. Nicholas Panicola, Jr. – Was appointed to the Village Board of Trustees in May 2017; and,
- g. Armando Perez – Was elected to the Village Board of Trustees in May 2017.

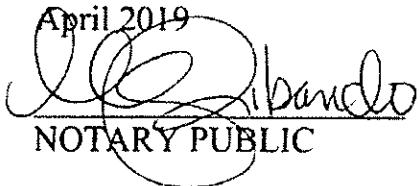
None of these individuals served on the Village Board of Trustees prior to the dates stated above.

FURTHER AFFIANT SAYETH NOT



Evan K. Summers

SUBSCRIBED and SWORN to  
Before me on this 10 day of  
April 2019



Mary F. Ribando  
NOTARY PUBLIC



IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL  
CIRCUIT COUNTY OF DU PAGE

Gina Mellenthin, Kurt Iglesias, )  
Celeste Shaw, Phil Adcock, and )  
Garry Gardner )  
Plaintiffs, )  
vs. ) Case No. 2018 CH 001065  
Frank DeSimone, Rosa Carmona, )  
Ann Franz, Agnieszka Jaworska, )  
McLane Lomax, Nicholas Panicola, Jr., )  
and Armando Perez, )  
Defendants. )



**NOTICE OF MOTION**

To: Keith H. Werwas  
Matton and Werwas, P.C.  
134 N. LaSalle Street, Suite 1040  
Chicago, IL 60602  
[kwerwas@mattonandwerwas.com](mailto:kwerwas@mattonandwerwas.com)

PLEASE TAKE NOTICE that on June 6, 2019, at 9:30 a.m. or as soon thereafter as counsel may be heard, we shall appear before the Honorable Judge Bonnie M. Wheaton or any judge sitting in her stead, in Room 2007 of the Circuit Court of DuPage County, DuPage County Judicial Center, 505 North County Farm Road, Wheaton, Illinois 60187 and then and there shall present the attached **Defendants' Section 2-615 and 2-619 Motions to Dismiss Plaintiffs' Amended Complaint**, a copy of which is attached hereto.

MONTANA & WELCH, LLC.

By: s/ Richard F. Bruen  
One of the attorneys for the Defendants

Richard F. Bruen, Jr. (Attorney Code 308878)  
MONTANA & WELCH, LLC  
11950 S. Harlem Avenue – Suite 102  
Palos Heights, IL 60463  
(708) 448-7005  
[rbruenn@montanawelch.com](mailto:rbruenn@montanawelch.com)

**PROOF OF SERVICE**

I, the undersigned, an attorney, on oath state, that on April 11, 2019, I caused a copy of this ***Notice of Motion*** and the foregoing ***Defendants' Section 2-615 and 2-619 Motions to Dismiss Plaintiffs' Amended Complaint*** to be served on the above-listed party by placing same in a properly addressed, postage prepaid envelope and depositing same in the U.S. Mail at Palos Heights, Illinois 60463 before 5:00 p.m. and via email.

/s/ Richard F. Bruen

Richard F. Bruen, Jr. (Attorney Code 308878)  
MONTANA & WELCH, LLC  
11950 S. Harlem Avenue – Suite 102  
Palos Heights, IL 60463  
(708) 448-7005  
[rbruenn@mtnawelch.com](mailto:rbruenn@mtnawelch.com)

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL DISTRICT  
DUPAGE COUNTY, WHEATON, ILLINOIS

GINA MELLENTHIN, KURT IGLEMAN,  
CELESTE SHAW, PHIL ADCOCK, AND  
GARRY GARDNER

Plaintiffs,

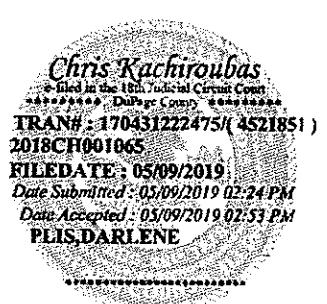
v.

FRANK DESIMONE, ROSA CAMONA,  
ANN FRANZ, ANGIESZKA JAWORSKA,  
MCLANE LORAX, NICHOLAS PANICOLA,  
JR., AND ARMANDO PEREZ

Defendants.

No.: 18 CH 001065

Judge Bonnie Wheaton



**PLAINTIFF'S UNOPPOSED MOTION TO STAY BRIEFING  
SCHEDULE AND/OR FOR EXTENSION OF TIME**

NOW COME, the Plaintiffs, GINA MELLENTHIN, KURT IGLEMAN, CELESTE SHAW, PHIL ADCOCK, and GARRY GARDNER, by and through their attorneys, Matton and Werwas, P.C., and present their Unopposed Motion for Stay of Briefing Schedule and/or for Extension of Time pursuant to Illinois Supreme Court Rule 183, and in support thereof state as follows:

1. On February 21, 2019, Plaintiffs filed their Amended Complaint against Defendants.
2. The Court set a June 6, 2019 hearing date on Defendants' Motion to Dismiss the Amended Complaint.
3. Per the parties own Agreement, Defendants were given until April 11, 2019 to file their Motion to Dismiss the Amended Complaint.
4. Defendants filed their Motion to Dismiss Plaintiffs' Amended Complaint on April 11, 2019.

5. Plaintiffs were given until May 9, 2019 to file their response and Defendants had until May 23, 2019 to reply.

6. On May 8, 2019, the parties held a meeting whereby discussion of resolution took place.

7. The parties at this time wish to stay the briefing schedule, strike the June 6, 2019 hearing date, and set a status date at this time to continue to explore resolution of the matter so as to avoid the time and expense of litigating for both parties.

8. Illinois Supreme Court Rule 183 provides that “[t]he court, for good cause shown on motion after notice to the opposite party, may extend the time for filing any pleading or the doing of any act which is required by the rules to be done within a limited period, either before or after the expiration of the time.”

9. Whether good cause exists is fact intensive and rests within the sound discretion of the circuit court. *Vision Point of Sale, Inc. v. Haas*, 226 Ill. 2d 334, 353-54, 875 N.E.2d 1065, 1078-79 (2007).

10. As stated above, the parties are engaging in resolution discussions at this time.

11. Consequently, in the interest of judicial economy, and to avoid further litigation expenses, the parties request a stay of the briefing schedule, strike the June 6, 2019 hearing date, and set a status date at this time.

12. This extension of time is not prejudicial nor unduly burdensome to these proceedings.

WHEREFORE, Plaintiffs, GINA MELLENTHIN, KURT IGLEMAN, CELESTE SHAW, PHIL ADCOCK, and GARRY GARDNER, pray that this Court enter an Order Staying the Briefing Schedule and/or for Extension of Time pursuant to Illinois Supreme Court Rule 183, and for any and all other relief this Court deems just and proper.

Respectfully submitted,

/s/ Keith H. Werwas

---

Keith H. Werwas

Matton and Werwas, PC  
Attorneys for Plaintiffs  
134 N. LaSalle Street  
Suite 1040  
Chicago, IL 60602  
(312)236-6800  
kwerwas@mattonandwerwas.com  
DuPage Attorney No.: 328992

---

**From:** Corey Williamsen  
**Sent:** Wednesday, July 3, 2019 11:32 AM  
**To:** 'White Pines Community Alliance'  
**Cc:** Nancy Quinn  
**Subject:** Bensenville FOIA Response - July 3, 2019 - Brill #5887  
**Attachments:** 5887\_James\_Brill\_FOIA\_Complete.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	'White Pines Community Alliance'	
	Nancy Quinn	
	NQuinn@bensenville.il.us	Delivered: 7/3/2019 11:33 AM

Good Moring Mr. Brill-

Please see the attached FOIA response dated July 3, 2019 in regards to your FOIA request dated July 2, 2019.

Please let me know if you have any questions.

Thanks!

**Corey Williamsen**

Deputy Village Clerk



12 South Center Street, Bensenville, IL 60106  
P: 630.350.3404 F: 630.350.3438

**From:** White Pines Community Alliance <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)>

**Sent:** Tuesday, July 2, 2019 4:25 PM

**To:** Corey Williamsen <[CWilliamsen@bensenville.il.us](mailto:CWilliamsen@bensenville.il.us)>

**Subject:** Attached FOIA

Cory,

Please see the attached FOIA

Thank you,

**Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello



12 South Center Street  
Bensenville, IL 60106

Office 630.350.3404  
Fax 630.350.3408  
[www.bensenvilleil.us](http://www.bensenvilleil.us)

**VILLAGE BOARD**

July 3, 2019

**President**  
Frank DeSimone

**Board of Trustees**  
Dessa Caramona  
Tom Hause  
Maura J. Gray  
Melanie James  
Katherine Paragola, Jr.  
Armands Perry

**Village Clerk**  
Nancy Queen

**Village Manager**  
Karen F. Romano

**Mr. James Brill**  
White Pines Community Alliance

Re: July 2, 2019 FOIA Request

Dear Mr. Brill:

I am pleased to help you with your July 2, 2019 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on July 2, 2019. You requested copies of the items indicated below:

*"Any document submitted, written or received related to the case of Gina Mellenthin vs Frank DeSimone, #2018CH001065, between June 1, 2019 and this present date that have not already been sent to the White Pines Community Alliance in response to previous FOIA requests."*

After a search of Village files, the following information was found responsive to your request:

- 1) Plaintiffs' Response to Defendant' Motion to Dismiss Regarding 18CH001065 Dated July 2, 2019. (9 pgs.)
- 2) Notice of Filing Regarding 18CH001065 Dated July 2, 2019. (2 pgs.)

These are all the records found responsive to your request.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,

  
Corey Williamsen  
Freedom of Information Officer  
Village of Bensenville

**Freedom of Information Request**

**To**

**Village of Bensenville, Illinois**

5887

Cory Williamson  
Freedom of Information Officer  
Village of Bensenville  
12 S. Center Street  
Bensenville, Illinois 60106

July 2, 2019

Dear Mr. Williamson

Under the Illinois Freedom of Information Act, 5 ILCS 140/1-11, we are requesting the following information or copies of records/documents indicating the following information.

1. Any document submitted, written or received related to the case of Gina Mellenthin vs Frank Desimone, #2018CH001065, between the dates of June 1st, 2019 and this present date that have not already been sent to the White Pines Community Alliance in response to previous FOIA requests.

We understand that the Illinois Act permits a public body to charge a reasonable copying fee of .15 per page of standard paper after the initial 50 free pages. I also understand that Illinois law allows the public body to waive said fees when the information sought is not for a commercial purpose and is in the public interest, as is the case for this request. As such I am requesting that any fees be waived and if they are not we are only willing to pay fees for this request up to a maximum of ten dollars (\$10). If you estimate that the fee will exceed this limit, please inform us first.

We request that the above information be transmitted to us electronically in a PDF or JPEG format at [MyWhitePines@gmail.com](mailto:MyWhitePines@gmail.com). If it is not possible to send the requested information in this format, a representative of the White Pines Community Alliance will be available pick up the documents at your earliest convenience.

Respectfully,

James Brill  
White Pines Community Alliance  
[REDACTED]

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL DISTRICT  
DUPAGE COUNTY, WHEATON, ILLINOIS

GINA MELLENTHIN, KURT IGLEMAN,  
CELESTE SHAW, PHIL ADCOCK, AND  
GARRY GARDNER

Plaintiffs,  
v.

FRANK DESIMONE, ROSA CAMONA,  
ANN FRANZ, ANGIESZKA JAWORSKA,  
MCLANE LORAX, NICHOLAS  
PANICOLA, JR., AND ARMANDO  
PEREZ

Defendants.

No.: 18 CH 001065

Chris Kachiroubas  
e-filed in the 18th Judicial Circuit Court  
DuPage County  
ENVELOPE: 5619953  
2018CH001065  
FILEDATE: 7/2/2019 9:22 AM  
Date Submitted: 7/2/2019 9:22 AM  
Date Accepted: 7/2/2019 10:15 AM  
KB

Judge Bonnie Wheaton

**PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION TO DISMISS**

NOW COME, the Plaintiffs, GINA MELLENTHIN, KURT IGLEMAN, CELESTE SHAW, PHIL ADCOCK, and GARRY GARDNER, by and through their attorneys, Matton and Werwas, P.C., and present their Response to Defendants' Motion to Dismiss Plaintiffs' Amended Complaint, and in support thereof state as follows:

**INTRODUCTION**

This matter stems from a Breach of Fiduciary Duty claim plead by GINA MELLENTHIN, KURT IGLEMAN, CELESTE SHAW, PHIL ADCOCK, and GARRY GARDNER (collectively "Plaintiffs"), who are unincorporated property owners and taxpayers within the unincorporated Village of Bensenville. Plaintiffs allege that Defendants, which includes the President of the Village and its Trustees, each breached his or her fiduciary duties of loyalty, good faith, and independence, since approximately \$300,000.00 contributed to the Unincorporated Utility Fund (hereinafter the "Fund") between 2013 and 2017 is

missing. This is evidenced by the receivables showing zero dollars during 2013 to 2017.

On February 21, 2019, Plaintiffs filed their Amended Complaint. On April 11, 2019,

Defendants filed their Section 2-615 and 2-619 Motion to Dismiss Plaintiff's Amended

Complaint. The Plaintiffs now respond to Defendants' Motion.

### **LEGAL STANDARDS**

A motion to dismiss filed under section 2-619 admits the legal sufficiency of the claim, but asserts affirmative matters outside of the pleading that defeats the claim. *Wallace v. Smith*, 203, Ill. 2d 441, 447 (2001). Subsection (a)(9) permits the dismissal of an action where "the claim asserted against the defendant is barred another affirmative matter avoiding the legal effect or of defeating the claim." 735 ILCS 5/2-619(a)(9). An "[a]ffirmative matter" is some kind of defense "*other than a negation of the essential allegations of the plaintiff's cause of action.*" *Kedzie & 103rd Currency Exchange v. Hodge*, 156 Ill. 2d 112, 115 (1993). (emphasis added). Where the non-moving party's well-pleaded facts and inferences drawn therefrom raise the possibility that the party raising the issue will prevail, the motion to strike should not be granted. *Long v. Kemper Life Insurance Co.*, 553 N.E.2d 439 (1990).

A motion to dismiss pursuant to section 2-615 of the Code of Civil Procedure (735 ILCS 5/2-615) attacks the legal sufficiency of a pleading by alleging defects on the face of the complaint. *Vitro v. Mihelcic*, 209 Ill. 2d 76, 81 (2004). When ruling on a section 2-615 motion, the relevant question is whether the allegations in the complaint, construed in a light most favorable to the nonmoving party, are sufficient to state a cause of action upon which relief may be granted. *Canel v. Topinka*, 212 Ill. 2d 311, 317 (2004). In ruling on a section 2-615

motion to dismiss, the court must accept all well-pleaded facts, as well as any reasonable inferences drawn therefrom, as true. *Buzzard v. Bolger*, 117 Ill. App. 3d 887, 889-90 (1983). “Where the well-pleaded facts of a complaint raise the possibility that the party asserting them will prevail, the defense should not be stricken.” *International Insurance Co. v. Sargent & Lundy*, 242 Ill. App. 3d 614, 631 (1993). As a general rule, a trial court should exercise its discretion liberally in favor of allowing amendments if doing so will further the ends of justice, and it should resolve any doubts in favor of allowing amendments. *Alpha Sch. Bus Co., Inc. v. Wagner*, 391 Ill. App. 3d 722, 748 (1st Dist. 2009). The most important question is whether amendment will be in furtherance of justice and amendment of defective pleadings should be permitted unless it is clear that the defect cannot be cured thereby. *Thomas v. Davenport*, 196 Ill. App. 3d 1042, 1046 (1st Dist. 1990).

## ARGUMENT

### **A. Plaintiffs have standing to bring this action.**

A party with an injury in fact to a “legally cognizable interest” has standing to bring a claim for that injury. *Village of Chatham v. County of Sangamon*, 216 Ill.2d 402, 419, 297 Ill.Dec. 249, 837 N.E.2d 29 (2005). The injury, threatened or actual, must be “(1) distinct and palpable; (2) fairly traceable to defendant's actions; and (3) substantially likely to be prevented or redressed by the grant of the requested relief.” *Wexler v. Wirtz Corp.*, 211 Ill.2d 18, 23, 284 Ill.Dec. 294, 809 N.E.2d 1240 (2004). Under Illinois law, a plaintiff need not allege facts establishing standing. *Wexler v. Wirtz Corp.*, 211 Ill.2d 18, 22, 284 Ill.Dec. 294, 809 N.E.2d 1240 (2004); *Chicago Teachers Union, Local 1 v. Board of Education of the City of Chicago*.

189 Ill.2d 200, 206, 244 Ill.Dec. 26, 724 N.E.2d 914 (2000). Rather, it is the defendant's burden to plead and prove lack of standing. *Chicago Teachers Union*, 189 Ill.2d at 206, 244 Ill.Dec. 26, 724 N.E.2d 914; *Greer v. Illinois Housing Development Authority*, 122 Ill.2d 462, 494, 120 Ill.Dec. 531, 524 N.E.2d 561 (1988). Where standing is challenged by way of a motion to dismiss, a court must accept as true all well-pleaded facts in the plaintiff's complaint and all inferences that can reasonably be drawn in the plaintiff's favor. *Schlenker*, 209 Ill.2d at 461, 283 Ill.Dec. 707, 808 N.E.2d 995.

It has long been the rule in Illinois that citizens and taxpayers have a right to enjoin the misuse of public funds, and that this right is based upon the taxpayers' ownership of such funds and their liability to replenish the public treasury for the deficiency caused by such misappropriation. *Barco Mfg. Co. v. Wright*, 10 Ill. 2d 157, 160, 139 N.E.2d 227, 229 (1956). The misuse of these funds for illegal or unconstitutional purposes is a damage which entitles them to sue. *Krebs v. Thompson*, 387 Ill. 471, 56 N.E.2d 761; *Fergus v. Russel*, 270 Ill. 304, 110 N.E. 130. The taxpayer must allege that the acts complained of would result in financial loss or other injury to himself or the taxpayers as a whole, through increased taxation, or in some financial injury or other harm to the governmental body involved. *Lynch v. Devine*, 45 Ill. App. 3d 743, 749, 359 N.E.2d 1137, 1141 (1977).

The mere fact that the same kind of damage is alleged for multiple property owners does not preclude the damage from being separate and distinct for each owner. *Davis v. Dyson*, 387

III. App. 3d 676, 690, 900 N.E.2d 698, 711 (2008). Ownership of individual property is separate, and each individual property owner is therefore entitled to relief. *Id.*

Defendants argue in their Motion that the Plaintiffs do not have any representational relationship with any named Defendant, nor was this action brought as a class action pursuant to Section 2-801 of the Illinois Code of Civil Procedure. Defendants further allege that one of the Plaintiffs, Garry Gardner, has not paid the Village for any water and sewer services at any time, including the relevant period between 2013 and 2017. However, the Defendants fundamentally lack understanding of what is required for a resident payers to bring an action against a municipality in which he resides. It is irrelevant whether any Plaintiff has contributed any amount of money to a Village utility or service. The monies which were owed to the Fund's receivables were provided with revenue raised by the various funds paid by residents of the Village. Under the rulings of *Wright* and *Thompson*, the Plaintiffs are entitled to sue for the misuse of public funds, and therefore have standing in this action.

Furthermore, the law only requires that each Plaintiff's injury be separate and distinct, not unique. *Davis v. Dyson*, 387 Ill. App. 3d 676, 690, 900 N.E.2d 698, 711 (2008). That is the case here. Each Plaintiff is similarly situated as they are all resident-payers into the Fund, who have the longstanding right under Illinois law to bring suit to enjoin the misallocation of funds. See *Wright*, 10 Ill. 2d 157 at 160. Thus, Defendants' claim that Plaintiffs do not have standing is without merit and should be disregarded.

**B. Plaintiffs'Amended Complaint properly names Defendants in their official capacity.**

Defendants argue that when a suit is brought to enjoin a public official from taking some action, that official must be sued in his official capacity, not in his individual capacity. As a result, Defendants contend in their Motion that Plaintiffs have sued each named Defendant in his or her individual capacity and not in his or her official capacity, President and Trustee, respectively. However, even before any of the allegations in the Amended Complaint are set forward, the Plaintiffs name each Defendant in his or her official capacity. *See* Amended Complaint ¶¶ 1-7. Each Defendant who is a named party in this action is described in his or her official capacity. Therefore, Defendants' argument fails as Defendants are named in the Amended Complaint in their official capacities.

**C. The Amended Complaint sufficiently pleads the elements necessary for issuance of an injunction.**

**1. Plaintiffs have plead a clear, protectable interest and an irreparable injury.**

Evidence need not be laid out in the complaint, only the ultimate fact(s). *People ex rel. Fahner v. Carriage Way W., Inc.*, 88 Ill. 2d 300, 310, 430 N.E.2d 1005, 1009 (1981). The trial, not the pleadings, is the proper place to look for evidence of how and when the illegal conduct took place. *Id.* Also, Plaintiffs also need not set out every evidentiary fact in their Complaint, only the ultimate facts. The pleading must contain enough facts that lead to an inference of a plausible claim for relief, which is the case in the Plaintiff's Amended Complaint as discussed *supra*. *See Fahner v. Carriage Way W., Inc.*, 88 Ill. 2d 300 at 310.

The Defendants move to dismiss the Amended Complaint pursuant to 2-615 because they deem the Plaintiffs' pleaded injury as "conclusory." However, the Amended Complaint alleges that there is at least \$300,000.00 missing from a public utility fund. The injury sustained by Plaintiffs is not merely the lost monies, but the entire economic loss of the Village's water infrastructure's now inability to be improved. Plaintiff's are not praying that the money be returned to them in their capacity as residents, but they seek to enjoin the public officials of the Village to replenish the Fund.

Moreover, in direct contravention to the Defendant's argument, the injury is in fact irreparable without the Court's issuance of an injunction. Again, the injury is separate and distinct, albeit not unique: the resident payers detrimentally relied on the Village's President and Trustees to use these contributed monies to improve an aspect of the Village's infrastructure, and thus improve the livelihood, health, and safety of the residents of unincorporated Bensenville. No remedy at law would rectify this injury as it is irreparable, and thus the only remedy appropriate would be an injunction.

## **2. Plaintiffs adequately plead a breach of fiduciary duty claim.**

To state a claim for breach of fiduciary duty, it must be alleged and ultimately proved: (1) that a fiduciary duty exists; (2) that the fiduciary duty was breached; and (3) that such breach proximately caused the injury of which the party complains. *Lawlor v. N. Am. Corp. of Illinois*, N.E.2d 414, 433 (2012). Illinois courts have repeatedly affirmed the principle that public officials are trustees with a fiduciary duty to the people. *Chicago Park District v. Kenroy*,

*Inc.*, 78 Ill.2d 555 (1980); *Brown v. Kirk*, 64 Ill.2d 144 (1976); *City of Chicago ex rel. Cohen v. Keane*, 64 Ill.2d 559 (1976). A public official owes to his principal duties of absolute loyalty and fidelity, and occupies a position of the highest public trust. *See People v. Bordeaux*, 242 Ill. 327 (1909); *County of Cook v. Barrett*, 36 Ill.App.3d 623 (1975).

As applied to the Plaintiff's Amended Complaint, all of these elements are properly plead. Each Defendant was named in his or her official capacity. Under the ruling in *Chicago Park District*, public officials are trustees that owe a fiduciary duty to the people, therefore the fiduciary duty exists. *Chicago Park District.*, 78 Ill.2d at 555. Second, that duty was breached since approximately \$300,000.00 owed to the Fund is missing, and Defendants are solely in control of this account, which leaves them wholly responsible for the Fund's monies and contributions. Third, this breach proximately caused the injuries of the Plaintiffs, since increased taxation is a proximate injury of the Defendant's breach that caused missing tax revenues owed to a public fund for capital improvements to the Plaintiffs' water infrastructure, as well as the decrease in livelihood, health, and safety of the residents of Bensenville that would result from not improving the water infrastructure.

WHEREFORE, Plaintiffs, GINA MELLENTHIN, KURT IGLEMAN, CELESTE SHAW, PHIL ADCOCK, and GARRY GARDNER, pray that this Court enter an Order denying Defendants' Motion to Dismiss Plaintiffs' Amended Complaint, and for any and all other relief this Court deems just and proper.

Respectfully submitted,

/s/ Keith H. Werwas

Keith H. Werwas

Matton and Werwas, PC  
Attorneys for Plaintiffs  
134 N. LaSalle Street  
Suite 1040  
Chicago, IL 60602  
(312)236-6800  
[kwerwas@mattonandwerwas.com](mailto:kwerwas@mattonandwerwas.com)  
DuPage Attorney No.: 328992

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL DISTRICT  
DUPAGE COUNTY, WHEATON, ILLINOIS

GINA MELLENTHIN

Plaintiff,

v.

FRANK DESIMONE, ROSA CAMONA, ANN  
FRANZ, ANGIESZKA JAWORSKA,  
MCLANE LORAX, NICHOLAS PANICOLA,  
JR., AND ARMANDO PEREZ

Defendants.

No.: 18 CH 001065

Judge Marian Emily Perkins  
Cal. 62

Chris Kachiroubas  
e-filed in the 18th Judicial Circuit Court  
DuPage County  
ENVELOPE: 5619953  
2018CH001065  
FILEDATE: 7/2/2019 9:22 AM  
Date Submitted: 7/2/2019 9:22 AM  
Date Accepted: 7/2/2019 10:15 AM  
KB

**NOTICE OF FILING**

To: Richard F. Bruen, Jr.  
Montana & Welch, LLC.  
11950 S Harlem Ave, Suite 102  
Palos Heights, IL 60463  
rbruен@montanawelch.com

Please take notice that on July 2, 2019 there will be filed with the Clerk of the Circuit Court of DuPage County, County Department, Chancery Division, the Plaintiff, Gina Mellenthin's, Response to Plaintiff's Motion to Dismiss.

MATTON and WERWAS, P.C.

/s/ Keith H. Werwas

By: \_\_\_\_\_

Keith H. Werwas

1

CERTIFICATION OF SERVICE AND MAILING

I, Michael A. Ciulla, a non-attorney, under penalties as provided in 735 ILCS 5/1-109, certify that I caused to be served a copy of the above Notice, together with the referenced Motion and its attachments to be served upon those persons delineated above by email using the i2file e-file system on July 2, 2019.

Respectfully submitted,

/s/ Michael A. Ciulla

---

Michael A. Ciulla

Keith H. Werwas  
Matton and Werwas, P.C.  
Attorneys for Plaintiff  
134 N. LaSalle Street  
Suite 1040  
Chicago, IL 60602  
(312) 236-6800  
E-Mail: [kwerwas@mattonandwerwas.com](mailto:kwerwas@mattonandwerwas.com)  
Attorney No.: 328992

---

**From:** Corey Williamsen  
**Sent:** Tuesday, August 6, 2019 11:00 AM  
**To:** 'White Pines Community Alliance'  
**Cc:** Nancy Quinn  
**Subject:** Bensenville FOIA Response - August 6, 2019 - Brill #6106  
**Attachments:** 6106\_James\_Brill\_FOIA\_Complete.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	'White Pines Community Alliance'	
	Nancy Quinn	
	NQuinn@bensenville.il.us	Delivered: 8/6/2019 11:00 AM

Good Moring Mr. Brill-

Please see the attached FOIA response dated August 6, 2019 in regards to your FOIA request dated August 6, 2019.

Please let me know if you have any questions.

Thanks!

**Corey Williamsen**

Deputy Village Clerk



12 South Center Street, Bensenville, IL 60106  
P: 630.350.3404 F: 630.350.3438

---

**From:** White Pines Community Alliance <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)>  
**Sent:** Tuesday, August 6, 2019 10:40 AM  
**To:** Corey Williamsen <[CWilliamsen@bensenville.il.us](mailto:CWilliamsen@bensenville.il.us)>  
**Subject:** 08.06.19 FOIA request

Mr. Williamsen,

Please find attached our 08.06.19 FOIA request.

Thank you,

**Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello



## BENSENVILLE

12 South Center Street  
Bensenville, IL 60106

Office: 630.350.3404  
Fax: 630.350.3408  
[www.bensenville.il.us](http://www.bensenville.il.us)

## VILLAGE BOARD

August 6, 2019

**President**  
Ivan J. Slauson

### Board of Trustees

Rosa Djordjević  
Anja Kröger  
Monica L. Lévy  
Maike Lohmeier  
Birthe Lohse, Barbara Lohse  
Anja Lohse, Barbara Lohse

**Village Clerk**  
Nancy Flanagan

## Village Manager

Mr. James Brill  
White Pines Community Alliance

Re: August 6, 2019 FOIA Request

Dear Mr. Brill:

I am pleased to help you with your August 6, 2019 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on August 5, 2019. You requested copies of the items indicated below:

*"1. Any document submitted, written or received related to the case of Gina Mellenthin vs Frank Desimone, #2018CH001065, between the dates of August 1st, 2019 and this present date that have not already been sent to the White Pines Community Alliance in response to previous FOIA requests."*

After a search of Village files, the following information was found responsive to your request:

1) Case Number 2018CH001065 Order. (1 pg.)

These are all the records found responsive to your request.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,  
  
Corey Williamson  
Freedom of Information Officer  
Village of Bensenville

**Freedom of Information Request**

**To**  
**Village of Bensenville, Illinois**

6106

Cory Williamsen  
Freedom of Information Officer  
Village of Bensenville  
12 S. Center Street  
Bensenville, Illinois 60106

August 6, 2019

Dear Mr. Williamsen

Under the Illinois Freedom of Information Act, 5 ILCS 140/1-11, we are requesting the following information or copies of records/documents indicating the following information.

1. Any document submitted, written or received related to the case of Gina Mellenthin vs Frank Desimone, #2018CH001065, between the dates of August 1st, 2019 and this present date that have not already been sent to the White Pines Community Alliance in response to previous FOIA requests.

We understand that the Illinois Act permits a public body to charge a reasonable copying fee of .15 per page of standard paper after the initial 50 free pages. I also understand that Illinois law allows the public body to waive said fees when the information sought is not for a commercial purpose and is in the public interest, as is the case for this request. As such I am requesting that any fees be waived and if they are not we are only willing to pay fees for this request up to a maximum of ten dollars (\$10). If you estimate that the fee will exceed this limit, please inform us first.

We request that the above information be transmitted to us electronically in a PDF or JPEG format at MyWhitePines@gmail.com. If it is not possible to send the requested information in this format, a representative of the White Pines Community Alliance will be available pick up the documents at your earliest convenience.

Respectfully,

James Brill  
White Pines Community Alliance  
[REDACTED]

STATE OF ILLINOIS

UNITED STATES OF AMERICA

COUNTY OF DU PAGE

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

GINA MELLENTIN

-VS-

FRANK DESIMONE

2018CH001065  
CASE NUMBER

FILED

19 Aug 05 AM 09: 58

*Chris Kachirobas*  
CLERK OF THE  
18TH JUDICIAL CIRCUIT  
DUPAGE COUNTY, ILLINOIS

## ORDER

This cause coming to be heard on Defendant's Section 2-615 and 2-619 Motion to Dismiss Plaintiff's Amended Complaint. Due notice having been has given and the Court being fully advised.

IT IS HEREBY ORDERED THAT -

1. Defendant's Motion is hereby granted for the reasons stated in the record, including that the individual Defendants are not proper Defendants and Plaintiff Garry Gardner is not a proper Plaintiff;
2. Plaintiffs are given twenty-eight (28) days to replead;
3. Defendant shall have twenty-eight (28) days to answer or otherwise plead to any amended pleading filed by Plaintiffs; and,
4. This cause is set for status on the pleadings on October 7, 2019 at 9 a.m.

Submitted by: RICHARD F. BRUEN, JR.

Attorney Firm: MONTANA & WELCH LLC

DuPage Attorney Number: 308878

Attorney for: DEFENDANTS

Address: 11950 S HARLEM AVENUE, SUITE 102

City/State/Zip: PALOS HEIGHTS, IL, 60463-1161

Phone number: 708-448-7005

Entered: *Bonnie M Wheaton*  
JUDGE BONNIE M WHEATON  
Validation ID : DP-08052019-0958-28842

Date: 08/05/2019

**From:** Corey Williamsen  
**Sent:** Tuesday, September 3, 2019 8:58 AM  
**To:** 'White Pines Community Alliance'  
**Cc:** Nancy Quinn  
**Subject:** Bensenville FOIA Response - September 3, 2019 - Brill #6274  
**Attachments:** 6274\_James\_Brill\_FOIA\_Complete.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	'White Pines Community Alliance'	
	Nancy Quinn	
	NQuinn@bensenville.il.us	Delivered: 9/3/2019 8:58 AM

Good Morning Mr. Brill-

Please see the attached FOIA response dated September 3, 2019 in regards to your FOIA request dated September 2, 2019.

Please let me know if you have any questions.

Thanks!

**Corey Williamsen**  
Deputy Village Clerk



12 South Center Street, Bensenville IL 60106  
P: 630.350.3404 F: 630.350.3438

**From:** White Pines Community Alliance <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)>  
**Sent:** Monday, September 2, 2019 9:15 AM  
**To:** Corey Williamsen <[CWilliamsen@bensenville.il.us](mailto:CWilliamsen@bensenville.il.us)>  
**Subject:** FOIA request

Corey,

Please find attached our September 02, 2019 FOIA request.

Thank you,

**Your White Pines Community Alliance**

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello



BENSENVILLE

12 Creek Center Street

Bensenville, IL 60106

Office: 630.250.3404

Fax: 630.250.3438

[www.bensenvilleil.us](http://www.bensenvilleil.us)

VILLAGE BOARD

September 3, 2019

President

James Brill

Board of Trustees

John Fornaro

Mike Fornaro

Mark F. Fornaro

M. Linda Fornaro

Michelle P. Fornaro

Stephen Fornaro

Village Clerk

Barry J. Stroh

Village Manager

Jeff Williamson

Mr. James Brill

White Pines Community Alliance

Re: September 2, 2019 FOIA Request

Dear Mr. Brill:

I am pleased to help you with your September 2, 2019 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on September 3, 2019. You requested copies of the items indicated below:

*"Any document submitted, written or received related to the case of Gina Mellenthin vs The Village of Bensenville or any of its employees, trustees or board members, between the dates of August 15, 2019 and this present date that have not already been sent to the White Pines Community Alliance in response to previous FOIA requests."*

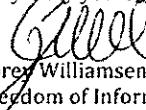
After a search of Village files, the following information was found responsive to your request:

- 1) DuPage County Circuit Court Case No. 18CH001065 Amended Complaint Dated 8/30/2019. (165 pgs.)

These are all the records found responsive to your request.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,

  
Corey Williamson  
Freedom of Information Officer  
Village of Bensenville

Freedom of Information Request  
To  
Village of Bensenville, Illinois

6274

Cory Williamsen  
Freedom of Information Officer  
Village of Bensenville  
12 S. Center Street  
Bensenville, Illinois 60106

September 02, 2019

Dear Mr. Williamsen

Under the Illinois Freedom of Information Act, 5 ILCS 140/1-11, we are requesting the following information or copies of records/documents indicating the following information.

1. Any document submitted, written or received related to the case of Gina Mellenthin vs The Village of Bensenville or any of its employees, trustees or board members, between the dates of August 15, 2019 and this present date that have not already been sent to the White Pines Community Alliance in response to previous FOIA requests.

We understand that the Illinois Act permits a public body to charge a reasonable copying fee of .15 per page of standard paper after the initial 50 free pages. I also understand that Illinois law allows the public body to waive said fees when the information sought is not for a commercial purpose and is in the public interest, as is the case for this request. As such I am requesting that any fees be waived and if they are not we are only willing to pay fees for this request up to a maximum of ten dollars (\$10). If you estimate that the fee will exceed this limit, please inform us first.

We request that the above information be transmitted to us electronically in a PDF or JPEG format at [MyWhitePines@gmail.com](mailto:MyWhitePines@gmail.com). If it is not possible to send the requested information in this format, a representative of the White Pines Community Alliance will be available pick up the documents at your earliest convenience.

Respectfully,

James Brill  
White Pines Community Alliance  
(312) 659-9148

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL DISTRICT  
DUPAGE COUNTY, WHEATON, ILLINOIS

GINA MELLENTHIN, KURT IGLEMAN,  
CELESTE SHAW, AND PHIL ADCOCK,

Plaintiffs,

v.

VILLAGE OF BENSENVILLE

Defendant.

Chris Kachiroubas  
e-filed in the 18th Judicial Circuit Court  
DuPage County  
ENVELOPE: 6399572  
2018CH001065  
FILEDATE: 8/30/2019 12:31 PM  
Date Submitted: 8/30/2019 12:31 PM  
Date Accepted: 8/30/2019 2:04 PM  
MP

No.: 18 CH 001065

Judge Bonnie Wheaton

**AMENDED COMPLAINT**

NOW COMES, the Plaintiffs, GINA MELLENTHIN, KURT IGLEMAN, CELESTE SHAW, AND PHIL ADCOCK, pleading in the alternative pursuant to 735 ILCS 5/2-613, by and through their attorneys, Matton and Werwas, P.C., with their Amended Complaint, and in support thereof state as follows:

**PARTIES**

1. Village of Bensenville is a municipality located in DuPage County.
2. Gina Mellenthin is a resident of unincorporated Bensenville of DuPage County.
3. Kurt Igleman is a resident of unincorporated Bensenville of DuPage County.
4. Celeste Shaw is a resident of unincorporated Bensenville of DuPage County.
5. Phil Adcock is a resident of unincorporated Bensenville of DuPage County.

## **FACTS**

6. The Plaintiffs in this lawsuit are similarly situated Plaintiffs and are all unincorporated owners within the Village of Bensenville.
7. The Village of Bensenville is in charge of the unincorporated owners water service.
8. The Plaintiff unincorporated owners cannot vote for the Village of Bensenville representatives and trustees.
9. The Plaintiff unincorporated owners have been contributing funds through their water bill to a capital fund called “Unincorporated Utility Fund” for capital improvements to the unincorporated owners water system.
10. The Unincorporated Utility Fund was established in the 1980’s to finance major capital improvements to the water system exclusively in unincorporated areas. See Group Exhibit A.
11. The Unincorporated Utility Fund is defined as “accounts for deposits made by the unincorporated water and sewer utility users with the intent of providing various water and sewer system improvements that would directly benefit those depositors. See Exhibit B.
12. The amounts paid into the Unincorporated Utility Fund is set forth via Ordinance. See Group Exhibit C.
13. The Village of Bensenville refuses to answer questions regarding the water rates and formulas from inception through today. See Exhibit D.
14. The Village of Bensenville trustees and representatives are supposed to put the funds received from the unincorporated owners into the Unincorporated Utility Fund.

15. The Village of Bensenville trustees and representatives have not been putting the funds received from the unincorporated owners into the Unincorporated Utility Fund. See Group Exhibit E.

16. The amount that is showing at the end of year 2017 in the Unincorporated Utility Fund is \$912,081. See Group Exhibit E.

17. From at least 2013 through the present, the receivables are \$0 that have been attributed by the Village of Bensenville to the Unincorporated Utility Fund. See Group Exhibit E.

18. There should be approximately an additional \$300,000.00 in the Unincorporated Utility Fund because for the years 2013 through the present, \$0 were attributed by the Village of Bensenville to the Unincorporated Utility Fund.

19. There should be approximately an additional \$60,000.00 of funds attributed each year for years 2013 through the present by the Village of Bensenville to the Unincorporated Utility Fund.

#### **COUNT 1 (BREACH OF FIDUCIARY DUTY)**

20. Plaintiffs restate and incorporate paragraphs 1 through 19 herein.

21. Defendant has knowingly and recklessly and in bad faith violated fiduciary duties of care, loyalty, good faith, and independence owed to the Plaintiff unincorporated owners.

22. Defendant has breached its fiduciary duties of loyalty, good faith, and independence owed to the Plaintiffs because it did not place the funds received from Plaintiffs into the Unincorporated Utility Fund.

23. As a result of the Defendant's breach of its fiduciary duties, Plaintiffs have and will continue to suffer irreparable injury in that the monies that have been paid to the Unincorporated Utility Fund have disappeared.

24. At least \$300,000.00 that is supposed to be used to pay for capital improvements to the unincorporated residents' water system is missing from the Unincorporated Utility Fund.

25. Unless enjoined by this Court, the Defendant will continue to breach its fiduciary duty owed to Plaintiffs to the irreparable harm of Plaintiffs and will continue to do so until Defendant conforms with the intention of the Unincorporated Utility Fund.

**COUNT II (BREACH OF CONTRACT)**

26. Plaintiffs restate and incorporate paragraphs 1 through 19 herein.

27. Because Plaintiffs' were required to pay into the Unincorporated Utility Fund by the Village of Bensenville, a contract was formed with each Plaintiff.

28. Each Plaintiff performed by paying their share into the Unincorporated Utility Fund.

29. Defendant breached its contract with each Plaintiff by misallocating at least \$300,000.00 from 2013 through the present, creating a loss for each Plaintiff.

30. As a result of the Defendant's breach, Plaintiffs have and will continue to suffer irreparable injury in that the monies that have been paid to the Unincorporated Utility Fund have disappeared.

31. As a direct and proximate cause of Defendant's actions, and as of today, Plaintiffs incurred damages in an amount of at least \$300,000.00.

**COUNT III (UNJUST ENRICHMENT)**

32. Plaintiffs restate and incorporate paragraphs 1 through 19 herein.

33. Because Plaintiffs' were required to pay into the Unincorporated Utility Fund by the Village of Bensenville, an agreement was formed with each Plaintiff.

34. Each Plaintiff performed by paying their share into the Unincorporated Utility Fund.

35. Defendant breached its agreement with each Plaintiff by misallocating at least \$300,000.00 from 2013 through the present, unjustly enriching itself to the detriment of each Plaintiff.

36. As a result of the Defendant's breach, Plaintiffs have and will continue to suffer irreparable injury in that the monies that have been paid to the Unincorporated Utility Fund have disappeared.

37. As a direct and proximate cause of Defendant's actions, and as of today, Plaintiffs incurred damages in an amount of at least \$300,000.00.

WHEREFORE, Plaintiffs, GINA MELLENTHIN, KURT IGLEMAN, CELESTE SHAW, and PHIL ADCOCK, ask this court to enter an Order against Defendant for a full accounting and return of the funds to the Unincorporated Utility Fund and for whatever else this Court deems just.

Respectfully submitted,

/s/ Keith H. Werwas

---

Keith H. Werwas

Matton and Werwas, P.C.  
Attorneys for Plaintiff, Mellenthin  
134 N. LaSalle Street  
Suite 1040  
Chicago, IL 60602  
(312)236-6800  
kwerwas@mattonandwerwas.com  
DuPage Attorney No.: 328992

STATE OF ILLINOIS

UNITED STATES OF AMERICA  
IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

COUNTY OF DU PAGE

Gina Mellenthin, Kurt Igleman, Celeste Shaw, et al

Plaintiff

v.

Village of Bensenville

Defendant

18 CH 001065

Case Number

Chris Kachiroubas  
e-filed in the 18th Judicial Circuit Court  
DuPage County  
ENVELOPE: 6399572  
2018CH001065  
FILEDATE: 8/30/2019 12:31 PM  
Date Submitted: 8/30/2019 12:31 PM  
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MP

File Stamp Here

## EXHIBIT COVER SHEET

Local Court Rules 5.06 and 5.09

EXHIBIT NAME: Group Exhibit A

TITLE OF DOCUMENT THIS EXHIBIT BELONGS WITH:

Amended Complaint

Document File Date: August 30, 2019

(The file date of the document this exhibit belongs with)

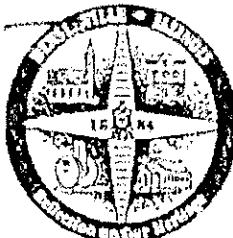
EXHIBIT FILED ON BEHALF OF: Gina Mellenthin, Kurt Igleman, Celeste Shaw, and Phil Adcock

(Case Party Name)

Submitted by: Keith H. Werwas

Name: Matton and Werwas, P.C.  Pro SeDuPage Attorney Number: 328992Attorney for: PlaintiffsAddress: 134 N. LaSalle Street, Suite 1040City/State/Zip: Chicago, IL 60602Telephone Number: 312-236-6800Email: kwerwas@mattonandwerwas.com

# GROUP EXHIBIT A



## Village of Bensenville

7001 W. Young Park Road  
Bensenville, Illinois 60106  
(708) 296-3840 Fax (708) 296-0260



July 16, 1996

Unincorporated Water and Sewer Customer

RE: Unincorporated Utility Reserve

As many of you know, the Village has collected a surcharge on water and sewer since the late 1980's to finance major capital improvements to the water system exclusively in unincorporated areas. These funds have been used for the looping of water mains which improves the flow, thereby enhancing water quality and provides a more dependable fire flow. This work is a prelude to the water main work that primarily needs to be done in the White Pines portion of our unincorporated utility area for the redirecting of the water transmission system from rear yards to the street.

Again for those of you who are not aware of the history, there were numerous water main breaks in rear yards in past years that were the result oftentimes of old pipe in "hot" or acidic soil which breaks down the metal material of the pipe. Also when a water main break took place in people's rear yards, significant damage was done to not only the easement at the rear of people's yards, but also from having a backhoe enter onto people's properties to excavate for the repair. For both of the aforementioned reasons, the long term plan is to replace water mains in the street right-of-way as funds are accumulated.

Attached you will find the list of projects that benefit your area. We have funded projects for the unincorporated areas as funds become available. As of this date, reserves are \$107,456. When enough funds become available, we will fund the next unincorporated project.

Unfortunately as with many topics of discussion, people have distorted the facts concerning the unincorporated utility reserve. We have not used these funds for repair or replacement of individual hydrants, except as part of an extension of water main service in an unincorporated area, or for any of the water main breaks or valve problems that we encountered in your development. All of the aforementioned work, with the exclusion noted, is part of our routine maintenance and paid for by the general water and sewer fees, not with the surcharge.

I hope the aforementioned information and the attached numbers answer many of the questions that have been asked. Several times in the past, we have presented information at meetings concerning the unincorporated utility reserve and have discussed this issue with several individual homeowners in the unincorporated areas. If you should have any further questions, please contact the undersigned or Tom Truty, Director of Management Services, at 766-8200.

Sincerely yours,

Michael S. Allison  
Village Manager

MSA/ld

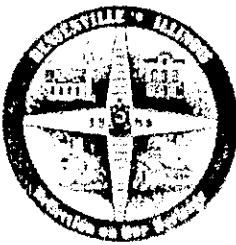
Attachment: Accounting Unincorporated Utility Reserve

cc: President and Village Board

Tom Truty, Director of Management Services

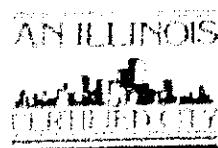
Paul Bourke, Director of Public Works

Robert Glees, Director of Community Development



## Village of Bensenville

100 E. Main Street  
Bensenville, IL 60106  
(708) 425-3300 Fax: (708) 425-3301



August 27, 1997

### Unincorporated Water and Sewer Customers

In July of 1996 and January of 1997, I sent you correspondence in reference to the status of the unincorporated utility reserve, including in the January correspondence a list of priorities for unincorporated utility improvements. The purpose of these two letters were, first, to outline again the basis of the unincorporated utility reserve and, secondly, to get out specific projects that we were identifying for future construction.

Again, there seems to be a problem with people's perception as it pertains to both the surcharge and the use of these funds. As we stated in the original correspondence of December 23, 1986, we have established a fund to "deposit monies from the line replacement charge to perform these improvements in the system." There has been a contention that the improvements do not directly benefit some of the specific areas within the unincorporated area served by the Village, such as White Pine. As I indicated in the 1986 letter, the funding is very limited and these improvements will be very slow in occurring because of the large dollar amount needed, approximately \$2.5 million at this time, with a collection of approximately \$60,000 per year. To date, we have spent \$129,000 on projects. The improvements constructed to date, while positively impacting a number of homes, also provide an overall benefit to the unincorporated system since they reduce dead-end mains in a number of areas and provide a more reliable water source for both fire flow and domestic use. In other words, we still need to improve the delivery system for the unincorporated area and then, as needed, we will work on line replacement or extension on a priority basis.

The process of improvements can be expedited by increasing the monthly surcharge. We will entertain any interest in changing the surcharge to accomplish a shorter improvement schedule.

There has also been an accusation made that we are contemplating extending the lines north of Third Avenue to encourage annexation. At this time, many of the homes that either benefit from current water service or do not have water service are not contiguous with the Village of Bensenville and, therefore, could not annex into the Village. Again, it is our desire to increase the reliability of the system and this first addresses the delivery of water which means reducing dead-end mains which exist in a number of areas north of Third Avenue.

As of this date, the President and Village Board have not decided on specific projects to proceed with in 1998, however, my previous correspondence provides a general outline of unincorporated priority improvements. We will only be able to do a limited number of these projects in 1998.

We want to emphasize that we have been consistent in our application of these funds for unincorporated improvements and are proceeding with these improvements on a priority basis. Please call if you should have any questions or comments.

Sincerely yours,

Michael S. Allison  
Village Manager

STATE OF ILLINOIS	UNITED STATES OF AMERICA	COUNTY OF DU PAGE
<b>IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT</b>		
Gina Mellenthin, Kurt Igleman, Celeste Shaw, et al Plaintiff, v. Village of Bensenville Defendant,	18 CH 001065 Case Number	Chris Kachiroubas e-filed in the 18th Judicial Circuit Court DuPage County ENVELOPE: 6399572 2018CH001065 FILEDATE: 8/30/2019 12:31 PM Date Submitted: 8/30/2019 12:31 PM Date Accepted: 8/30/2019 2:04 PM MP  File Stamp Here
<p style="text-align: center;"><b>EXHIBIT COVER SHEET</b></p> <p style="text-align: center;">Local Court Rules 5.06 and 5.09</p> <p><b>EXHIBIT NAME:</b> Exhibit B</p> <p><b>TITLE OF DOCUMENT THIS EXHIBIT BELONGS WITH:</b> Amended Complaint</p> <p><b>Document File Date:</b> August 30, 2019 (The file date of the document this exhibit belongs with)</p> <p><b>EXHIBIT FILED ON BEHALF OF:</b> Gina Mellenthin, Kurt Igleman, Celeste Shaw, and Phil Adcock (Case Party Name)</p> <p>Submitted by: Keith H. Werwas</p> <p>Name: <u>Matton and Werwas, P.C.</u> <input type="checkbox"/> Pro Se DuPage Attorney Number: <u>328992</u> Attorney for: <u>Plaintiffs</u> Address: <u>134 N. LaSalle Street, Suite 1040</u> City/State/Zip: <u>Chicago, IL 60602</u> Telephone Number: <u>312-236-6800</u> Email: <u>kwerwas@mattonandwerwas.com</u></p>		

# EXHIBIT B

#### NON-MAJOR SPECIAL REVENUE FUNDS

A SPECIAL REVENUE FUND IS USED TO FINANCE PARTICULAR ACTIVITIES AND IS CREATED OUT OF REVENUE OF SPECIFIC TAXES OR OTHER EARMARKED REVENUE. SUCH FUNDS ARE AUTHORIZED BY STATUTORY PROVISIONS TO PAY FOR CERTAIN ACTIVITIES WITH SOME SPECIAL FORM OF CONTINUING REVENUE. THE FOLLOWING ARE THE VILLAGES ACTIVE SPECIAL REVENUE FUNDS:

Disability Tax Fund - Accounts for the subsidies received from PACE and bus fares collected to fund operating costs of the local transit system.

Motor Fuel Tax Fund - Accounts for the state allotments used to fund street maintenance approved by the State of Illinois.

Illinois Municipal Retirement Fund - Accounts for the specific levy of taxes to fund payments to the state controlled Pension Fund.

Social Security Retirement Fund - Accounts for the specific levy of taxes to fund payments to the federal controlled Pension Fund.

Police Perfection Fund - Accounts for monies received from drug seizures to fund drug prevention programs.

Unincorporated Village Fund - Accounts for deposits made by the unincorporated water and sewer utility users with the intent of providing various water and sewer system improvements that would directly benefit those depositors.

STATE OF ILLINOIS

UNITED STATES OF AMERICA  
IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

COUNTY OF DU PAGE

Gina Mellenthin, Kurt Igleman, Celeste Shaw, et al

Plaintiff,

v.

Village of Bensenville

Defendant,

18 CH 001065

Case Number

Chris Kachiroubas  
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## EXHIBIT COVER SHEET

Local Court Rules 5.06 and 5.09

EXHIBIT NAME: Group Exhibit C

## TITLE OF DOCUMENT THIS EXHIBIT BELONGS WITH:

Amended Complaint

Document File Date: August 30, 2019

(The file date of the document this exhibit belongs with)

EXHIBIT FILED ON BEHALF OF: Gina Mellenthin, Kurt Igleman, Celeste Shaw, and Phil Adcock

(Case Party Name)

Submitted by: Keith H. Werwas

Name: Matton and Werwas, P.C.  Pro SeDuPage Attorney Number: 328992Attorney for: PlaintiffsAddress: 134 N. LaSalle Street, Suite 1040City/State/Zip: Chicago, IL 60602Telephone Number: 312-236-6800Email: kwerwas@mattonandwerwas.com

# GROUP EXHIBIT C

**VILLAGE OF BENSENVILLE  
12 S. CENTER STREET  
BENSENVILLE, ILLINOIS 60106**

---

**Ordinance No. 30-2014**

**An Ordinance Amending Municipal Water/Sewer Rates of the Village of Bensenville,  
Counties of Cook and DuPage, Illinois**

---

**ADOPTED BY THE  
VILLAGE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF BENSENVILLE  
THIS 24th DAY OF JUNE, 2014**

---

Published in pamphlet form by authority of the President and Board of Trustees of the Village of  
Bensenville, DuPage and Cook Counties, Illinois this 25<sup>th</sup> day of June 2014

STATE OF ILLINOIS        )  
COUNTIES OF COOK    )  
SS AND DUPAGE        )

I, Corey Williamsen, do hereby certify that I am the duly appointed Deputy Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois, and as such officer, I am the keeper of the records and files of said Village; I do further certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 30-2014 entitled an ordinance amending Municipal Water/Sewer Rates of the Village of Bensenville, Counties of Cook and DuPage, Illinois.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal on this

28th day of June, 2014.



  
Corey Williamsen  
Deputy Village Clerk

AN ORDINANCE AMENDING MUNICIPAL WATER/SEWER RATES OF THE  
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, the Village of Bensenville (the "Village") owns and operates sewerage and waterworks facilities (the "System") within and outside the municipal boundaries of the Village; and

WHEREAS, the Illinois Municipal Code at Division 139 grants the Village the authority to charge its inhabitants a reasonable compensation for the use and service of the System and to establish rates for that purpose; and

WHEREAS, the Village has carefully considered the findings and recommendations of the Baxter & Woodman, Inc. 2014 Village of Bensenville Water & Sewer Rate Study, (the "Baxter & Woodman Study");

WHEREAS, the Village has carefully considered its own experience in operating and maintaining the System and the revenues and expenses associated therewith, together with the current condition of the System,

---

BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: AMENDMENT OF RATES. For the purpose of establishing the rates hereinafter set forth, the Village's Corporate Authorities hereby adopt the findings and recommendations contained in the Baxter & Woodman Study heretofore incorporated herein as Exhibit "A" for the use of, and for the service supplied by, the waterworks system of the Village and the same are hereby amended, in part, as provided for herein. Annually, the Finance Director shall evaluate the system revenues, expenses and fund balance against projections. The Director shall issue a report of findings to the Village Board at least one month prior to the scheduled annual rate increase at which time the Board can determine whether the scheduled annual rate increase needs to be revised.

SECTION TWO: In accordance with the provisions hereof, Section 8-7-7 of the Bensenville Village Code, as amended, as follows

A. WATER RATES WITHIN CORPORATE LIMITS

1. 2014 Water Commodity Charges (effective July 1, 2014):

a. First 10,000 gallons per month	\$6.19 per 1,000 gallons
b. Above 10,000 gallons per month	\$7.12 per 1,000 gallons

2. Monthly Fixed Charges:

a.	5/8 inch and 3/4 inch meter size Fixed charge	\$2.62
b.	1-inch meter size Fixed charge	\$8.81
c.	1-1/2 inch meter size Fixed charge	\$17.43
d.	2-inch meter size Fixed charge	\$27.95
e.	3-inch meter size Fixed charge	\$52.50
f.	4-inch meter size Fixed charge	\$87.56
g.	6-inch meter size Fixed charge	\$174.95

Senior Citizen Residential Accounts (over age 65):

h.	Fixed charge	\$2.62
	Deduction from Total Bill	\$1.54

3. Future Water Rates:

a. Water rates for customers within the corporate limits will be further revised once per year according to the following schedule.

Item	As of January 1, 2015	As of January 1, 2016	As of January 1, 2017	As of January 1, 2018	As of January 1, 2019	As of January 1, 2020
Water Commodity Charge, First 10,000 gallons per month, per 1,000 gallons	\$6.65	\$7.15	\$7.69	\$8.27	\$8.89	\$9.56
Water Commodity Charge, Above 10,000 gallons, per 1,000 gallons	\$7.65	\$8.22	\$8.84	\$9.5	\$10.21	\$10.98
Monthly Fixed Charges (per Meter Size)						
5/8 inch and 3/4 inch	\$2.82	\$3.03	\$3.26	\$3.50	\$3.76	\$4.04
1 inch meter	\$9.47	\$10.18	\$10.94	\$11.76	\$12.64	\$13.59
1 1/2 inch meter	\$18.74	\$20.15	\$21.66	\$23.28	\$25.03	\$26.91
2 inch meter	\$30.05	\$32.30	\$34.72	\$37.32	\$40.12	\$43.13
3 inch meter	\$56.44	\$60.67	\$65.22	\$70.11	\$75.37	\$81.02

4 inch meter	\$94.13	\$101.19	\$108.78	\$116.94	\$125.71	\$135.14
6 inch meter	\$188.07	\$202.18	\$217.34	\$233.64	\$251.16	\$270.00
Senior Citizen Fixed Charge Deduction	(\$1.54)	(\$1.54)	(\$1.54)	(\$1.54)	(\$1.54)	(\$1.54)

**B. WATER RATES OUTSIDE CORPORATE LIMITS (RESIDENTIAL)**

1. 2014 Water Commodity Charges (effective January 1, 2015) established at 150% of Corporate Limit Rates:

a. First 10,000 gallons per month \$9.98 per 1,000 gallons  
b. Above 10,000 gallons per month \$11.48 per 1,000 gallons

2. Monthly Fixed Charges (effective January 1, 2015) established at 150% of Corporate Limit Monthly Fixed Charges:

a. 5/8 inch and 3/4 inch meter size	
Fixed charge	\$4.23
b. 1-inch meter size	
Fixed charge	\$14.21
c. 1-1/2 inch meter size	
Fixed charge	\$28.11
d. 2-inch meter size	
Fixed charge	\$45.08
e. 3-inch meter size	
Fixed charge	\$84.66
f. 4-inch meter size	
Fixed charge	\$141.20
g. 6-inch meter size	
Fixed charge	\$282.11

3. Future Water Rates:

a. Water rates for residential customers outside the corporate limits will be further revised once per year according to the following schedule.

Item	As of January 1, 2015	As of January 1, 2016	As of January 1, 2017	As of January 1, 2018	As of January 1, 2019	As of January 1, 2020
Water Commodity Charge, First 10,000 gallons per month, per 1,000 gallons	\$9.98	\$10.73	\$11.54	\$12.41	\$13.34	\$14.34
Water Commodity Charge, Above 10,000 gallons, per 1,000 gallons	\$11.48	\$12.33	\$13.26	\$14.25	\$15.31	\$16.47
Monthly Fixed Charges (per Meter Size)						
5/8 inch and 3/4 inch	\$4.23	\$4.55	\$4.89	\$5.25	\$5.64	\$6.06
1 inch meter	\$14.21	\$15.27	\$16.41	\$17.64	\$18.96	\$20.39
1 1/2 inch meter	\$28.11	\$30.23	\$32.49	\$34.92	\$37.55	\$40.37
2 inch meter	\$45.08	\$48.45	\$52.08	\$55.98	\$60.18	\$64.70
3 inch meter	\$84.66	\$91.01	\$97.83	\$105.17	\$113.06	\$121.53
4 inch meter	\$141.20	\$151.79	\$163.17	\$175.41	\$188.57	\$202.71
6 inch meter	\$282.11	\$303.27	\$326.01	\$350.46	\$376.74	\$405.00

**C. WATER RATES OUTSIDE CORPORATE LIMITS (NON-RESIDENTIAL)**

1. Same as established in SECTION TWO.B. above.

## CAPITAL RECOVERY CHARGES WITHIN CORPORATE LIMITS

1. 2014 Capital Recovery Charges (effective July 1, 2014 within the Corporate Limits (regardless of usage volume):
  - a. Water capital recovery charge \$2.56 per 1,000 gallons
  - b. Wastewater capital recovery charge \$2.77 per 1,000 gallons
2. Non-metered Accounts:
  - a. Flat rate per month – 9,000 gallons minimum
    1. Water Capital Recovery \$23.04
    2. Wastewater capital recovery \$24.93
    3. Total Capital Recovery Rate per month \$47.97
3. Future Capital Recovery Charges:
  - a. Capital recovery charges for customers within the corporate limits will be further revised once per year according to the following schedule.

Item	As of January 1, 2015	As of January 1, 2016	As of January 1, 2017	As of January 1, 2018	As of January 1, 2019	As of January 1, 2020
Water Capital Recovery Charge, Per 1,000 gallons	\$2.75	\$2.96	\$3.18	\$3.42	\$3.68	\$3.96
Wastewater Recovery Charge, Per 1,000 gallons	\$2.98	\$3.20	\$3.44	\$3.70	\$3.98	\$4.28

## D. CAPITAL RECOVERY CHARGES OUTSIDE CORPORATE LIMITS

1. 2014 Fixed Capital Recovery (effective July 1, 2014 – December 31, 2014) outside the Corporate Limits (regardless of usage volume) charge of \$19.39 per month.
2. 2014 Capital Recovery Charges (January 1, 2015 outside the Corporate Limits (regardless of usage volume) established at 150% of Corporate Capital Recovery Charges:
  - a. Water Capital Recovery Charge \$3.84 per 1,000 gallons
  - b. Wastewater Capital Recovery Charge \$4.16 per 1,000 gallons
3. Non-metered Accounts:
  - a. Flat rate per month – 9,000 gallons minimum
    1. Water Capital Recovery \$34.56
    2. Wastewater capital recovery \$37.40
    - Total Capital Recovery Rate per month \$71.96

3. Future Capital Recovery Charges:

a. Capital recovery charges for customers within the corporate limits will be further revised once per year according to the following schedule:

Item	As of January 1, 2015	As of January 1, 2016	As of January 1, 2017	As of January 1, 2018	As of January 1, 2019	As of January 1, 2020
Water Capital Recovery Charge, Per 1,000 gallons	\$3.84	\$4.13	\$4.44	\$4.77	\$5.13	\$5.52
Wastewater Recovery Charge, Per 1,000 gallons	\$4.47	\$4.80	\$5.16	\$5.55	\$5.97	\$6.42

SECTION THREE: In accordance with the provisions hereof, Section 8-6-23-4 of the Bensenville Village Code is hereby amended follows:

A. SEWER/WASTEWATER RATES WITHIN THE CORPORATE LIMITS:

1. 2014 Wastewater Commodity Charges (effective July 1, 2014):
  - a. First 10,000 gallons per month \$4.89 per 1,000 gallons
  - b. Above 10,000 gallons per month \$5.62 per 1,000 gallons
2. Monthly Fixed Bills per month:
  - a. 5/8 inch and 3/4 inch meter size  
Fixed charge \$5.21
  - b. 1-inch meter size  
Fixed charge \$17.32
  - c. 1-1/2 inch meter size  
Fixed charge \$34.87
  - d. 2-inch meter size  
Fixed charge \$55.73
  - e. 3-inch meter size  
Fixed charge \$104.36
  - f. 4-inch meter size  
Fixed charge \$173.87
  - g. 6-inch meter size  
Fixed charge \$347.99

3. Non-metered Accounts:

a. Flat rate per month	
1. Fixed charge	\$4.89
2. 9,000 gallons	\$44.01
Total flat rate per month	\$44.01

4. Future Wastewater Rates:

a. Wastewater rates for customers within the corporate limits will be further revised once per year according to the following schedule.

Item	As of January 1, 2015	As of January 1, 2016	As of January 1, 2017	As of January 1, 2018	As of January 1, 2019	As of January 1, 2020
Wastewater Commodity Charge, First 10,000 gallons per month, per 1,000 gallons	\$5.26	\$5.65	\$6.07	\$6.53	\$7.02	\$7.55
Wastewater Commodity Charge, Above 10,000 gallons, per 1,000 gallons	\$6.04	\$6.49	\$6.98	\$7.50	\$8.06	\$8.66
Monthly Fixed Charges (per Meter Size)						
5/8 inch and 3/4 inch	\$5.60	\$6.02	\$6.47	\$6.96	\$7.48	\$8.04
1 inch meter	\$18.62	\$20.02	\$21.52	\$23.13	\$24.86	\$26.72
1 1/2 inch meter	\$37.49	\$40.30	\$43.32	\$46.57	\$50.06	\$53.81
2 inch meter	\$59.91	\$64.40	\$69.23	\$74.42	\$80.00	\$86.00
3 inch meter	\$112.19	\$120.60	\$129.65	\$139.37	\$149.82	\$161.06
4 inch meter	\$186.91	\$200.93	\$216.00	\$232.20	\$249.62	\$268.34
6 inch meter	\$374.09	\$402.15	\$432.31	\$464.73	\$499.58	\$537.05

B. SEWER/WASTEWATER RATES OUTSIDE THE CORPORATE LIMITS:

1. 2014 Wastewater Commodity Charges (January 1, 2015) established at 150% of the Corporate Rates:

a. First 10,000 gallons per month	\$7.34 per 1,000 gallons
b. Above 10,000 gallons per month	\$8.43 per 1,000 gallons

2. Monthly Fixed Bills per month:

a. 5/8 inch and 3/4 inch meter size	
Fixed charge	\$7.82
b. 1-inch meter size	

	Fixed charge	\$25.98
c.	1-1/2 inch meter size Fixed charge	\$52.31
d.	2-inch meter size Fixed charge	\$83.60
e.	3-inch meter size Fixed charge	\$156.54
f.	4-inch meter size Fixed charge	\$260.81
g.	6-inch meter size Fixed charge	\$521.99
3.	Non-metered Accounts:	
b.	Flat rate per month	
1.	Fixed charge	\$7.34
2.	9,000 gallons	\$66.02
	Total flat rate per month	\$66.02

4. Future Wastewater Rates:

b. Wastewater rates for customers outside the corporate limits will be further revised once per year according to the following schedule.

Item	As of January 1, 2015	As of January 1, 2016	As of January 1, 2017	As of January 1, 2018	As of January 1, 2019	As of January 1, 2020
Wastewater Commodity Charge, First 10,000 gallons per month, per 1,000 gallons	\$7.89	\$8.48	\$9.11	\$9.80	\$10.53	\$11.33
Wastewater Commodity Charge, Above 10,000 gallons, per 1,000 gallons	\$9.06	\$9.74	\$10.47	\$11.25	\$12.09	\$12.99
Monthly Fixed Charges (per Meter Size)						
5/8 inch and 3/4 inch	\$8.40	\$9.03	\$9.71	\$10.44	\$11.22	\$12.06
1 inch meter	\$27.93	\$30.03	\$32.28	\$34.70	\$37.29	\$40.08
1 1/2 inch meter	\$56.24	\$60.45	\$64.98	\$69.86	\$75.09	\$80.72
2 inch meter	\$89.87	\$96.60	\$103.85	\$111.63	\$120.00	\$129.00
3 inch meter	\$168.29	\$180.90	\$194.48	\$209.06	\$224.73	\$241.59
4 inch meter	\$280.37	\$301.40	\$324.00	\$348.30	\$374.43	\$402.51
6 inch meter	\$561.14	\$603.23	\$648.47	\$697.10	\$749.37	\$805.58

C. SEWER/WASTEWATER RATES OUTSIDE CORPORATE LIMITS (NON-RESIDENTIAL)

1. Same as established in SECTION THREE.B. above.

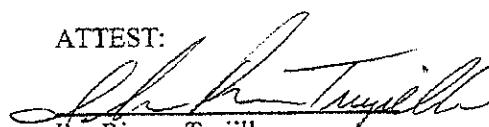
SECTION FOUR: All ordinances in conflict herewith are repealed to the extent of said conflict. This Ordinance is in full force and effect after passage and publication according to law and the rates and charges contained herein shall apply to all bills issued on or after August 1, 2014.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this 24th day of June, 2014.



Frank Soto  
Village President

ATTEST:



Ilsa Rivera-Trujillo  
Village Clerk

AYES: BARTLETT, JANOWIAK, O'CONNELL, RIDDER

NAYS: WESSELER

ABSENT: JARECKI

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## Memo

To: Village of Bensenville Mayor and Board of Trustees

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From: Jim Sparber

Date: 6/19/14 Project No.: 100563.40

Subject: Response to Questions from 6/17/14 Committee Meeting

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At the conclusion of Baxter & Woodman's presentation regarding the Water & Sewer Rate Study to the Finance Committee, the committee requested additional information be provided on the following items:

1. Explain the concerns associated with a very low or zero fund balance which was projected by Scenario 1.

The Water & Sewer Fund is an enterprise fund meaning that all the revenues and expenditures associated with the operations of these systems should be accounted for within the fund. The idea behind this type of fund is to provide a clear picture of the finances to users of the system whose payment for services (i.e. water and sewer bills) comprise the majority of the system revenue. Ideally, the fund is self-supporting such that the users of the system who receive the benefits are the ones who are paying the costs. A well-managed water and sewer system will still see variations in cash flows during the normal course of business. A reserve fund balance is recommended in order to absorb these fluctuations without needing to borrow funds. The American Water Works Association (AWWA) has established a benchmark minimum fund balance of 25% of the cost of operations. If the cash reserve is not available, the water and sewer fund may be forced to borrow from either the General Fund or from an outside lender. In addition to smoothing cash flow, maintaining a reserve balance provides cash for unanticipated, critical system repairs and serves as an added assurance to lenders in the event significant outside funding is needed.

It is our recommendation to maintain some cash reserves to allow the Village staff flexibility in how they manage the system. Scenario 1 does not provide the necessary cash reserves to allow this flexibility. As such, it is our recommendation to adopt Scenario 2.

**2. Identify the areas that should be evaluated when reviewing the annual rate increases scheduled to become effective on January 1 of each year of the study period.**

Our study is based on annual projections of the cash flows through the Water and Sewer Fund. As with any projection, the values are our best estimates based on what we know at the time of the study. The actual results can vary significantly from our estimates. As such, we recommend that the projections be reviewed on an annual basis, prior to the scheduled January 1 rate increase. The key items to be reviewed against the projected values include:

- Volume of water sales (trend)
- Water loss percentage (trend)
- Wholesale cost of water purchased (actual vs. projected)
- Total system revenue (actual vs. projected)
- Total system expenses (actual vs. projected)
- Capital construction costs (actual vs. budgeted)
- End of year fund balance (actual vs. projected)
- Significant changes in expense items such as labor agreements, electric costs, etc.
- Unexpected or unplanned large capital expenditures

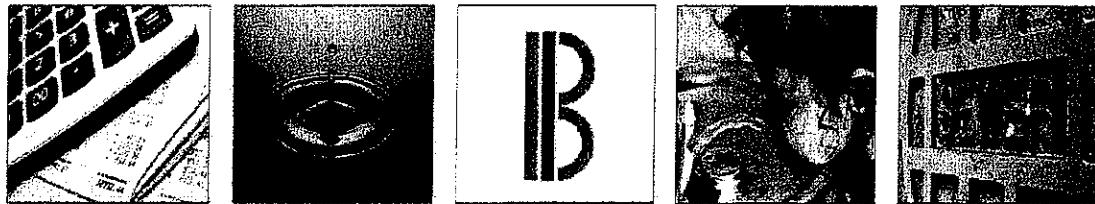
In the event the system revenue or expenses are not tracking closely to the projected values, a more in-depth analysis of these items should be conducted to identify the root cause of the variation.

**List of Unincorporated SSAs**

SSA #	Description	Municipality	Ordinance #	Established	Estimated	Water Rates
3	Bruce Lake	Burr Ridge	OPW-ORD-005-80	3/25/86	\$875,000	200%
5	Leans Road Industrial Park	Burr Ridge	OPW-007-87	4/24/85	\$290,000	200%
8	Leans Rd. Road Improvement	Burr Ridge	OPW-002-93	3/23/93	\$500,000	200%
9	Brookeridge Central & Main	Burr Ridge	OPW-002-92	4/28/92	\$1,350,000	200%
26	Bruce Lake	Burr Ridge	OPW-003-02	7/9/02	\$1,247,890	200%
27	Brookeridge 85th - 87th Street	Burr Ridge	OPW-003-03	4/22/03	\$425,000	200%
29	Babson Park	Burr Ridge	OPW-006-03	9/23/03	\$311,000	200%
4	Nelson's Highview Estates	Glen Ellyn	ECD-002-88	9/17/88	\$360,000	150%
6	Five Corners	Glen Ellyn	OPW-006-87	10/27/87	\$1,155,000	150%
10	Five Corners	Glen Ellyn	OPW-004-94	5/24/94	\$475,000	150%
12	Glen Ellyn Woods South	Glen Ellyn	OPW-002-94	2/8/94	\$630,000	150%
19	Glen Ellyn Woods North	Glen Ellyn	OPW-004-02	3/12/02	\$2,165,000	150%
2	Oak Hill/Spring Acres	Hinsdale	OPW-ORD-108-85	4/24/85	\$395,000	125%
1	Itasca Ranchettes	Itasca	OPW-ORD-007-85	8/13/85	\$724,000	150%
13	North Park	Itasca	OPW-001-94	2/8/94	\$1,300,000	150%
16	Flowerfield	Lombard	OPW-003-97	4/23/97	\$350,000	150%
35	Lakes of Royce Renaissance	Lombard	OPW-003-10	8/10/2010	\$500,000	150%
37	York Center	Lombard	OPW-002-11	1/25/2011	\$1,900,000	150%
34	Holson Water	Naperville	OPW-001-09	1/13/09	\$1,210,000	110%
25	Westlands	West Chicago	OPW-008-01	11/27/01	\$2,107,100	200%
32	River's Edge	West Chicago	OPW-001-06	11/1/06	\$506,000	200%
33	Judith Court	West Chicago	OPW-007-06	7/11/06	\$350,000	200%
21	Woodridge Estates	Woodridge	OPW-003-01	5/12/01	\$327,000	162%
30	Suburban Estates	Woodridge	OPW-002-04	3/9/04	\$2,500,000	162%

**Village of Bensenville, Illinois**

# **2014 Water & Sewer Rate Study Update**



*Prepared by:*

**BAXTER & WOODMAN**  
Consulting Engineers

[www.baxterwoodman.com](http://www.baxterwoodman.com)

May 2014

## Village of Bensenville, Illinois 2014 Water & Sewer Rate Study Update

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## **EXECUTIVE SUMMARY**

In accordance with your authorization, we have completed an update and review of the Village's water and sewer user rates. The purpose of this project is to provide the Village with recommendations for setting water and sewer rates to cover operating, debt service and capital improvement expenses while maintaining an appropriate cash balance in the Water and Sewer Fund. The scope of this report includes:

- Analyzing the current water usage trends as well as the trends in unbilled water percentages.
- Preparing a 5-year projection of water and sewer expenses, including incorporation of the Village's 5-year capital improvement plan.
- Reviewing debt service obligations and replacement/rehabilitation needs to assure adequate funds are being set aside for these needs.
- Preparing 5-year projection of revenues necessary to meet water and sewer utility expenses.
- Recommending a system of equitable water and sewer rates to meet revenue requirements for the next 5 years.

Under the current rate structure, the Water & Sewer Fund is insufficient to support the projected operating and capital expenses, resulting in a negative fund balance in less than two years. Much of this shortfall is due to the increased cost of water supplied by the DuPage Water Commission and the City of Chicago. Three scenarios for rate increases were evaluated:

1. Increase rates annually at 9.2% in each of the next 5 years.
2. Increase rates by 15% in July 2014 and then increase the rates by 7.5% in each of the next 5 years.
3. Increase rates by 44.7% in July 2014 with no additional rate increases over the 5-year study period.

Of the three scenarios evaluated, Scenario 2 is recommended for implementation. Under this scenario the projected fund balance will remain positive and will provide for revenues slightly above projected expenses at the end of the five year study period.

In addition to the recommended rate increase, the study also recommends removal of the current \$19.39 capital fee currently charged to users of the system who are not within the municipal corporate limits. The study proposes to charge unincorporated system users a rate which is 150% of the standard user fees in order to recapture costs for services provided by the Village and paid for out of the General Fund, but which benefit the water system users.

The following table presents a summary of the average monthly water and sewer bill for various typical customer classes under the recommended scenario.

TABLE 1

Scenario 2: Water & Sewer Monthly Bills

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Low Senior Usage 2,000 gallons/month	\$ .32	\$ .38	\$ .41	\$ .44	\$ .47	\$ .51	\$ .55	\$ .60
Avg. Residential Usage 6,000 gallons/month	\$ .92	\$ 106	\$ 114	\$ 123	\$ 132	\$ 142	\$ 153	\$ 164
Avg. Unincorporated Usage 6,000 gal/month	\$ 112	\$ 159	\$ 171	\$ 184	\$ 198	\$ 213	\$ 229	\$ 246
Avg. Non-Res. Usage 29,000 gallons/month	\$ 487	\$ 560	\$ 602	\$ 647	\$ 695	\$ 747	\$ 803	\$ 864

Notes: Unincorporated users pay 150% of the standard usage rates.

In order to maintain a financially sound, self-sufficient water and sewer fund, adoption of a 15% rate increase in July 2014 and a 7.5% annual rate increase in January of 2015 through January 2020 as described under Scenario 2 is recommended.

## **1. EXISTING WATER AND SEWER SYSTEMS**

The Village of Bensenville operates a public water distribution system and a sanitary sewer system under the jurisdiction of the Village's Public Works Department. The water system consists of a DuPage Water Commission water supply station; emergency water supply interconnections with the City of Elmhurst and the Villages of Elk Grove and Wood Dale; four water storage facilities; two booster pumping stations, three emergency wells; and approximately 70 miles of water main. The sanitary sewer system consists of one wastewater treatment plant; 18 sewage lift stations; and approximately 60 miles of sanitary sewers.

The Village has a mixture of residential, commercial, industrial and institutional land uses. These areas are fully developed, with little buildable land remaining, though re-development of some areas may be possible in the future.

## 2. CURRENT WATER AND SEWER RATES

The Village invoices each month for water and sewer services, with the intent of collecting sufficient revenue to allow these utilities to be self-sustaining and self-renewing. All fees relating to water and sewer utility operation, including usage revenues, water meter fees, late payment penalties, water turn on/off fees and interest income, are deposited in the Water and Sewer Fund. This enterprise fund pays operation and routine maintenance costs for the water and sewer systems, as well as debt payments and costs for replacement and rehabilitation of existing infrastructure and equipment. Currently, storm sewer system improvements and maintenance are included in this fund. However, looking forward, storm sewer expenses will be removed from the fund.

As noted above, the Village purchases water from the DuPage Water Commission. The DuPage Water Commission in turn purchases water from the City of Chicago. In 2011, the City of Chicago announced that they would be increasing the wholesale unit cost for water from 2012 through 2015. In turn, DuPage Water Commission passed the City of Chicago rate increase on to customers, along with an increase in their own operation and maintenance fees. Table 2 below shows the expected increases in the cost of water purchased by the Village of Bensenville over the next few years.

**TABLE 2**  
**Scheduled Wholesale Water Rate Increases**

Year	City of Chicago Wholesale Water Rate (per 1,000 gal)	DuPage Water Commission Wholesale Water Rate (per 1,000 gal) <sup>1</sup>	Change from Previous Year (per 1,000 gal)	% Increase
2011	\$2.005	\$2.30		
2012	\$2.51	\$2.99	\$0.69	30%
2013	\$2.89	\$3.59	\$0.60	20%
2014	\$3.32	\$4.24	\$0.65	18%
2015	\$3.82	\$4.96	\$0.72	17%
<i>Total Increase 2011 - 2015:</i>				
		<b>\$2.66</b>		

Baxter & Woodman previously completed a rate study for the Village in 2008. The Village subsequently implemented a series of rate increases as shown in Table 3 and Table 4. It should be noted that the Village did not implement the scheduled rate increases originally identified as going into effect on May 1, 2012. As such, the last rate increase occurred May 1, 2011. The increases in the wholesale cost of water, which took effect in 2012, 2013 and thus far in 2014, have been absorbed by the Village through means other than a customer rate increase. Had the increases

<sup>1</sup> Inclusive of the rate charged by the City of Chicago.

been passed on to consumers, the rate per 1,000 gallons of water consumed would have increased from \$5.38 to \$6.07 in 2012, \$6.67 in 2013 and \$7.32 in 2014.

TABLE 3

Water Rate Schedule per Existing Ordinance

Item	As of May 1, 2010	As of May 1, 2011	As of May 1, 2012	As of May 1, 2013
<b>Water Monthly Fixed Charges</b>				
5/8-inch meter	\$ 2.02	\$ 2.28	\$ 2.28	\$ 2.28
1-inch meter	\$ 6.78	\$ 7.66	\$ 7.66	\$ 7.66
1.5-inch meter	\$ 13.42	\$ 15.16	\$ 15.16	\$ 15.16
2-inch meter	\$ 21.50	\$ 24.30	\$ 24.30	\$ 24.30
3-inch meter	\$ 40.40	\$ 45.65	\$ 45.65	\$ 45.65
4-inch meter	\$ 67.38	\$ 76.14	\$ 76.14	\$ 76.14
6-inch meter	\$134.63	\$152.13	\$152.13	\$152.13
<b>Water Usage Rates per 1,000 gallons</b>				
0 - 10,000 gallons	\$ 4.76	\$ 5.38	\$ 5.38	\$ 5.38
> 10,000 gallons	\$ 5.47	\$ 6.19	\$ 6.19	\$ 6.19
Capital Recovery Fee	\$ 1.97	\$ 2.23	\$ 2.23	\$ 2.23

Note: Unincorporated users assessed an additional \$19.39 monthly fee for Capital Recovery.

There is a senior discount of \$1.54 off the total bill for incorporated customers only.

TABLE 4

Sewer Rate Schedule per Existing Ordinance

Item	As of May 1, 2010	As of May 1, 2011	As of May 1, 2012	As of May 1, 2013
<b>Sewer Monthly Fixed Charges</b>				
5/8-inch meter	\$ 3.89	\$ 4.53	\$ 4.53	\$ 4.53
1-inch meter	\$ 12.93	\$ 15.06	\$ 15.06	\$ 15.06
1.5-inch meter	\$ 26.03	\$ 30.32	\$ 30.32	\$ 30.32
2-inch meter	\$ 41.60	\$ 48.46	\$ 48.46	\$ 48.46
3-inch meter	\$ 77.90	\$ 90.75	\$ 90.75	\$ 90.75
4-inch meter	\$129.78	\$151.19	\$151.19	\$151.19
6-inch meter	\$259.74	\$302.60	\$302.60	\$302.60
<b>Sewer Usage Rates per 1,000 gallons</b>				
0 - 10,000 gallons	\$ 3.65	\$ 4.25	\$ 4.25	\$ 4.25
> 10,000 gallons	\$ 4.20	\$ 4.89	\$ 4.89	\$ 4.89
Capital Recovery Fee	\$ 2.07	\$ 2.41	\$ 2.41	\$ 2.41

Note: There is a senior discount of \$1.54 off the total bill for incorporated customers only.

The following tables summarize the customer billing types and meter sizes as of the FY2013.

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TABLE 5

Water and Sewer Billing Distribution by Customer Type

Customer Type	Annual Usage (gallons)	Avg. Usage per Customer (gal/month)	Percent of Total Usage
Residential - Incorp.	286,282,000	6,730	54%
Residential - Unincorp.	17,598,000	4,530	3%
Residential - Apart.	40,232,000	108,150	8%
Commercial	56,197,000	16,430	11%
Industrial	108,721,000	14,020	20%
Municipal	<u>25,880,000</u>	50,160	5%
<b>Total</b>	<b>534,910,000</b>		

TABLE 6

Water and Sewer Billing Distribution by Meter Size

Water Meter Size	Annual Usage (gallons)	Avg. Usage per Customer (gal/month)	Percent of Total Usage
5/8-inch - Incorp.	213,437,000	4,790	40%
5/8-inch - Unincorp.	17,598,000	4,530	3%
1-inch	39,036,000	10,670	7%
1.5-inch	115,742,000	27,560	22%
2-inch	56,493,000	38,910	11%
3-inch	49,814,000	118,600	9%
4-inch	22,503,000	187,530	4%
6-inch	178,000	7,420	<1%
Willow ND	<u>20,109,000</u>	111,720	4%
<b>Total</b>	<b>534,910,000</b>		

### 3. PROJECTED WATER AND SEWER USAGE

This study will evaluate the adequacy of the current rate structure given the proposed capital improvements planned for system maintenance and improvements, and provide recommendations should the current rate structure be found insufficient.

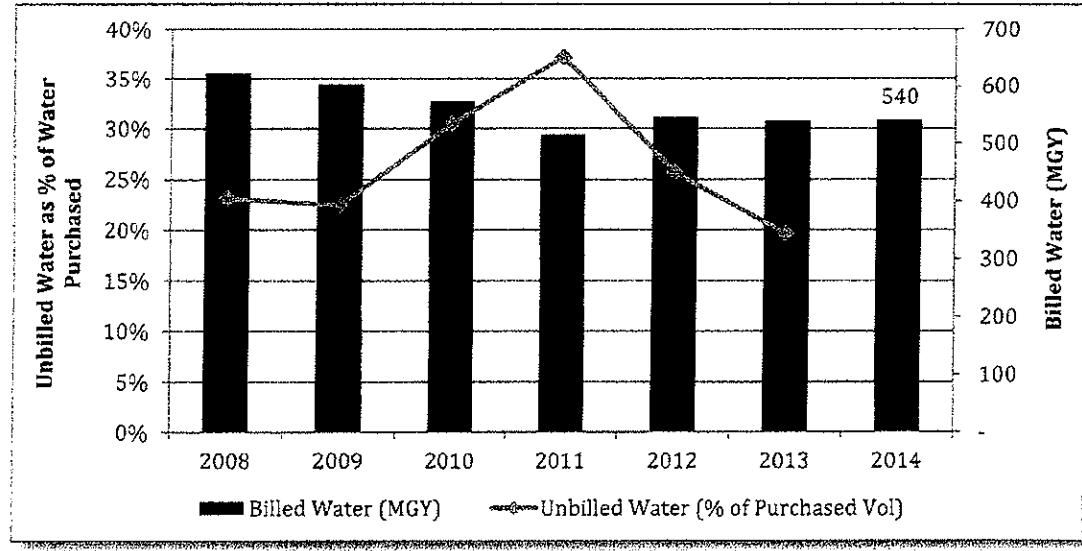
The Village of Bensenville has identified unbilled water usage as a significant issue to be addressed and has been working to reduce the percentage of unbilled water over the past several years. During this time, the unbilled water amount has been trending downward and was estimated at 20% for 2013.

Between 2011 and 2012, the Village conducted leak surveys throughout its water system and made improvements to leaking water meters. A major water main leak, identified as a major source of water loss, was discovered and repaired in the summer of 2012. The effect on water loss was immediate, as shown in Figure 1.

In order to provide a conservative approach when evaluating the rates going forward, this study assumes that the total water billed will be approximately 540 million gallons on an annual basis over the 5-year study period and unbilled water as a percentage of purchased water will remain constant at 20%. The water loss goal is 8%. Rates will be reviewed annually with the annual budget.

FIGURE 1

Village Water Usage



The Village continues to work to reduce the amount of unbilled water loss. As part of this rate study, funding for improvements to the water system are included in the capital plan. It is estimated that the amount of water loss will continue to decrease as a result of these improvements.

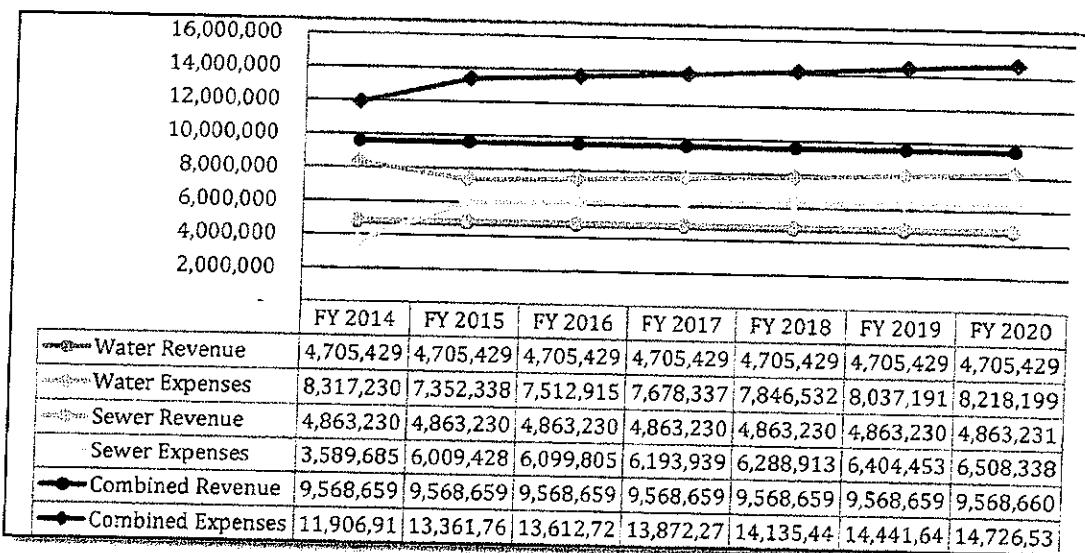
## 4. PROJECTED WATER AND SEWER OPERATING REVENUES

Using the information presented above and additional detail provided in the attached exhibits, we prepared baseline revenue projections assuming no further rate increases over the next 5 years. We also assumed no appreciable growth or decline in the customer base. Accordingly, absent any rate increase, operating revenues are anticipated to remain level during the 5-year study period under these assumptions.

The baseline revenue projections are summarized in Figure 2 below, with detailed projections provided in Attachment A.

FIGURE 2

Annual Revenue/Expenses<sup>2</sup> - Baseline Scenario



As shown in Figure 2, revenue from the water system is approximately \$4.7 million per year, and revenue from the sewer system is approximately \$4.8 million per year for combined system revenue of \$9.5 million per year. As Figure 2 shows, the sewer expenses in FY 2015 show a jump as debt service payments for the new wastewater treatment plant (WWTP) begin. At the same time, water expenses are expected to decline as the capital plan for the water system is scaled back. The net effect, however, is an increase in the total expenses in FY 2015. Going forward from FY 2015, expenses are expected to climb at an inflationary rate.

<sup>2</sup> Revenues do not include proceeds from debt issuance, nor do expenses include construction cost funded by debt proceeds.

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## 5. PROJECTED WATER AND SEWER FUND EXPENSES

This analysis grouped expenses for the water and sewer utilities into three categories: routine operations and maintenance (O&M), capital improvements and non-operating expenses such as debt service.

A 5-year projection of O&M expenses was developed by Baxter & Woodman and reviewed with Village staff. In general, O&M expenses were projected by assigning an annual inflation factor to each line item in the Water and Sewer Fund. Inflation factors were set based on expected trends for each type of expense, and then line item expenses were compiled to develop overall O&M expense projections for the fund as a whole.

The Village's Public Works staff provided estimated costs for future capital improvements, which are needed to address infrastructure deterioration in the water and sanitary sewer systems and at the WWTP. These expenses include:

- A new wastewater treatment plant;
- Continued water capital improvements ;
- Annual replacement of water meters and vehicles;
- Continued annual investment in water main replacement

Non-operating expenses include continued payment on existing bonds and new payments for the proposed 2014 Illinois Environmental Protection Agency (IEPA) loan for the new WWTP.

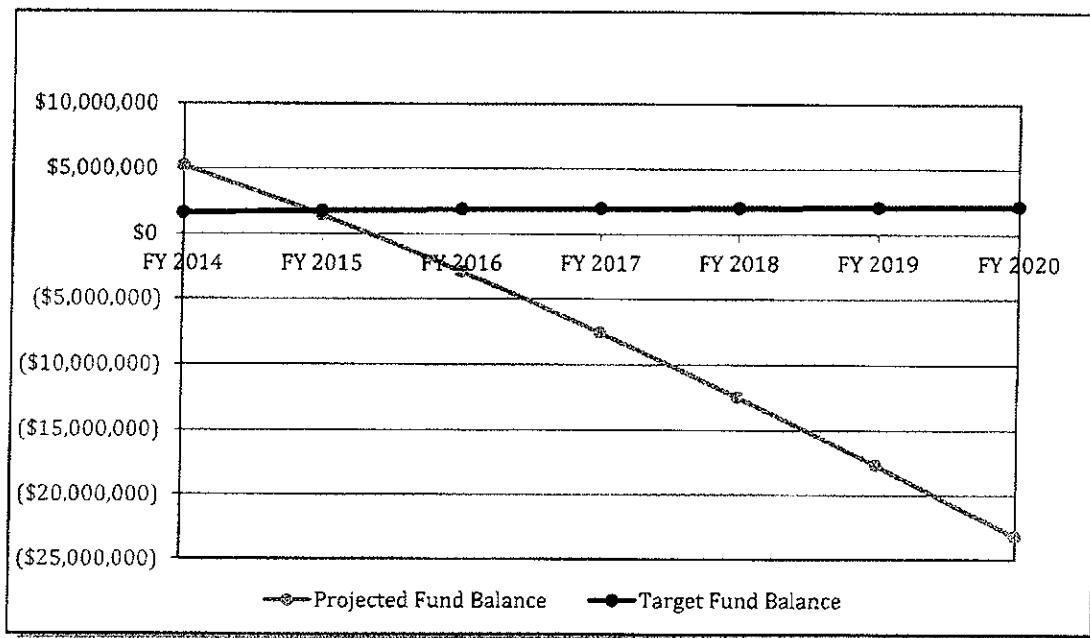
Figure 2 shows the baseline expense projections for the Water and Sewer Fund. A more detailed analysis of the expense projections are provided as Appendix A. Annual increases in routine operating expenses are due primarily to anticipated inflation in salaries, benefits, utilities, commodities and contractual services. Capital improvement costs fluctuate annually based on changing project needs from year to year. The most significant increase in expenses in FY 2014 and 2015 are for the construction of the new WWTP. Changes in non-operating costs over the study period are determined by the repayment schedules for outstanding debt and anticipated changes to future General Fund transfers. As indicated in Figure 2, the general trend in expenses is upward over the next 5 years.

## 6. BASELINE REVENUE AND EXPENSE COMPARISON

The baseline cash flow analysis indicates that, with no rate increases, the Water and Sewer Fund will be operating at a deficit between FY 2014 and FY 2020. With no rate increases, expenses are projected to exceed revenues every year, eventually depleting existing reserves and causing a cash flow deficit as shown in Figure 3. Under this scenario, the Water and Sewer Fund will have a negative balance in FY 2015 and will be approximately \$23 million short by FY 2020.

**FIGURE 3**

**Water and Sewer Utility Fund Balance Projection Baseline Scenario**



## 7. WATER AND SEWER RATE SCENARIO OVERVIEW

In working with Village staff, three rate increase scenarios were identified to meet the projected expenses. All rate scenarios include the baseline revenue and expense projections discussed above. The key difference between the scenarios is the resulting financial projections and affordability based on different rate increases. Each of the scenarios is discussed in detail below.

All rate increases are assumed to take place on January 1 annually, with the exception of the first increase, which is projected for July 1, 2014.

As part of the current rate structure, users of the system who are not located within the corporate limits of the Village are charged a \$19.39 monthly capital recovery fee in addition to all of the standard fees. The Village has been maintaining these monies in a separate fund for use in the future water system upgrades and improvements in unincorporated service areas. As part of this study, we recommend that flat rate fee be eliminated and a Special Service Area (SSA) be utilized as the funding mechanism for capital improvements to water infrastructure outside the Village limits.

The Village staff has also indicated that certain support services such as legal and managerial support, public works support at water main breaks, materials for restoration of repairs, etc. are paid for out of the Village General Fund. As such, unincorporated users who do not pay property taxes to support the General Fund will be charged a rate of 150% the standard rates. Table 7 provides a summary of the additional fees charged to unincorporated users at various other area communities.

TABLE 7

### Comparison of Area Unincorporated Rates vs. Incorporated Rates

Municipality	Unincorporated Rate (Percentage of Incorporated Rate)
Bloomingdale	150%
Addison	200%
Elmhurst	150%
Elk Grove Village	150%
Franklin Park	200%
Itasca	150%
Average	150%

### 7.1 Rate Scenario 1

This scenario considered increasing rates equally on an annual basis over the study period for all users. The percentage increase is applied to the Water Usage Rates, Water Fixed Charges, Water Capital Recovery Charge, Sewer Usage Rate, Sewer Fixed Charges and Sewer Capital Recovery

Charge. In addition, users outside of the Village will be charged at 1.5 times the standard rate for all of the aforementioned charges and the \$19.39 Capital Recovery Charge will be eliminated.

Figure 4 shows the cash flow projections for the Water and Sewer Fund under Scenario 1. Currently, the Water and Sewer Fund has cash reserves well in excess of the recommended fund balance. Under Scenario 1, the cash reserves would be gradually depleted and the fund balance is projected to dip well below the recommended balance, but then recover to meet the desired fund balance by the end of the study period. This scenario requires an 9.2% annual increase in all fees each year for the full 5-year study period.

Figure 5 shows the projected revenues and expenses under Scenario 1. The fund will be operating at a deficit through FY 2018, during which time it will consume the excess capital reserves. In FY 2019 and 2020, the fund returns to a positive cash flow where projected revenues will exceed expenses and the fund will again begin to accumulate cash. Under this scenario, if expenses remain relatively constant in the periods beyond 2020, rate increases will only be required to keep pace with inflation.

FIGURE 4

**Water and Sewer Utility Fund Balance Projection**  
**Scenario 1: Equal Annual Increases of 9.2%**

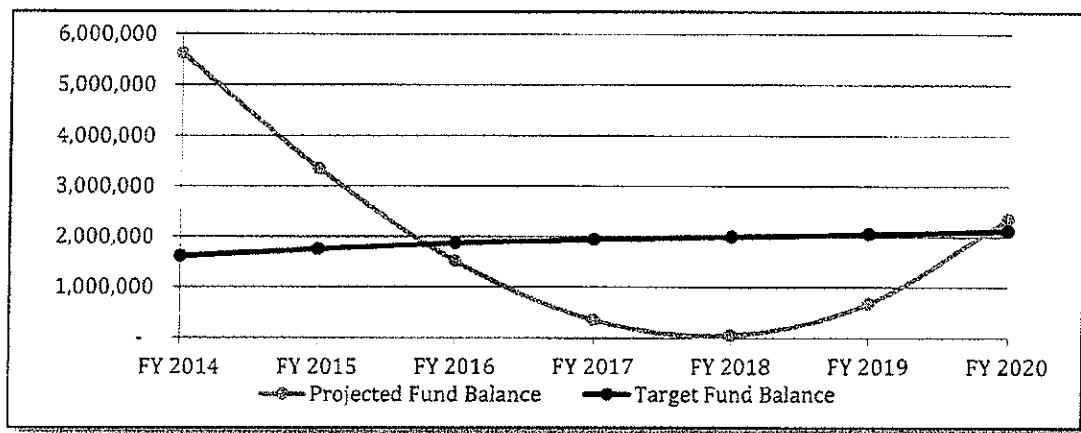


FIGURE 5

**Water and Sewer Utility Revenue/Expense<sup>3</sup> Projections**  
**Scenario 1: Equal Annual Increases of 9.2%**

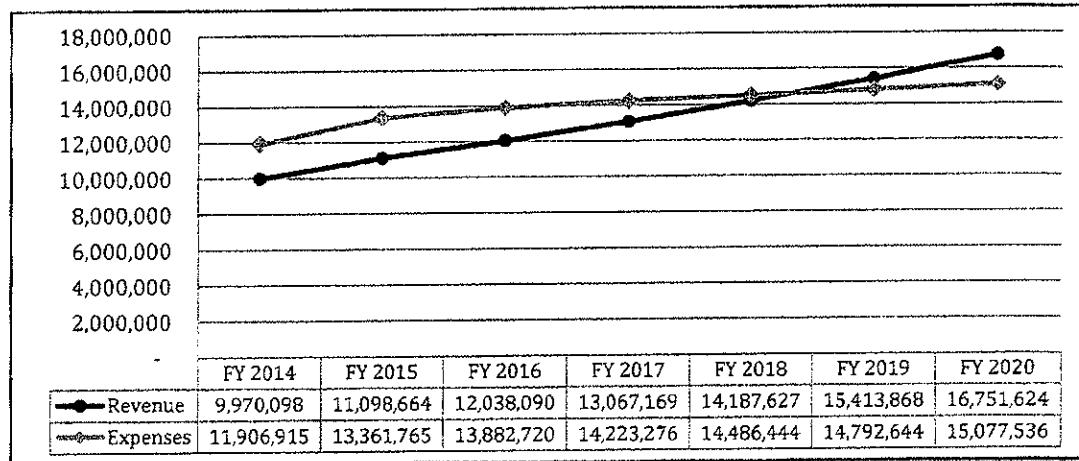


Table 8 summarizes the resulting monthly water and sewer bills for three different customer classes: low senior citizen usage, average residential usage and average non-residential usage.

TABLE 8

**Scenario 1: Water & Sewer Monthly Bills**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Low Senior Usage 2,000 gal/month	\$ 32	\$ 36	\$ 39	\$ 43	\$ 47	\$ 52	\$ 57	\$ 62
Avg. Residential Usage 6,000 gal/month	\$ 92	\$101	\$110	\$120	\$131	\$143	\$157	\$171
Avg. Unincorporated Usage 6,000 gal/month	\$112	\$151	\$165	\$180	\$197	\$215	\$235	\$257
Avg. Non-Residential Usage 29,000 gal/month	\$487	\$532	\$580	\$634	\$692	\$756	\$825	\$901

Notes: Unincorporated users pay 150% of the standard usage rates.

## 7.2 Rate Scenario 2

This scenario considered rates increased by 15% on July 1, 2014 and then increasing rates by 7.5% annually throughout the remainder of the study period.

<sup>3</sup> Revenues do not include proceeds from debt issuance, nor do expenses include construction cost funded by debt proceeds.

Figure 6 shows the cash flow projections for the Water and Sewer Fund under Scenario 2. Figure 7 shows the projected Revenue and Expenditures under this scenario.

FIGURE 6

**Water and Sewer Utility Fund Balance Projection**  
**Scenario 2: 15% Initial Increase with 7.5% Annual Increase**

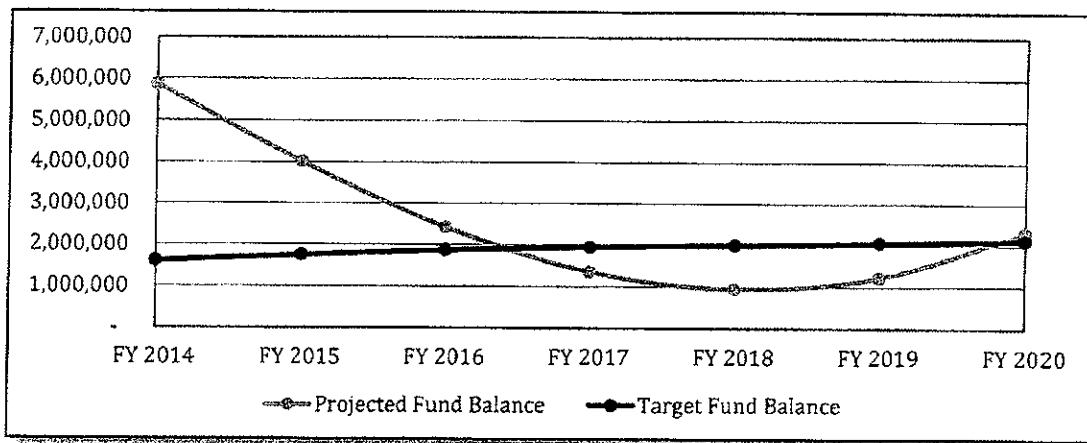
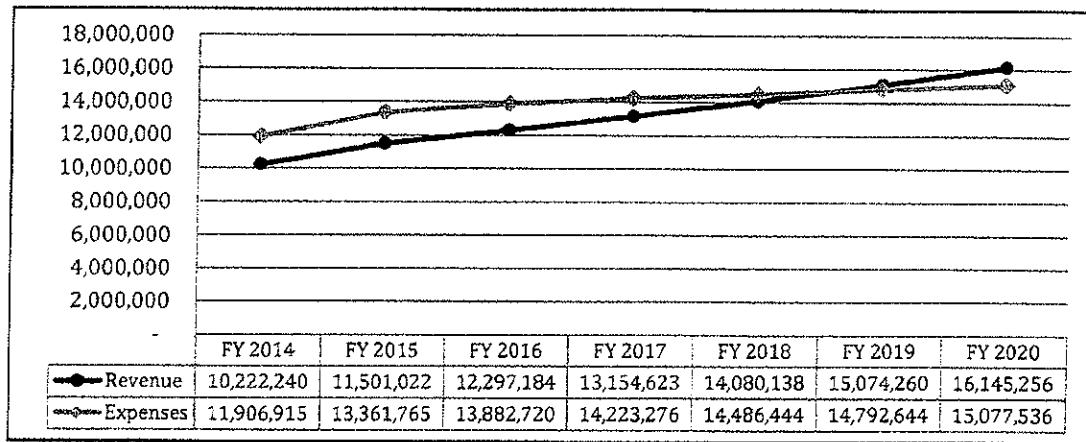


FIGURE 7

**Water and Sewer Utility Revenue/Expenses<sup>4</sup> Projections**  
**Scenario 2: 15% Initial Increase with 7.5% Annual Increase**



<sup>4</sup> Revenues do not include proceeds from debt issuance, nor do expenses include construction cost funded by debt proceeds.

As with Scenario 1, the projected revenue will be insufficient to cover expenses and cash reserves will be diminished until FY 2019 and 2020.

Table 9 summarizes the resulting monthly water and sewer bills for three different customer classes: low senior citizen usage, average residential usage, unincorporated average residential usage and average non-residential usage.

TABLE 9

Scenario 2: Water & Sewer Monthly Bills

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Low Senior Usage 2,000 gallons/month	\$ 32	\$ 38	\$ 41	\$ 44	\$ 47	\$ 51	\$ 55	\$ 60
Avg. Residential Usage 6,000 gallons/month	\$ 92	\$106	\$114	\$123	\$132	\$142	\$153	\$164
Avg. Unincorporated Usage 6,000 gal/month	\$112	\$159	\$171	\$184	\$198	\$213	\$229	\$246
Avg. Non-Res. Usage 29,000 gallons/month	\$487	\$560	\$602	\$647	\$695	\$747	\$803	\$864

Notes: Unincorporated users pay 150% of the standard usage rates.

### 7.3 Rate Scenario 3

The third rate scenario evaluated was to have the entire rate increase needed to maintain Water and Sewer fund balances above the target fund balance throughout the study period. This would be a 44.7% increase in both water and sewer bills. This rate increase would take effect on July 1, 2014.

Figure 8 shows a cash flow scenario where the fund balance remains above the target fund balance for the duration of the study period but draws the fund balance down over the 5 years to meet the target balance at the end of FY 2020. As Figure 9 shows, one of the potential problems with this type of scenario is that the expenses exceed revenues and, therefore, a future rate increase is inevitable. When the Water and Sewer Fund balance drops below the target level, a rate increase will be required to bring revenues back in line with expenses. This increase will be more than just an inflationary increase as would be expected in Scenarios 1 and 2.

FIGURE 8

**Water and Sewer Utility Fund Balance Projection**  
**Scenario 3: Entire Rate Increase July 1, 2014 (44.7%)**

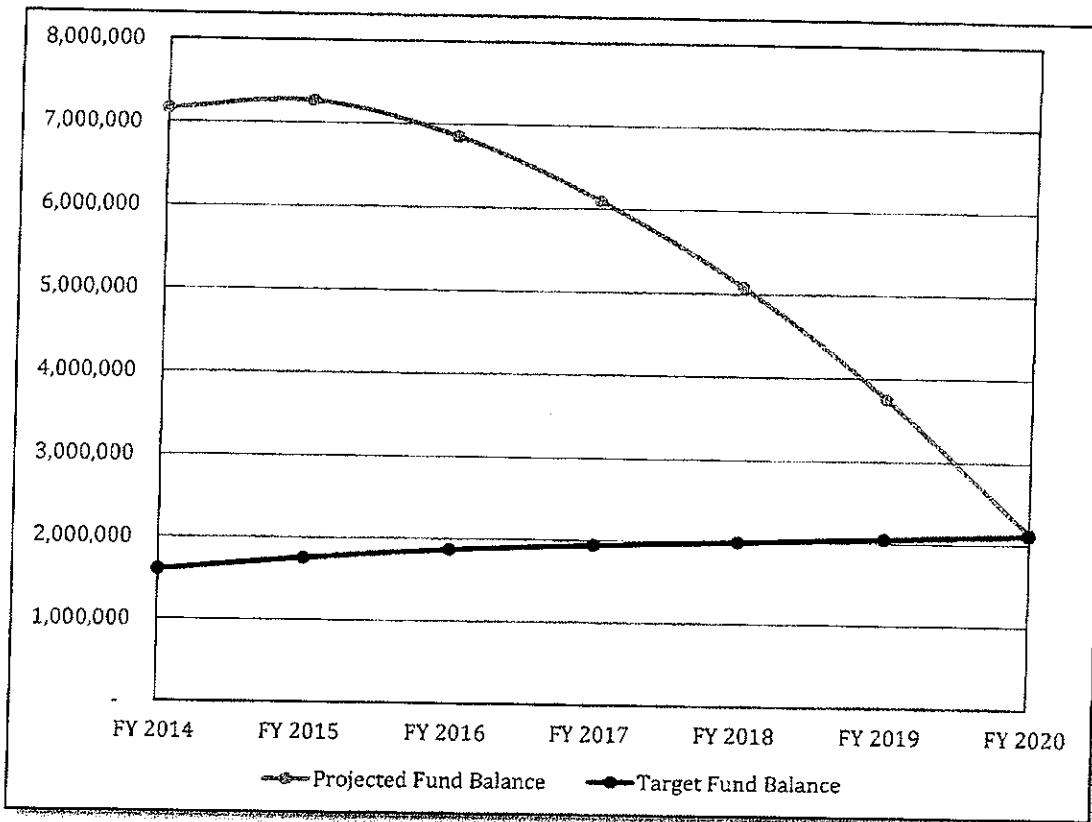
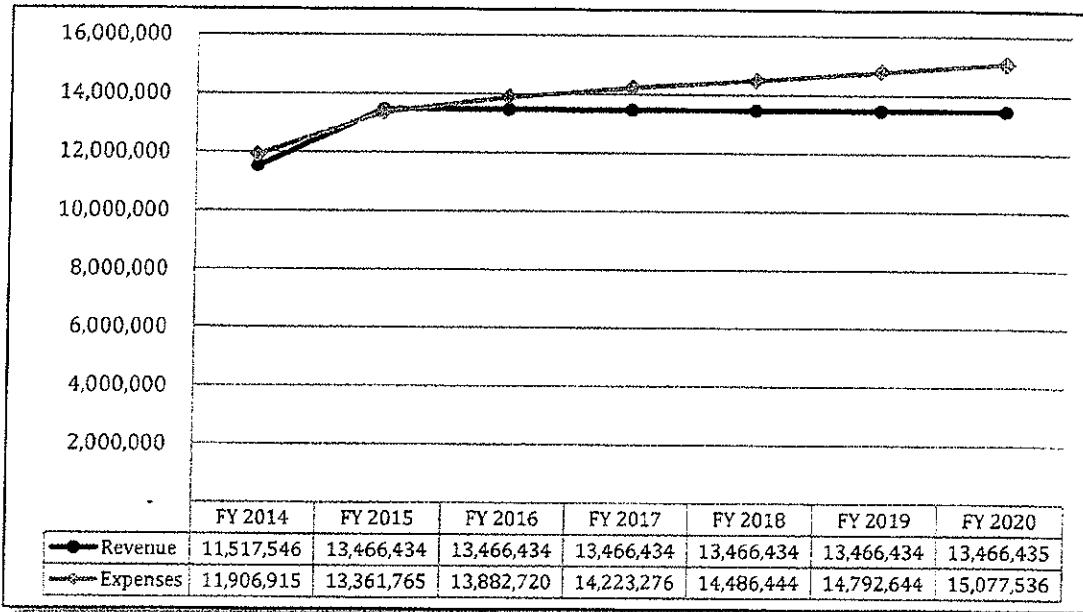


FIGURE 9

**Water and Sewer Utility Revenue/Expenses<sup>5</sup> Projections**  
**Scenario 3: Entire Rate Increase July 1, 2014 (44.7%)**



The projected monthly water and sewer bills are listed in Table 10.

TABLE 10

**Scenario 3: Water & Sewer Monthly Bills**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Low Senior Usage 2,000 gal/month	\$ 32	\$ 48	\$ 48	\$ 48	\$ 48	\$ 48	\$ 48	\$ 48
Avg. Residential Usage 6,000 gal/month	\$ 92	\$134	\$134	\$134	\$134	\$134	\$134	\$134
Avg. Unincorporated Usage 6,000 gal/month	\$112	\$201	\$201	\$201	\$201	\$201	\$201	\$201
Avg. Non-Res. Usage 29,000 gal/month	\$487	\$705	\$705	\$705	\$705	\$705	\$705	\$705

Notes: Unincorporated users pay 150% of the standard usage rates.

<sup>5</sup> Revenues do not include proceeds from debt issuance, nor do expenses include construction cost funded by debt proceeds.

## 8. CONCLUSION AND RECOMMENDATIONS

Table 11 compares monthly water and sewer bills for various customer classes under each of the three rate scenarios.

**TABLE 11**  
**Comparison of Monthly Water and Sewer Bills**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>Low Senior Usage (2,000 gal/month)</b>								
Scenario 1	\$32	\$36	\$39	\$43	\$47	\$52	\$57	\$62
Scenario 2	\$32	\$38	\$41	\$44	\$47	\$51	\$55	\$60
Scenario 3	\$32	\$48	\$48	\$48	\$48	\$48	\$48	\$48
<b>Avg. Residential Usage (6,000 gal/month)</b>								
Scenario 1	\$92	\$101	\$110	\$120	\$131	\$143	\$157	\$171
Scenario 2	\$92	\$106	\$114	\$123	\$132	\$142	\$153	\$164
Scenario 3	\$92	\$134	\$134	\$134	\$134	\$134	\$134	\$134
<b>Avg. Unincorporated Residential Usage (6,000 gal/month)</b>								
Scenario 1	\$112	\$151	\$165	\$180	\$197	\$215	\$235	\$257
Scenario 2	\$112	\$159	\$171	\$184	\$198	\$213	\$229	\$246
Scenario 3	\$112	\$201	\$201	\$201	\$201	\$201	\$201	\$201
<b>Avg. Non-Residential Usage (29,000 gal/month)</b>								
Scenario 1	\$487	\$532	\$580	\$634	\$692	\$756	\$825	\$901
Scenario 2	\$487	\$560	\$602	\$647	\$695	\$747	\$803	\$864
Scenario 3	\$487	\$705	\$705	\$705	\$705	\$705	\$705	\$705

Each of the three scenarios will achieve the goals of supporting projected operating expenses and capital improvements over the 5-year study period while maintaining a positive Water and Sewer Fund balance.

Scenario 1 results in gradual increases to the average user allowing residents time to absorb the increases in cost. For the average residential user, an \$9 to \$14 increase in their monthly water and sewer bill can be expected each year. This scenario does result in a significant dip in the fund balance in FY 2018 (approximately \$1.9 million or 95% below the target fund balance). However, the balance does remain positive. This scenario also boosts rates to a level where future rate increases after the 5-year study period will only be required to keep pace with inflation, provided the same level of annual capital investment is maintained.

Scenario 2 increases rates significantly (15%) in the first year, and then provides for smaller, but steady 7.5% increases over the remainder of the study period. The typical residential user will see

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an increase in their monthly water and sewer bill of \$14 after the July 1, 2014 increase, with annual increases in monthly bills of \$8 to \$11 for the remainder of the 5-year study period. Similar to Scenario 1, the projected water and sewer fund balance will dip below the target value in FY 2018. However, under this scenario, the projected fund balance is \$944,000 or 53% below the target balance. Also similar to Scenario 1, this scenario boosts rates to a level where future rate increases after the 5-year study period will only be required to keep pace with inflation, provided the same level of annual capital investment is maintained.

Scenario 3 provides for a one time rate increase of 44.7% starting July 1, 2014. No rate increases would be required throughout the remainder of the study period. This will increase the average users monthly bill by about \$42 per month. Unlike Scenarios 1 and 2, the fund balance will remain above the target value for the entirety of the study period. However, at the end of the study period, the rates will not have been increased sufficiently to allow for system revenues to match projected expenses. Another rate increase, beyond that which is required to match inflation, will be required to maintain fund balances.

### **8.1 Recommendation**

We recommend the Village implement Rate Scenario 2 to ensure that water and sewer usage rates appropriately reflect the current cost of service to operate the water and sewer utilities. This scenario will allow water users to adapt to the increased costs over time, while also maintaining acceptable fund balances and placing the Water and Sewer Fund on sound financial footing at the end of the study period.

The rates are designed to allow the Village to cover projected operation and maintenance costs, all projects in the 5-year capital improvement plan and annual debt service, while maintaining an acceptable reserve balance in the Water and Sewer Fund.

### **8.2 Rate Comparison**

Table 12 shows the typical monthly water bill for a Bensenville resident compared to equivalent monthly water costs for residents in other nearby communities. Costs for all communities include water and sewer supply and distribution. Water bills in Table 12 are calculated for a residential customer with a 1.5-inch or smaller water meter using 6,000 gallons monthly (in some communities, charges differ based on water meter size, so a specific meter size must be assumed for an equivalent comparison). The table shows the current cost for water and sewer for an average user in the Village of Bensenville, along with the projected cost under Rate Scenario 2. Some of the comparison communities do not publish rates through 2017. Where no published rate was available, the rates are assumed to remain unchanged from the previous year.

TABLE 12

Rate Comparisons<sup>6</sup>

	2013	2014	2015	2016	2017
Bloomingdale	\$65	Bloomingdale	\$70	Bloomingdale	\$74
Addison	\$74	Addison	\$81	Elmhurst	\$85
Elmhurst	\$85	Elmhurst	\$85	Addison	\$88
<b>Bensenville</b>	<b>\$92</b>	Wood Dale	\$94	Wood Dale	\$94
Wood Dale	\$94	Itasca	\$106	<b>Bensenville</b>	<b>\$114</b>
Itasca	\$96	<b>Bensenville</b>	<b>\$106</b>	Itasca	\$117
Average	\$84	Average	\$90	Average	\$95
				Average	\$98
				Average	\$100

The rate study comparison shows that the Village has comparatively higher rates than other communities but not appreciably from those neighboring communities with WWTPs (such as Wood Dale and Itasca). Generally, the overall trend is that communities are actively increasing their rates each year to keep pace with the true cost of providing clean, safe, reliable drinking water and treating wastewater to comply with regulatory agency requirements and maintain a healthy environment.

<sup>6</sup> Based on a residential average monthly usage of 6,000 gallons of water.

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Created by: CFB/JES  
Updated: 5/14/2014

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		FY 2019		FY 2020		
REVENUES			Budget	Estimated													
<b>Operating Revenues - Water Fund</b>																	
Water Sales - Usage Rates			3,10,000	3,019,067	3,019,067	3,019,067	3,019,067	3,019,067	3,019,067	3,019,067	3,019,067	3,019,067	3,019,067	3,019,067	3,019,067	3,019,067	
Water Sales - Debt Service			N/A	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	
Water Sales - Fixed (Base) Charges			N/A	26,000	269,934	269,934	269,934	269,934	269,934	269,934	269,934	269,934	269,934	269,934	269,934	269,934	
Capital Recovery			N/A	1,35,000													
Water				1,204,200	1,204,200	1,204,200	1,204,200	1,204,200	1,204,200	1,204,200	1,204,200	1,204,200	1,204,200	1,204,200	1,204,200	1,204,200	
Penalties			0%	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	
UT Penalty-Leins/NST/Metr Tam			0%	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	
Meters and Material			0%	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	
Unincorporated Capital Recovery Fee			N/A	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	
Capital Surcharge			0%	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Total Operating Revenues - Water Fund</b>			<b>4,881,500</b>	<b>4,701,929</b>													
<b>Non-Operating Revenues - Water Fund</b>																	
Interest Income			0%	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	
Transfer In			0%	-	-	-	-	-	-	-	-	-	-	-	-	-	
Grant Revenue			N/A	-	-	-	-	-	-	-	-	-	-	-	-	-	
Miscellaneous			0%	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	
<b>Total Revenues - Water Fund</b>			<b>4,885,000</b>	<b>4,705,429</b>													

**UTILITY FUND BASELINE REVENUE AND EXPENSE PROJECTIONS**

<b>WATER UTILITY REVENUES AND EXPENSE PROJECTIONS</b>		<b>Inflation Rate</b>	<b>FY 2014</b>		<b>FY 2015</b>		<b>FY 2016</b>		<b>FY 2017</b>		<b>FY 2018</b>		<b>FY 2019</b>		<b>FY 2020</b>	
<b>Operating Revenues - Sewer Fund</b>	<b>Budget</b>		<b>Estimated</b>	<b>Estimated</b>	<b>Estimated</b>	<b>Estimated</b>	<b>Estimated</b>	<b>Estimated</b>	<b>Estimated</b>	<b>Estimated</b>	<b>Estimated</b>	<b>Estimated</b>	<b>Estimated</b>	<b>Estimated</b>	<b>Estimated</b>	<b>Estimated</b>
<b>Capital Recovery</b>																
Sewer	N/A	1,350,000	1,301,400	1,301,400	1,301,400	1,301,400	1,301,400	1,301,400	1,301,400	1,301,400	1,301,400	1,301,400	1,301,400	1,301,400	1,301,400	1,301,400
Penalties	0%	61,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500
U/I Penalty-Leis./NSF/Meter Tamper	0%	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
Sewer Fees - Usage Rates	2,869,650	2,302,744	2,302,744	2,302,744	2,302,744	2,302,744	2,302,744	2,302,744	2,302,744	2,302,744	2,302,744	2,302,744	2,302,744	2,302,744	2,302,744	2,302,744
Sewer Fees - Fixed [Base] Charges	N/A	445,000	536,857	536,857	536,857	536,857	536,857	536,857	536,857	536,857	536,857	536,857	536,857	536,857	536,857	536,857
Sewer Fees - Pretreatment	N/A	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000
Sewer Fees - Pretreatment Sampling and Analysis	0%	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000
Sewer Fees - Pretreatment Elk Grove	0%	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000
Unincorporated Capital Recovery Fee	N/A	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229	37,229
Capital Surcharge	0%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Revenues - Sewer Fund</b>		<b>5,346,150</b>	<b>4,859,730</b>	<b>4,859,730</b>	<b>4,859,730</b>	<b>4,859,730</b>	<b>4,859,730</b>	<b>4,859,730</b>	<b>4,859,730</b>	<b>4,859,730</b>	<b>4,859,730</b>	<b>4,859,730</b>	<b>4,859,730</b>	<b>4,859,730</b>	<b>4,859,730</b>	<b>4,859,730</b>
<b>Non-Operating Revenues</b>																
Interest Income	0%	5,000	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Debt Proceeds; Sewer	0%	15,454,000	15,454,000	15,454,000	15,454,000	15,454,000	15,454,000	15,454,000	15,454,000	15,454,000	15,454,000	15,454,000	15,454,000	15,454,000	15,454,000	15,454,000
Transfer In	N/A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Capital Surcharge - Sewer	N/A	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
<b>Total Revenues - Sewer Fund</b>		<b>20,806,150</b>	<b>20,317,230</b>	<b>18,108,213</b>	<b>4,863,230</b>											
<b>Total Revenues - Water &amp; Sewer</b>		<b>\$25,697,150</b>	<b>\$25,022,659</b>	<b>\$22,813,642</b>	<b>\$9,568,659</b>											
<b>ADMIN EXPENSES</b>																
<b>51030250 Utility Billing</b>																
Salaries - Full-time	3%	204,000	204,000	210,000	216,000	222,000	229,000	236,000	243,000	243,000	243,000	243,000	243,000	243,000	243,000	243,000
Salaries - Part-time	3%	31,700	31,700	32,700	33,700	34,700	35,700	36,800	37,900	37,900	37,900	37,900	37,900	37,900	37,900	37,900
Overtime	3%	6,000	6,000	6,200	6,400	6,600	6,800	7,000	7,200	7,200	7,200	7,200	7,200	7,200	7,200	7,200
Social Security	5%	15,000	15,000	15,800	16,600	17,400	18,300	19,200	20,200	20,200	20,200	20,200	20,200	20,200	20,200	20,200
Medicare	5%	3,550	3,550	3,700	3,900	4,100	4,300	4,500	4,700	4,700	4,700	4,700	4,700	4,700	4,700	4,700
(MIF	5%	30,600	30,600	32,100	33,700	35,400	37,200	39,100	41,100	41,100	41,100	41,100	41,100	41,100	41,100	41,100
Insurance	6%	27,600	27,600	29,300	31,100	33,000	35,000	37,100	39,300	39,300	39,300	39,300	39,300	39,300	39,300	39,300
Postage	2%	27,000	27,000	27,500	28,100	28,700	29,300	29,900	30,500	30,500	30,500	30,500	30,500	30,500	30,500	30,500
Bank/Credit Card Fees	2%	22,000	22,000	22,400	22,800	23,300	23,800	24,300	24,800	24,800	24,800	24,800	24,800	24,800	24,800	24,800
Other Contractual Services	2%	13,000	13,000	13,300	13,600	13,900	14,200	14,500	14,800	14,800	14,800	14,800	14,800	14,800	14,800	14,800
Office Supplies	2%	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500

## UTILITY FUND BASELINE REVENUE AND EXPENSE PROJECTIONS

Created by: CFB/ES  
Updated: 5/14/2014

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
			Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated
51050110 Public Works Administration																
Salaries - Full-time		3%	279,000	279,000	282,000	295,000	305,000	314,000	323,000	333,000						
Bonus		4%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Overtime		3%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Social Security		5%	17,300	17,300	18,200	19,100	20,100	21,100	22,200	23,300						
Medicare		5%	4,100	4,100	4,300	4,500	4,700	4,900	5,100	5,400						
IMRF		5%	35,000	35,000	37,800	39,700	41,700	43,800	46,000	48,300						
Insurance		6%	44,545	44,545	47,200	50,000	53,000	56,200	59,600	63,200						
Memberships and Dues		2%	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000						
Education, Seminars, and Meetings		2%	5,000	5,000	5,100	5,200	5,300	5,400	5,500	5,600						
Transportation and Travel		2%	-	-	-	-	-	-	-	-						
Publications		2%	-	-	-	-	-	-	-	-						
Professional Services		2%	-	-	-	-	-	-	-	-						
Engineering Services		2%	-	-	-	-	-	-	-	-						
Postage		2%	-	-	-	-	-	-	-	-						
Legal Notices		2%	-	-	-	-	-	-	-	-						
Printing		2%	350	350	360	370	380	390	400	410						
Physical Exams		2%	500	500	510	520	530	540	550	560						
R&M Communication System		2%	200	200	200	200	200	200	200	200						
R&M Building		2%	200	200	200	200	200	200	200	200						
Other Contractual Services		2%	-	-	-	-	-	-	-	-						
Office Supplies		2%	5,000	5,000	5,100	5,200	5,300	5,400	5,500	5,600						
Uniforms		2%	6,000	6,000	6,100	6,200	6,300	6,400	6,500	6,600						
Permits & Licenses		2%	500	500	510	520	530	540	550	560						
Depreciation Expense		2%	18,000	18,000	18,400	18,800	19,200	19,600	20,010	20,400						
Amortization of Premium / Discount		2%	-	-	-	-	-	-	-	-						
Transfer to Storm Water (To 51200000)		0%	-	-	-	-	-	-	-	-						
<b>TOTAL ADMIN EXPENSES</b>			<b>800,645</b>	<b>800,645</b>	<b>827,480</b>	<b>855,910</b>	<b>885,040</b>	<b>915,770</b>	<b>947,200</b>	<b>980,310</b>						
<b>Water Share Administrative Expenses (50%)</b>			<b>400,323</b>	<b>400,323</b>	<b>413,740</b>	<b>427,955</b>	<b>442,520</b>	<b>457,885</b>	<b>473,600</b>	<b>490,185</b>						
<b>Sewer Share Administrative Expenses (50%)</b>			<b>400,323</b>	<b>400,323</b>	<b>413,740</b>	<b>427,955</b>	<b>442,520</b>	<b>457,885</b>	<b>473,600</b>	<b>490,185</b>						

UTILITY FUND BASELINE REVENUE AND EXPENSE PROJECTIONS

Created by: CFB/ITS  
 Updated: 5/14/2014

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation	FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
WATER FUND		Rate	Budget	Estimated						
<b>Direct Cost for Water Purchase</b>										
Dubage Water Comm. - Fixed Chg.	0%	182,250	182,000	189,000	270,000	351,000	351,000	351,000	351,000	351,000
Dubage Water Comm. - Water Purchase		2,241,000	2,679,750	3,159,000	3,449,250	3,352,728	3,659,309	3,769,089	3,882,161	
<b>51050543 Meter Programs</b>										
R&M Material and Equipment	0%	-	-	-	-	-	-	-	-	-
Telephone	0%	500	500	500	500	500	500	500	500	500
Maintenance Agreements	0%	19,100	19,100	19,100	19,100	19,100	19,100	19,100	19,100	19,100
Rental and Lease Purchase	0%	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Rental and Lease - Equipment	0%	-	-	-	-	-	-	-	-	-
Fuel, Gas, and Oil	0%	-	-	-	-	-	-	-	-	-
Water Meters	0%	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
<b>51050540 Water Distribution</b>										
Salaries - Full-time	3%	284,500	284,500	293,040	301,830	310,880	320,210	329,820	339,770	
Salaries - Part-time	3%	49,000	49,000	50,470	51,980	53,540	55,150	56,800	58,500	
Overtime	5%	55,000	55,000	57,750	60,640	63,670	66,850	70,190	73,760	
Social Security	5%	24,100	24,100	25,310	26,580	27,910	29,310	30,780	32,320	
Medicare	5%	5,700	5,700	5,990	6,290	6,590	6,930	7,280	7,640	
H&R	5%	47,000	47,000	49,350	51,820	54,410	57,130	59,990	62,950	
Insurance	6%	53,950	53,950	57,190	60,620	64,260	68,120	72,210	76,540	
Education, Seminars, and Meetings	2%	-	-	-	-	-	-	-	-	-
Transportation and Travel	2%	-	-	-	-	-	-	-	-	-
Publications	2%	-	-	-	-	-	-	-	-	-
Physical Exams	2%	-	-	-	-	-	-	-	-	-
Maintenance Agreements	2%	-	-	-	-	-	-	-	-	-
R&M Material and Equipment	2%	-	-	-	-	-	-	-	-	-
R&M Vehicles	2%	-	-	-	-	-	-	-	-	-
R&M Communication System	2%	-	-	-	-	-	-	-	-	-
R&M Pavement	2%	-	-	-	-	-	-	-	-	-
R&M Right of Way	2%	-	-	-	-	-	-	-	-	-
Rental and Lease Purchase	2%	25,000	25,000	25,500	26,010	26,530	27,060	27,600	28,150	
Rental and Lease - Equipment	2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520	5,630	
Other Contractual Services	3%	-	-	-	-	-	-	-	-	-
Photo Supplies	2%	210,000	210,000	210,000	210,000	210,000	210,000	210,000	210,000	
Office Supplies	2%	-	-	-	-	-	-	-	-	-
Materials & Supplies - Traffic Safety	2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520	5,630	
Materials & Supplies - Water Main	2%	130,000	130,000	132,600	135,250	137,960	140,720	143,530	146,400	

**UTILITY FUND BASELINE REVENUE AND EXPENSE PROJECTIONS**

<b>WATER UTILITY REVENUES AND EXPENSE PROJECTIONS</b>									
	Inflation Rate	FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated	FY 2020 Estimated
Materials & Supplies - Gravel/Asphalt	2%	20,000	20,000	20,400	20,810	21,230	21,650	22,080	22,520
Paint	2%	1,000	1,000	1,020	1,040	1,060	1,080	1,100	1,120
Fuel, Gas, and Oil	4%	50,000	50,000	52,900	55,980	56,240	58,490	60,830	63,260
Small Tools and Equipment	2%	36,000	36,000	36,600	37,210	37,830	38,470	39,120	39,780
Uniforms	2%	2,500	2,500	2,550	2,600	2,650	2,700	2,750	2,810
Disposal Charges	2%	25,000	25,000	25,500	26,010	26,530	27,060	27,600	28,150
Machinery and Equipment	2%								
51050550 Water Production									
Salaries - Full-time									
Overtime	3%	102,500	102,500	105,580	108,750	112,010	115,370	118,830	122,390
Social Security	3%	15,000	15,000	15,450	15,910	16,380	16,880	17,390	17,910
Medicare	5%	7,300	7,300	7,670	8,050	8,450	8,870	9,310	9,780
IMRF	5%	1,750	1,750	1,840	1,930	2,030	2,130	2,240	2,350
Insurance	5%	15,300	15,300	16,070	16,870	17,710	18,600	19,530	20,510
Education, Seminars, and Meetings	3%	33,045	33,045	34,040	35,060	36,110	37,190	38,310	39,460
Electricity	2%	-	-	-	-	-	-	-	-
Natural Gas	3%	70,000	70,000	72,100	74,260	76,490	78,780	81,140	83,570
Maintenance Agreements	3%	-	-	-	-	-	-	-	-
R&M Material and Equipment	2%	2,000	2,000	2,040	2,080	2,120	2,160	2,200	2,240
R&M Vehicles	2%	-	-	-	-	-	-	-	-
R&M Communication System	2%	1,900	1,900	1,940	1,980	2,020	2,060	2,100	2,140
Laboratory Testing	2%	-	-	-	-	-	-	-	-
Rental and Lease	2%	25,000	25,000	25,500	26,010	26,530	27,060	27,600	28,150
Other Contractual Services	2%	1,000	1,000	1,020	1,040	1,060	1,080	1,100	1,120
Paint	3%	25,000	25,000	25,750	26,520	27,320	28,140	28,980	29,850
Fuel, Gas, and Oil	2%	5,500	5,500	5,610	5,720	5,830	5,950	6,070	6,190
Small Tools and Equipment	4%	-	-	-	-	-	-	-	-
Uniforms	2%	1,000	1,000	1,020	1,040	1,060	1,080	1,100	1,120
<b>WATER FUND EXPENSES</b>		<b>3,804,495</b>	<b>4,242,995</b>	<b>4,765,730</b>	<b>5,174,710</b>	<b>5,398,278</b>	<b>5,545,389</b>	<b>5,697,159</b>	<b>5,853,721</b>

**UTILITY FUND BASELINE REVENUE AND EXPENSE PROJECTIONS**

Created by: CFB/JES  
 Updated: 5/14/2014

<b>WATER UTILITY REVENUES AND EXPENSE PROJECTIONS</b>		Inflation		FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
SEWER FUND		Rate	Budget	Estimated													
<b>5.050560 Wastewater Conveyance</b>																	
Salaries - Full-time	3%	152,500	152,500	157,980	161,790	166,640	171,640	176,790	182,090								
Social Security	4%	9,500	9,500	9,880	10,280	10,690	11,120	11,560	12,020								
Medicare	5%	2,250	2,250	2,360	2,480	2,600	2,730	2,870	3,010								
IMRF	5%	19,800	19,800	20,790	21,830	22,920	24,070	25,270	26,530								
Insurance	3%	54,850	54,850	55,500	58,200	59,500	61,750	63,500	65,510								
Rental & Lease Purchase	3%	2,000	2,000	2,060	2,120	2,180	2,250	2,320	2,390								
R&M Material and Equipment	2%	3,000	3,000	3,060	3,120	3,180	3,240	3,300	3,370								
R&M Right of Way	2%	10,000	10,000	10,200	10,480	10,610	10,820	11,040	11,260								
Other Contractual Services	2%	31,000	31,000	31,620	32,250	32,900	33,560	34,230	34,910								
Gravel / Asphalt	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260								
Small Tools	2%	2,000	2,000	2,040	2,120	2,160	2,200	2,240	2,280								
Disposal Charges	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260								
Chemicals	2%	-	-	-	-	-	-	-	-								
<b>5.050570 Wastewater Treatment</b>																	
Salaries - Full-time	5%	508,500	508,500	533,900	560,600	588,600	618,000	648,900	681,300								
Salaries- Part-time	5%	-	-	-	-	-	-	-	-								
Overtime	5%	-	-	-	-	-	-	-	-								
Social Security	5%	31,500	31,500	33,080	34,730	36,470	38,290	40,200	42,210								
Medicare	5%	7,400	7,400	7,770	8,160	8,570	9,000	9,450	9,920								
IMRF	5%	65,800	65,800	69,090	72,540	76,170	79,980	83,950	88,180								
Insurance	3%	129,550	129,550	133,440	137,440	141,560	145,810	150,180	154,690								
Membership Dues	2%	2,000	2,000	2,040	2,080	2,120	2,160	2,200	2,240								
Education Seminars	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260								
Professional Services	2%	-	-	-	-	-	-	-	-								
Engineering Services	2%	37,500	37,500	38,250	39,020	39,800	40,600	41,410	42,240								
Telephone	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260								
Electricity	2%	350,000	350,000	357,000	364,140	371,420	378,850	386,430	394,160								
Raw Materials and Equipment	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260								
R&M Vehicles	2%	15,000	15,000	15,300	15,610	15,920	16,240	16,560	16,880								
Office Supplies	2%	7,000	7,000	7,140	7,280	7,430	7,580	7,730	7,880								
Lab Supplies	2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520	5,630								
Fuel / Gas / Oil	2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520	5,630								
Chemicals	2%	75,000	75,000	76,500	78,030	79,550	81,180	82,800	84,460								
Small Tools	2%	24,500	24,500	25,490	26,000	26,520	27,050	27,590									
Uniforms	2%	3,000	3,000	3,120	3,180	3,240	3,300	3,370									

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 Updated: 5/14/2014

UTILITY FUND BASELINE REVENUE AND EXPENSE PROJECTIONSCreated by: CFB/ES  
Updated: 5/14/2014

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
			Budget	Estimated	Estimated	Estimated	Estimated	Estimated	Estimated	Estimated						
R&M Right of Way		2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Laboratory Testing		2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260	-	-	-	-	-	-
Variable Cost Expense (Electricity, Gas, Etc)		3%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Contractual Service (United Water)		1%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Contractual Service		2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Rental & Lease Purchase		2%	342,000	342,000	348,840	355,820	362,940	370,200	377,600	385,150	392,800	400,550	408,300	416,050	423,800	431,550
<b>51050577 Wastewater-pretreatment</b>																
Salaries - Full-time		4%	23,500	23,500	24,440	25,420	26,440	27,500	28,600	29,740	-	-	-	-	-	-
Overtime		4%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Social Security		5%	1,450	1,450	1,520	1,600	1,680	1,760	1,850	1,940	-	-	-	-	-	-
Medicare		5%	350	350	370	390	410	430	450	470	-	-	-	-	-	-
IMRF		5%	3,000	3,000	3,150	3,310	3,480	3,650	3,830	4,020	-	-	-	-	-	-
Insurance		3%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Education, Seminars, and Meetings		2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Transportation and Travel		2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Engineering Services - Environmental		2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Printing		2%	100,000	100,000	102,000	104,040	106,120	108,240	110,400	112,610	-	-	-	-	-	-
R&M Material and Equipment		2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
R&M Vehicles		2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Laboratory Testing		2%	65,000	65,000	66,300	67,630	68,980	70,360	71,770	73,210	-	-	-	-	-	-
Other Contractual Services		2%	4,000	4,000	4,080	4,160	4,240	4,320	4,410	4,500	-	-	-	-	-	-
Materials & Supplies - Vehicles		2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Materials & Supplies - laboratory		2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fuel, Gas, and Oil		3%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chemicals		2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Small Tools and Equipment		2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Uniforms		2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>SEWER FUND EXPENSES</b>			<b>2,156,450</b>	<b>2,156,450</b>	<b>2,222,820</b>	<b>2,291,600</b>	<b>2,362,880</b>	<b>2,436,770</b>	<b>2,513,420</b>	<b>2,592,860</b>	-	-	-	-	-	-
<b>51080800 CIP Municipal Facilities</b>																
Buildings		3%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Furniture & Fixtures		3%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Machinery & Equipment		3%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fleet		3%	65,000	65,000	66,950	68,960	71,030	73,160	75,350	77,610	-	-	-	-	-	-
<b>Sub-Total CIP Municipal Facilities</b>			<b>65,000</b>	<b>65,000</b>	<b>66,950</b>	<b>68,960</b>	<b>71,030</b>	<b>73,160</b>	<b>75,350</b>	<b>77,610</b>	-	-	-	-	-	-
Water Share of Municipal Facilities (50%)			32,500	32,500	33,475	34,480	35,515	36,580	37,615	38,805	-	-	-	-	-	-
Sewer Share of Municipal Facilities (50%)			32,500	32,500	33,475	34,480	35,515	36,580	37,615	38,805	-	-	-	-	-	-

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## UTILITY FUND BASELINE REVENUE AND EXPENSE PROJECTIONS

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation		FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
CAPITAL PROJECTS - WATER		Rate	Budget	Estimated							
51080860 CIP Water System				2,891,000	2,891,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000
Sub-Total Capital Projects - Water				\$2,891,000	\$2,891,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000
CAPITAL PROJECTS - SEWER											
51080870 CIP Sanitary Sewer System				250,000	250,000	900,000	900,000	900,000	900,000	900,000	900,000
51080880 CIP WWTP				15,454,000	15,454,000	13,244,983	13,244,983	13,244,983	13,244,983	13,244,983	13,244,983
Sub-Total Capital Projects - Sewer				\$15,704,000	\$15,704,000	\$14,144,983	\$900,000	\$900,000	\$900,000	\$900,000	\$900,000
51090920 Debt Service											
Existing Bonds (Restructured) and 2012 Bonds				957,825	957,825	875,785	875,785	875,785	875,785	875,785	875,785
Debt Service Fees				3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Ulien Processing											
Sub-Total Debt Service				\$960,825	\$960,825	\$878,785	\$878,785	\$878,785	\$878,785	\$878,785	\$878,785
Water Share of Debt Service (50%)				\$480,413	\$480,413	\$439,393	\$439,770	\$440,824	\$439,128	\$454,658	\$454,658
Sewer Share of Debt Service (50%)				\$480,413	\$480,413	\$439,393	\$439,770	\$440,824	\$439,128	\$454,658	\$454,658
Debt Service - ICPA Loans (WWTP Phase I and II)						1,800,000	1,800,000	1,800,000	1,800,000	1,800,000	1,800,000
Transfer to General Fund				500,000	540,000	400,000	412,000	424,400	437,100	450,200	463,700
Water Share of Transfer to General Fund (50%)				270,000	270,000	200,000	206,000	212,200	218,550	225,100	231,850
Sewer Share of Transfer to General Fund (50%)				270,000	270,000	200,000	206,000	212,200	218,550	225,100	231,850
Total Water Expenses				\$ 7,878,730	\$ 8,317,230	\$ 7,352,338	\$ 7,782,915	\$ 8,029,337	\$ 8,197,532	\$ 8,388,191	\$ 8,569,199
Total Sewer Expenses				\$ 19,043,685	\$ 19,043,685	\$ 19,254,411	\$ 6,099,805	\$ 6,193,939	\$ 6,288,913	\$ 6,404,453	\$ 6,508,338
Total Expenses - Water & Sewer				\$ 26,922,415	\$ 27,360,915	\$ 26,605,748	\$ 13,882,720	\$ 14,223,276	\$ 14,486,444	\$ 14,792,644	\$ 15,077,536

## UTILITY FUND BASELINE REVENUE AND EXPENSE PROJECTIONS

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation	FY 2014	FY 2014	FY 2015	FY 2015	FY 2016	FY 2016	FY 2017	FY 2017	FY 2018	FY 2018	FY 2019	FY 2019	FY 2020	
		Rate	Budget	Estimated	Estimated	Estimated	Estimated	Estimated	Estimated	Estimated	Estimated	Estimated	Estimated	Estimated	Estimated	
Beginning Operating Balance - Water																
Total Revenues			1,441,159	1,441,199	(2,170,602)	(4,817,511)	(7,894,997)	(11,218,994)	(14,711,007)	(18,393,769)	(18,393,769)	(18,393,769)	(18,393,769)	(18,393,769)	(18,393,769)	
Total Expenses			4,885,000	4,705,429	4,705,429	4,705,429	4,705,429	4,705,429	4,705,429	4,705,429	4,705,429	4,705,429	4,705,429	4,705,429	4,705,429	
Net Operating Income (Loss)			7,878,730	8,312,230	7,351,338	7,782,915	8,029,337	8,197,532	8,368,191	8,563,399	8,368,191	8,563,399	8,368,191	8,563,399	8,368,191	8,563,399
Ending Operating Balance			(2,993,730)	(3,611,801)	(2,646,908)	(3,077,486)	(3,323,907)	(3,492,103)	(3,662,762)	(3,833,769)	(3,662,762)	(3,833,769)	(3,662,762)	(3,833,769)	(3,662,762)	(3,833,769)
Target Fund Balance			(1,552,532)	(2,110,602)	(4,817,511)	(7,894,997)	(11,218,904)	(14,711,007)	(18,393,769)	(22,257,538)	(18,393,769)	(22,257,538)	(18,393,769)	(22,257,538)	(18,393,769)	(22,257,538)
Beginning Operating Balance - Sewer																
Total Revenues			6,109,051	6,109,051	7,382,595	6,236,397	4,959,822	3,669,112	2,243,429	702,206	702,206	702,206	702,206	702,206	702,206	702,206
Total Revenues Less Debt Proceeds			20,805,150	20,317,230	18,108,213	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230
Total Expenses			5,352,150	4,883,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230	4,863,230
Total Expenses Less Debt Funded Construction			19,043,683	19,043,683	19,254,411	6,099,805	6,193,939	6,288,913	6,404,453	6,508,338	6,508,338	6,508,338	6,508,338	6,508,338	6,508,338	6,508,338
Net Operating Income (Loss)			3,589,685	3,589,685	6,109,428	6,099,805	6,193,939	6,288,913	6,404,453	6,508,338	6,508,338	6,508,338	6,508,338	6,508,338	6,508,338	6,508,338
Ending Operating Balance			1,762,465	1,273,545	(1,146,198)	(1,236,575)	(1,330,709)	(1,425,683)	(1,511,223)	(1,645,108)	(1,645,108)	(1,645,108)	(1,645,108)	(1,645,108)	(1,645,108)	(1,645,108)
Target Fund Balance			539,113	539,113	555,705	572,900	590,720	609,193	628,355	648,215	648,215	648,215	648,215	648,215	648,215	648,215
Beginning Operating Balance - Combined Water & Sewer																
Total Revenues			7,550,249	7,550,249	5,211,993	1,418,886	(2,895,175)	(7,549,792)	(12,487,577)	(17,691,562)	(17,691,562)	(17,691,562)	(17,691,562)	(17,691,562)	(17,691,562)	(17,691,562)
Total Revenues Less Debt Proceeds			25,691,150	25,022,659	22,813,642	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659
Total Expenses			10,237,150	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659	9,568,659
Total Expenses Less Debt Funded Construction			26,922,415	27,360,915	26,606,748	13,382,720	14,223,276	14,486,444	14,792,644	15,077,536	15,077,536	15,077,536	15,077,536	15,077,536	15,077,536	15,077,536
Net Operating Income (Loss)			11,468,415	11,906,915	13,356,765	13,882,720	14,223,276	14,486,444	14,792,644	15,077,536	15,077,536	15,077,536	15,077,536	15,077,536	15,077,536	15,077,536
Ending Operating Balance			(1,231,265)	(2,338,256)	(3,793,106)	(4,314,061)	(4,654,617)	(4,917,786)	(5,223,985)	(5,508,378)	(5,508,378)	(5,508,378)	(5,508,378)	(5,508,378)	(5,508,378)	(5,508,378)
Target Fund Balance			6,318,984	5,211,993	1,418,886	(7,549,792)	(12,487,577)	(17,691,562)	(23,200,440)	(2,111,645)	(2,111,645)	(2,111,645)	(2,111,645)	(2,111,645)	(2,111,645)	(2,111,645)
			1,490,236	1,599,861	1,747,138	1,866,578	1,940,289	1,995,540	2,052,645	2,111,645						

## UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 1

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Initiation Rate	FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated	FY 2020 Estimated
<b>REVENUES</b>										
Operating Revenues - Water Fund										
Water Sales - Usage Rates			3,100,000	3,185,382	3,608,421	3,940,566	4,301,599	4,696,103	5,128,402	5,601,521
Water Sales - Debt Service		N/A	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Water Sales - Fixed [Base] Charges		N/A	260,000	282,540	317,805	347,036	378,852	413,747	451,969	493,714
Capital Recovery		N/A	1,350,000							
Water			1,260,900	1,416,600	1,544,400	1,687,500	1,842,300	2,012,400	2,198,700	
Penalties		0%	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500
UT Penalty-Leins/NSF/Meter Tamper		0%	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
Meters and Material		0%	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Unincorporated Capital Recovery Fee		N/A	18,614							
Capital Surcharge		0%								
<b>Total Operating Revenues - Water Fund</b>			<b>4,883,500</b>	<b>4,918,936</b>	<b>5,514,326</b>	<b>6,003,501</b>	<b>6,539,451</b>	<b>7,123,550</b>	<b>7,764,272</b>	<b>8,465,435</b>
Non-Operating Revenues - Water Fund										
Interest Income		0%	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Transfer in		0%	-	-	-	-	-	-	-	-
Grant Revenue		N/A								
Miscellaneous		0%	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
<b>Total Revenues - Water Fund</b>			<b>4,885,000</b>	<b>4,922,436</b>	<b>5,517,826</b>	<b>6,007,001</b>	<b>6,542,951</b>	<b>7,127,150</b>	<b>7,767,772</b>	<b>8,468,935</b>

UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 1

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated	FY 2020 Estimated
<b>Operating Revenues - Sewer Fund</b>										
Capital Recovery - Sewer	N/A	1,350,000	1,373,521	1,555,576	1,696,659	1,853,316	2,021,892	2,206,023	2,405,654	2,625,500
Penalties	0%	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500
UT Penalty Leins/NSF/Mer Tamp	0%	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
Sewer Fees - Usage Rates	2,869,650	2,408,489	2,707,829	2,958,671	3,231,745	3,530,218	3,835,895	4,203,011	4,620,011	5,023,023
Sewer Fees - Fixed (Base) Charges	45,000	562,038	632,433	690,758	754,157	823,376	889,179	960,000	1,030,000	1,100,000
Sewer Fees - Pretreatment	N/A	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000
Sewer Fees - Pretreatment Sampling and Analysis	0%	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000
Sewer Fees - Pretreatment Elk Grove	0%	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000
Unincorporated Capital Recovery Fee	N/A	18,514	-	-	-	-	-	-	-	-
Capital Surcharge	0%	-	-	-	-	-	-	-	-	-
<b>Total Operating Revenues - Sewer Fund</b>		<b>5,346,150</b>	<b>5,044,162</b>	<b>5,577,338</b>	<b>5,027,588</b>	<b>6,520,718</b>	<b>7,056,977</b>	<b>7,642,597</b>	<b>8,279,189</b>	<b>1</b>
<b>Non-Operating Revenues</b>										
Interest Income	0%	5,000	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Debt Proceeds: Sewer	15,454,060	15,454,000	13,244,983	-	-	-	-	-	-	-
Transfer in	0%	-	-	-	-	-	-	-	-	-
Capital Surcharge - Sewer	N/A	-	-	-	-	-	-	-	-	-
Miscellaneous	0%	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
<b>Total Revenues - Sewer Fund</b>		<b>20,806,150</b>	<b>20,501,662</b>	<b>18,825,921</b>	<b>6,031,088</b>	<b>6,524,218</b>	<b>7,050,477</b>	<b>7,646,097</b>	<b>8,282,089</b>	
<b>Total Revenues - Water &amp; Sewer</b>		<b>\$25,697,150</b>	<b>\$25,424,098</b>	<b>\$24,343,547</b>	<b>\$12,038,080</b>	<b>\$13,057,169</b>	<b>\$14,187,627</b>	<b>\$15,413,868</b>	<b>\$16,751,624</b>	
<b>ADMIN EXPENSES</b>										
<b>51030250 Utility Billing</b>										
Salaries - Full-time	3%	204,000	204,000	210,000	216,000	222,000	229,000	236,000	243,000	250,000
Salaries - Part-time	3%	31,700	31,700	32,700	33,700	34,700	35,700	36,800	37,900	38,000
Overtime	3%	6,000	6,000	6,200	6,400	6,600	6,800	7,000	7,200	7,400
Social Security	5%	15,000	15,000	15,800	16,500	17,400	18,300	19,200	20,200	21,200
Medicare	5%	3,550	3,550	3,700	3,900	4,100	4,300	4,500	4,700	4,900
IMRF	5%	30,600	30,600	32,100	33,700	35,400	37,200	39,100	41,100	43,100
Insurance	6%	27,600	27,600	29,300	31,100	33,000	35,000	37,100	39,300	41,500
Postage	2%	27,000	27,000	27,500	28,100	28,700	29,300	29,900	30,500	31,100
Bank/Credit Card Fees	2%	22,000	22,000	22,400	22,800	23,300	23,800	24,300	24,800	25,300
Other Contractual Services	13,000	13,000	13,300	13,600	13,900	14,200	14,500	14,800	15,100	15,400
Office Supplies	2%	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500

## UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 1

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate		FY 2014 Budget		FY 2014 Estimated		FY 2015 Estimated		FY 2016 Estimated		FY 2017 Estimated		FY 2018 Estimated		FY 2019 Estimated		FY 2020 Estimated	
5.050110 Public Works Administration		3%	279,000	279,000	287,000	296,000	305,000	314,000	323,000										333,000
Salaries - Full-time		4%	-	-	-	-	-	-	-										
Bonus		-	-	-	-	-	-	-	-										
Overtime		3%	-	-	-	-	-	-	-										
Social Security		5%	17,300	17,300	18,200	19,100	20,100	21,100	22,200										23,300
Medicare		5%	4,100	4,100	4,300	4,500	4,700	4,900	5,100										5,400
IMRF		5%	36,000	36,000	37,800	39,700	41,700	43,800	46,000										48,300
Insurance		6%	44,545	44,545	47,200	50,000	53,000	56,200	59,600										63,200
Memberships and Dues		2%	2,000	2,000	2,000	2,000	2,000	2,000	2,000										2,000
Education, Seminars, and Meetings		2%	5,000	5,000	5,100	5,200	5,300	5,400	5,500										5,600
Transportation and Travel		2%	-	-	-	-	-	-	-										
Publications		2%	-	-	-	-	-	-	-										
Professional Services		2%	-	-	-	-	-	-	-										
Engineering Services		2%	-	-	-	-	-	-	-										
Postage		2%	-	-	-	-	-	-	-										
Legal Notices		2%	-	-	-	-	-	-	-										
Printing		2%	500	500	500	510	520	530	540										550
Physical Exams		2%	200	200	200	200	200	200	200										200
R&M Communication System		2%	200	200	200	200	200	200	200										200
R&M Building		2%	-	-	-	-	-	-	-										
Other Contractual Services		2%	5,000	5,000	5,100	5,200	5,300	5,400	5,500										5,600
Office Supplies		2%	6,000	6,000	6,100	6,200	6,300	6,400	6,500										6,600
Uniforms		2%	500	500	510	520	530	540	550										560
Permits & Licenses		2%	18,000	18,000	18,400	18,800	19,200	19,600	20,000										20,400
Depreciation Expense		2%	-	-	-	-	-	-	-										
Amortization of Premium / Discount		2%	-	-	-	-	-	-	-										
Transfer to Storm Water (fo 51200000)		0%	-	-	-	-	-	-	-										
<b>TOTAL ADMIN EXPENSES</b>		<b>800,645</b>	<b>800,645</b>	<b>827,480</b>	<b>855,910</b>	<b>885,040</b>	<b>915,770</b>	<b>947,280</b>	<b>980,330</b>										
<b>Water Share Administrative Expenses (50%)</b>		<b>400,323</b>	<b>400,323</b>	<b>413,740</b>	<b>427,955</b>	<b>442,520</b>	<b>457,885</b>	<b>473,600</b>	<b>490,165</b>										
<b>Sewer Share Administrative Expenses (50%)</b>		<b>400,323</b>	<b>400,323</b>	<b>413,740</b>	<b>427,955</b>	<b>442,520</b>	<b>457,885</b>	<b>473,600</b>	<b>490,165</b>										

**UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 1**

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated	FY 2020 Estimated
<b>WATER FUND</b>										
<b>Direct Cost for Water Purchase</b>										
Dupage Water Comm. - Fixed Chg.	0%	182,250	182,000	189,000	270,000	351,000	351,000	351,000	351,000	351,000
Dupage Water Comm. - Water Purchase	0%	2,241,000	2,679,750	3,159,000	3,449,250	3,552,728	3,659,309	3,769,089	3,882,161	3,882,161
<b>51050543 Meter Programs</b>										
2020 Water Customer Service}										
R&M Material and Equipment	0%	-	-	-	-	-	-	-	-	-
Telephone	0%	-	-	-	-	-	-	-	-	-
Maintenance Agreements	0%	500	500	500	500	500	500	500	500	500
Rental and Lease Purchase	0%	19,100	19,100	19,100	19,100	19,100	19,100	19,100	19,100	19,100
Rental and Lease Equipment	0%	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Fuel, Gas, and Oil	0%	-	-	-	-	-	-	-	-	-
Water Meters	0%	-	-	-	-	-	-	-	-	-
<b>51050540 Water Distribution</b>										
SALARIES - Full-time	3%	284,500	284,500	293,040	301,830	310,880	320,210	329,820	339,710	349,800
SALARIES - Part-time	3%	49,900	49,900	50,470	51,980	53,540	55,150	56,890	58,500	59,900
Overtime	5%	55,000	55,000	57,750	60,640	63,670	66,850	70,190	73,700	77,390
Social Security	5%	24,100	24,100	25,310	26,280	27,910	30,780	32,320	34,060	35,790
Medicare	5%	5,700	5,700	5,990	6,290	6,600	6,930	7,280	7,640	8,010
IMRF	5%	47,000	47,000	49,350	51,820	54,410	57,130	59,990	62,990	66,090
Insurance	6%	53,950	53,950	57,190	60,620	64,260	68,120	72,210	76,540	81,050
Education, Seminars, and Meetings	2%	-	-	-	-	-	-	-	-	-
Transportation and Travel	2%	-	-	-	-	-	-	-	-	-
Publications	2%	-	-	-	-	-	-	-	-	-
Physical Exams	2%	-	-	-	-	-	-	-	-	-
Maintenance Agreements	2%	-	-	-	-	-	-	-	-	-
R&M Material and Equipment	2%	-	-	-	-	-	-	-	-	-
R&M Vehicles	2%	-	-	-	-	-	-	-	-	-
R&M Communication System	2%	-	-	-	-	-	-	-	-	-
R&M Pavement	2%	-	-	-	-	-	-	-	-	-
R&M Right of Way	2%	25,000	25,000	25,500	26,010	26,530	27,060	27,600	28,150	28,700
Rental and Lease Purchase	2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520	5,630	5,740
Rental and Lease - Equipment	2%	-	-	-	-	-	-	-	-	-
Other Contractual Services	3%	210,000	210,000	210,000	210,000	210,000	210,000	210,000	210,000	210,000
Photo Supplies	2%	-	-	-	-	-	-	-	-	-
Office Supplies	2%	-	-	-	-	-	-	-	-	-
Materials & Supplies - Traffic Safety	2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520	5,630	5,740
Materials & Supplies - Water Mails	2%	130,000	130,000	132,600	135,250	137,960	140,720	143,530	146,400	149,270

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## UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 1

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Initiation Rate	FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated	FY 2020 Estimated
Materials & Supplies - Gravel/Asphalt	2%	20,000	20,000	20,400	20,840	21,230	21,650	22,080	22,520	22,520
Paint	2%	1,000	1,000	1,020	1,040	1,060	1,080	1,100	1,120	1,120
Fuel, Gas, and Oil	4%	50,000	50,000	52,000	54,080	56,240	58,490	60,830	63,260	63,260
Small Tools and Equipment	2%	30,000	30,000	30,600	31,210	31,830	32,470	33,120	33,780	33,780
Uniforms	2%	2,500	2,500	2,550	2,600	2,650	2,700	2,750	2,810	2,810
Disposal Charges	2%	25,000	25,000	25,500	26,010	26,530	27,060	27,600	28,150	28,150
Machinery and Equipment	2%	-	-	-	-	-	-	-	-	-
<b>53,05050 Water Production</b>										
Salaries- Full-time	3%	102,500	102,500	105,580	108,750	112,010	115,370	118,830	122,390	122,390
Overtime	3%	15,000	15,000	15,450	15,910	16,390	16,880	17,390	17,910	17,910
Social Security	5%	7,300	7,300	7,670	8,050	8,450	8,870	9,310	9,780	9,780
Medicare	5%	1,250	1,250	1,375	1,480	1,610	1,730	1,850	1,970	1,970
IMRF	5%	15,300	15,300	16,070	16,870	17,710	18,600	19,530	20,510	20,510
Insurance	3%	33,045	33,045	34,040	35,050	36,110	37,190	38,310	39,460	39,460
Education, Seminars, and Meetings	2%	-	-	-	-	-	-	-	-	-
Electricity	3%	10,000	10,000	10,600	11,260	11,920	12,640	13,360	14,100	14,100
Natural Gas	3%	-	-	-	-	-	-	-	-	-
Maintenance Agreements	2%	2,000	2,000	2,040	2,080	2,120	2,160	2,200	2,240	2,240
R&M Material and Equipment	2%	-	-	-	-	-	-	-	-	-
R&M Vehicles	2%	1,900	1,900	1,940	1,980	2,020	2,060	2,100	2,140	2,140
R&M Communication System	2%	-	-	-	-	-	-	-	-	-
Laboratory Testing	2%	25,000	25,000	25,500	26,010	26,530	27,060	27,600	28,150	28,150
Rental and Lease	2%	1,000	1,000	1,020	1,040	1,060	1,080	1,100	1,120	1,120
Other Contractual Services	3%	25,000	25,000	25,750	26,520	27,320	28,140	28,960	29,850	29,850
Paint	2%	5,500	5,500	5,610	5,720	5,830	5,950	6,070	6,190	6,190
Fuel, Gas, and Oil	4%	1,000	1,000	1,020	1,040	1,060	1,080	1,100	1,120	1,120
Small Tools and Equipment	2%	-	-	-	-	-	-	-	-	-
Uniforms	2%	-	-	-	-	-	-	-	-	-
<b>WATER FUND EXPENSES</b>										
		<b>3,804,295</b>	<b>4,242,995</b>	<b>4,765,730</b>	<b>5,174,710</b>	<b>5,398,278</b>	<b>5,545,389</b>	<b>5,597,159</b>	<b>5,833,721</b>	

UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 1

SEWER FUND	WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
	Budget	Estimated		Budget	Estimated												
<b>\$105,660 Wastewater Conveyance</b>																	
Salaries - Full-time	3%	152,500	122,500	157,080	161,790	166,640	171,640	176,790	182,090								
Social Security	4%	9,500	9,500	9,880	10,280	10,690	11,120	11,560	12,020								
Medicare	5%	2,250	2,250	2,360	2,480	2,600	2,730	2,870	3,010								
IMRF	5%	19,800	19,800	20,790	21,830	22,920	24,070	25,270	26,530								
Insurance	3%	54,850	54,850	56,500	58,200	59,950	61,750	63,600	65,510								
Rental & Lease Purchase	3%	2,000	2,000	2,060	2,120	2,180	2,250	2,320	2,390								
R&M Material and Equipment	2%	3,000	3,000	3,060	3,120	3,180	3,240	3,300	3,370								
R&M Right of Way	2%	10,000	10,000	10,400	10,920	10,510	10,820	11,040	11,260								
Other Contractual Services	2%	31,000	31,000	31,620	32,250	32,900	33,560	34,230	34,910								
Gravel / Asphalt	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260								
Small Tools	2%	2,000	2,000	2,040	2,080	2,120	2,160	2,200	2,240								
Disposal Charges	2%	10,000	10,000	10,400	10,610	10,820	11,040	11,260									
Chemicals	2%	-	-	-	-	-	-	-	-								
<b>\$105,710 Wastewater Treatment</b>																	
Salaries - Full-time	5%	508,500	508,500	533,900	550,600	588,600	618,000	648,900	681,300								
Salaries - Part-time	5%	-	-	-	-	-	-	-	-								
Overtime	5%	-	-	-	-	-	-	-	-								
Social Security	5%	-	-	-	-	-	-	-	-								
Medicare	5%	31,500	31,500	33,080	34,730	36,470	38,290	40,200	42,210								
IMRF	5%	7,400	7,400	7,770	8,160	8,570	9,000	9,450	9,920								
Insurance	5%	65,800	65,800	69,090	72,540	76,170	79,980	83,980	88,180								
Membership Dues	3%	129,550	129,550	133,440	137,440	141,560	145,810	150,180	154,690								
Education Seminars	2%	2,000	2,040	2,080	2,120	2,160	2,200	2,240									
Professional Services	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260								
Engineering Services	2%	-	-	-	-	-	-	-	-								
Telephone	2%	37,500	37,500	38,250	39,020	39,800	40,600	41,410	42,240								
Electricity	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260								
Raw Materials and Equipment	2%	350,000	350,000	357,000	364,140	371,420	378,850	386,430	394,160								
R&M Vehicles	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260								
Office Supplies	2%	15,000	15,000	15,300	15,610	15,920	16,240	16,560	16,890								
Lab Supplies	2%	7,000	7,000	7,140	7,280	7,430	7,580	7,730	7,880								
Fuel / Gas, Oil	2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520	5,630								
Chemicals	2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520	5,630								
Small Tools	2%	24,500	24,500	24,990	25,490	26,000	26,570	27,050	27,590								
Uniforms	2%	3,000	3,000	3,050	3,120	3,180	3,240	3,300	3,370								

**UTILITY FUND REVENUE AND EXPENSE PROJECTIONS, SCENARIO 1**

<b>WATER UTILITY REVENUES AND EXPENSE PROJECTIONS</b>		<b>Inflation</b>	<b>FY 2014</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
		Rate	Budget	Estimated						
R&M Right of Way		2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260
Laboratory Testing		2%	-	-	-	-	-	-	-	-
Variable Cost Expense (Electricity, Gas, Etc)		3%	-	-	-	-	-	-	-	-
Other Contractual Service (United Water)		1%	-	-	-	-	-	-	-	-
Other Contractual Service		2%	342,000	342,000	348,840	355,820	362,940	370,200	377,600	385,150
Rental & Lease Purchase		2%	3,500	3,500	3,570	3,640	3,710	3,780	3,860	3,940
<b>51050577 Wastewater-Pretreatment</b>										
Salaries - Full-time										
Overtime		4%	23,500	23,500	24,440	25,420	26,440	27,500	28,600	29,740
Social Security		4%	-	-	-	-	-	-	-	-
Medicare		5%	1,450	1,450	1,520	1,600	1,680	1,760	1,850	1,940
IMRF		5%	350	350	370	390	410	430	450	470
Insurance		3%	3,000	3,000	3,150	3,310	3,480	3,650	3,830	4,020
Education, Seminars, and Meetings		2%	-	-	-	-	-	-	-	-
Transportation and Travel		2%	-	-	-	-	-	-	-	-
Engineering Services - Environmental		2%	-	-	-	-	-	-	-	-
Printing		2%	100,000	100,000	102,000	104,040	106,120	108,240	110,400	112,610
R&M Material and Equipment		2%	-	-	-	-	-	-	-	-
R&M Vehicles		2%	-	-	-	-	-	-	-	-
Laboratory Testing		2%	65,000	65,000	66,300	67,630	68,980	70,360	71,770	73,210
Other Contractual Services		2%	4,000	4,000	4,080	4,160	4,240	4,320	4,410	4,500
Materials & Supplies - Vehicles		2%	-	-	-	-	-	-	-	-
Ruel, Gas, and Oil		3%	-	-	-	-	-	-	-	-
Chemicals		2%	-	-	-	-	-	-	-	-
Small Tools and Equipment		2%	-	-	-	-	-	-	-	-
Uniforms		2%	-	-	-	-	-	-	-	-
<b>SEWER FUND EXPENSES</b>										
<b>51080800 CIP Municipal Facilities</b>										
Buildings										
Furniture & Fixtures		3%	-	-	-	-	-	-	-	-
Machinery & Equipment		3%	-	-	-	-	-	-	-	-
Fleet		3%	65,000	65,000	66,950	68,960	71,030	73,160	75,350	77,510
<b>Sub-Total CIP Municipal Facilities</b>										
<b>Water Share of Municipal Facilities (50%)</b>										
32,500	32,500	33,475	34,480	35,515	36,580	37,675	38,805			
<b>Sewer Share of Municipal Facilities (50%)</b>										
32,500	32,500	33,475	34,480	35,515	36,580	37,675	38,805			

**UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 1**

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation	FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
CAPITAL PROJECTS - WATER		Rate	Budget	Estimated						
51080860 CIP Water System										
Sub-Total Capital Projects - Water				\$2,891,000	\$2,891,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000
CAPITAL PROJECTS - SEWER										
51080870 CIP Sanitary Sewer System										
51080880 CIP WWTP										
Sub-Total Capital Projects - Sewer										
51090920 Debt Service										
Existing Bonds (Restructured) and 2012 Bonds										
Debt Service Fees										
Lien Processing										
Sub-Total Debt Service										
Water Share of Debt Service (50%)										
Sewer Share of Debt Service (50%)										
Debt Service - IEPA Loans (WWTP Phase I and II)										
Transfer to General Fund										
Water Share of Transfer to General Fund (50%)										
Sewer Share of Transfer to General Fund (50%)										
Total Water Expenses										
Total Sewer Expenses										
Total Expenses - Water & Sewer										

## UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 1

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
		Budget	Estimated	Estimated						
<b>Beginning Operating Balance - Water</b>										
Total Revenues		1,441,199	1,441,199	(1,953,596)	(3,788,107)	(5,564,021)	(7,050,406)	(8,120,786)	(8,741,207)	
Total Expenses		4,985,000	4,932,436	5,517,826	6,007,001	6,542,951	7,127,150	7,767,772	8,468,935	
Net Operating Income (Loss)		7,878,730	8,317,230	7,357,338	7,782,915	8,029,337	8,197,532	8,388,191	8,569,199	
Ending Operating Balance		(2,993,730)	(3,394,794)	(1,775,914)	(1,486,385)	(1,070,381)	(620,420)	(100,263)		
Target Fund Balance		{1,552,532}	{1,953,596}	{3,788,107}	{5,564,021}	{7,050,406}	{8,120,786}	{8,741,207}	{8,814,471}	
<b>Beginning Operating Balance - Sewer</b>										
Total Revenues		6,109,051	6,409,031	7,567,027	7,138,438	7,059,721	7,400,900	8,171,585	9,413,209	
Total Revenues Less Debt Proceeds		20,805,150	20,501,662	18,825,821	6,031,088	6,524,218	7,060,477	7,646,097	8,282,689	
Total Expenses		5,352,150	5,047,662	5,580,838	6,031,088	6,524,218	7,060,477	7,646,097	8,282,689	
Total Expenses Less Debt funded Construction		19,043,685	19,043,685	19,364,411	6,099,805	6,193,939	6,688,913	6,404,453	6,508,338	
Net Operating Income (Loss)		3,589,685	3,589,685	6,099,428	6,099,805	6,193,939	6,288,913	6,404,453	6,508,338	
Ending Operating Balance		1,763,465	1,457,977	{48,590}	{68,717}	330,279	771,564	1,241,644	1,774,352	
Target Fund Balance		7,871,516	7,567,027	7,138,438	7,069,721	7,400,900	8,171,565	9,413,209	11,187,561	
<b>Beginning Operating Balance - Combined Water &amp; Sewer</b>										
Total Revenues		7,550,249	7,550,249	5,613,432	3,350,331	1,505,700	349,594	50,777	672,002	
Total Revenues Less Debt Proceeds		25,691,150	25,424,098	24,343,647	12,038,090	13,067,169	14,187,627	15,413,888	16,751,624	
Total Expenses		10,237,150	9,970,098	11,098,664	12,038,090	13,067,169	14,187,627	15,413,888	16,751,624	
Total Expenses Less Debt funded Construction		26,922,415	27,360,915	26,666,748	13,882,720	14,223,276	14,496,444	14,792,644	15,077,536	
Net Operating Income (Loss)		11,468,415	11,906,915	13,361,765	13,882,720	14,223,276	14,496,444	14,792,644	15,077,536	
Ending Operating Balance		{1,231,265}	{1,936,817}	{2,263,101}	{1,844,630}	{1,156,106}	{298,817}	621,225	1,674,088	
Target Fund Balance		6,318,984	5,613,432	3,350,331	1,505,700	349,594	50,777	672,002	2,346,090	
		1,490,236	1,599,861	1,747,138	1,866,578	1,940,289	1,995,540	2,057,645	2,111,645	

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WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated	FY 2020 Estimated
<b>REVENUES</b>										
<b>Operating Revenues - Water Fund</b>										
Water Sales - Usage Rates										
Water Sales - Debt Service	N/A	3,100,000	3,276,141	3,752,123	4,033,136	4,337,307	4,663,699	5,013,250	5,390,774	5,768,300
Water Sales - Fixed (Base) Charges	N/A	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Capital Recovery	N/A	260,000	290,337	330,317	355,071	381,784	410,231	440,865	473,846	507,827
Water	N/A	1,350,000	1,293,300	1,467,900	1,579,500	1,697,400	1,825,200	1,963,800	2,113,700	2,263,600
Penalties	0%	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500
UT Penalty/Leins/NSF/Meter Temp	0%	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
Meters and Material	0%	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Unincorporated Capital Recovery fee	N/A	18,614	-	-	-	-	-	-	-	-
Capital Surcharge	0%	4,881,500	5,049,892	5,721,841	6,139,207	6,587,991	7,070,630	7,589,415	8,149,320	8,720,000
<b>Non-Operating Revenues - Water Fund</b>										
Interest Income	0%	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Transfer In	0%	-	-	-	-	-	-	-	-	-
Grant Revenue	N/A	-	-	-	-	-	-	-	-	-
Miscellaneous	0%	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
<b>Total Revenues - Water Fund</b>		<b>4,885,000</b>	<b>5,053,392</b>	<b>5,725,341</b>	<b>6,142,707</b>	<b>6,591,491</b>	<b>7,074,130</b>	<b>7,592,915</b>	<b>8,152,820</b>	<b>8,720,000</b>

UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 2

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WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate		FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
Operating Revenues - Sewer Fund		Budget		Estimated													
Sewer Capital Recovery	N/A	1,350,000		1,411,998		1,618,788		1,738,801		1,868,890		2,009,973		2,162,049		2,325,119	
Sewer Penalties	0%	6,2500		62,500		62,500		62,500		62,500		62,500		62,500		62,500	
UT Penalty/Lehns/NSF/Metr Tamp	0%	4,000		4,000		4,000		4,000		4,000		4,000		4,000		4,000	
Sewer Fees - Usage Rates																	
Sewer Fees - Fixed (Base) Charges		2,869,650		2,475,679		2,815,006		3,024,525		3,250,202		3,494,901		3,757,073		4,039,339	
Sewer Fees - Pretreatment																	
Sewer Fees - Pretreatment Sampling and Analysis																	
Sewer Fees - Pretreatment Elk Grove																	
Unincorporated Capital Recovery Fee																	
Capital Surcharge																	
Total Operating Revenues - Sewer Fund																	
Total Revenues - Sewer Fund																	
<b>Total Revenues - Water &amp; Sewer</b>		<b>\$25,691,150</b>		<b>\$25,675,240</b>		<b>\$24,746,005</b>		<b>\$22,297,184</b>		<b>\$13,154,623</b>		<b>\$14,080,138</b>		<b>\$15,074,260</b>		<b>\$16,145,256</b>	
<b>ADMIN EXPENSES</b>																	
51030250 Utility Billing																	
Salaries - Full-time	3%	204,000		204,000		210,000		216,000		222,000		229,000		236,000		243,000	
Salaries - Part-time	3%	31,700		31,700		32,700		33,700		34,700		35,700		36,800		37,900	
Overtime	3%	6,000		6,000		6,200		6,400		6,600		6,800		7,000		7,200	
Social Security	5%	15,000		15,400		15,800		16,600		17,400		18,300		19,200		20,200	
Medicare	5%	3,550		3,550		3,700		3,900		4,100		4,300		4,500		4,700	
IMR	5%	30,600		30,600		32,100		33,700		35,400		37,200		39,100		41,100	
Insurance	6%	27,600		27,600		29,300		31,100		33,000		35,000		37,100		39,300	
Postage	2%	27,000		27,000		27,500		28,100		28,700		29,300		29,900		30,500	
Bank/Credit Card Fees	2%	22,000		22,000		22,400		22,800		23,200		23,600		24,300		24,800	
Other Contractual Services	2%	13,000		13,300		13,600		13,900		14,200		14,500		14,800			
Office Supplies	2%	1,500		1,500		1,500		1,500		1,500		1,500		1,500		1,500	

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WATER UTILITY REVENUES AND EXPENSE PROJECTIONS	Inflation		FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
	Rate	Budget	Estimated													
51050110 Public Works Administration	3%	279,000	279,000	287,000	296,000	305,000	314,000	323,000	333,000	333,000	333,000	333,000	333,000	333,000	333,000	333,000
Salaries - Full-time	4%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bonus	3%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Social Security	5%	17,300	17,300	18,200	19,100	20,100	21,100	22,200	23,300	23,300	23,300	23,300	23,300	23,300	23,300	23,300
Medicare	5%	4,100	4,100	4,300	4,500	4,700	4,900	5,100	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400
IMRF	5%	36,000	36,000	37,800	39,700	41,700	43,800	46,000	48,300	48,300	48,300	48,300	48,300	48,300	48,300	48,300
Insurance	6%	44,545	44,545	47,200	50,000	53,000	56,200	59,600	63,200	63,200	63,200	63,200	63,200	63,200	63,200	63,200
Memberships and Dues	2%	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Education, Seminars, and Meetings	2%	5,000	5,000	5,100	5,200	5,300	5,400	5,500	5,600	5,600	5,600	5,600	5,600	5,600	5,600	5,600
Transportation and Travel	2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Publications	2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Professional Services	2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Engineering Services	2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Postage	2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Legal Notices	2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Printing	2%	350	350	360	370	380	390	400	410	410	410	410	410	410	410	410
Physical Exams	2%	500	500	510	520	530	540	550	560	560	560	560	560	560	560	560
R&M Communication Systems	2%	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200
R&M Building	2%	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200
Other Contractual Services	2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Office Supplies	2%	5,000	5,000	5,100	5,200	5,300	5,400	5,500	5,600	5,600	5,600	5,600	5,600	5,600	5,600	5,600
Uniforms	2%	6,000	6,000	6,100	6,200	6,300	6,400	6,500	6,600	6,600	6,600	6,600	6,600	6,600	6,600	6,600
Permits & Licenses	2%	500	500	510	520	530	540	550	560	560	560	560	560	560	560	560
Depreciation Expense	2%	18,000	18,000	18,400	18,800	19,200	19,600	20,000	20,400	20,400	20,400	20,400	20,400	20,400	20,400	20,400
Amortization of Premium / Discount	2%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Transfer to Storm Water (To 51200000)	0%	800,645	800,645	827,480	855,910	885,040	915,770	947,200	980,330	980,330	980,330	980,330	980,330	980,330	980,330	980,330
<b>TOTAL ADMIN EXPENSES</b>																
Water Share Administrative Expenses (50%)		408,323	408,323	413,740	427,935	442,520	457,985	473,600	490,165	490,165	490,165	490,165	490,165	490,165	490,165	490,165
<b>Sewer Share Administrative Expenses (50%)</b>		408,323	408,323	413,740	427,935	442,520	457,985	473,600	490,165	490,165	490,165	490,165	490,165	490,165	490,165	490,165

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated	FY 2020 Estimated
<b>WATER FUND</b>										
<b>Direct Cost for Water Purchase</b>										
Dupage Water Comm. - Fixed Chg.		0%	182,250	182,000	183,000	270,000	351,000	351,000	351,000	351,000
Dupage Water Comm. - Water Purchase		0%	2,241,000	2,679,750	3,159,000	3,449,250	3,552,728	3,659,309	3,769,089	3,882,161
<b>51050543 Meter Program</b>										
R&M Material and Equipment		0%	-	-	-	-	-	-	-	-
Telephone		0%	500	500	500	500	500	500	500	500
Maintenance Agreements		0%	19,100	19,100	19,100	19,100	19,100	19,100	19,100	19,100
Rental and Lease Purchase		0%	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Rental and Lease - Equipment		0%	-	-	-	-	-	-	-	-
Fuel, Gas, and Oil		0%	-	-	-	-	-	-	-	-
Water Meters		0%	-	-	-	-	-	-	-	-
<b>51050540 Water Distribution</b>										
Salaries - Full-time		3%	284,500	284,500	293,040	301,330	310,880	320,210	329,820	339,710
Salaries - Part-time		3%	49,000	49,000	50,470	51,980	53,540	55,150	56,800	58,500
Overtime		5%	55,000	55,000	57,750	60,640	63,670	66,850	70,190	73,700
Social Security		5%	24,100	24,100	24,100	25,310	26,580	27,910	29,310	30,780
Medicare		5%	5,700	5,700	5,900	6,290	6,600	6,930	7,280	7,640
IMRF		5%	47,000	47,000	49,350	51,820	54,410	57,130	59,990	62,990
Insurance		6%	53,950	53,950	57,190	60,620	64,260	68,120	72,210	76,540
Education, Seminars, and Meetings		2%	-	-	-	-	-	-	-	-
Transportation and Travel		2%	-	-	-	-	-	-	-	-
Publications		2%	-	-	-	-	-	-	-	-
Physical Exams		2%	-	-	-	-	-	-	-	-
Maintenance Agreements		2%	-	-	-	-	-	-	-	-
R&M Material and Equipment		2%	-	-	-	-	-	-	-	-
R&M Vehicles		2%	-	-	-	-	-	-	-	-
R&M Communication System		2%	21,600	21,600	22,030	22,470	22,920	23,380	23,850	24,330
R&M Pavement		2%	-	-	-	-	-	-	-	-
R&M Right of Way		2%	25,000	25,000	25,500	26,010	26,530	27,060	27,600	28,150
Rental and Lease Purchase		2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520	5,630
Rental and Lease - Equipment		2%	-	-	-	-	-	-	-	-
Other Contractual Services		3%	210,000	210,000	210,000	210,000	210,000	210,000	210,000	210,000
Photo Supplies		2%	-	-	-	-	-	-	-	-
Office Supplies		2%	-	-	-	-	-	-	-	-
Materials & Supplies - Traffic Safety		2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520	5,630
Materials & Supplies - Water Mains		2%	130,000	130,000	132,600	135,250	137,960	140,720	143,530	146,400

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WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated	FY 2020 Estimated
Materials & Supplies - Gravel/Asphalt	2%	20,000	20,000	20,400	20,810	21,230	21,650	22,080	22,520	22,970
Paint	2%	1,000	1,000	1,030	1,040	1,060	1,080	1,100	1,120	1,140
Fuel, Gas, and Oil	4%	50,000	50,000	52,000	54,080	56,740	58,490	60,830	63,260	66,720
Small Tools and Equipment	2%	30,000	30,000	30,600	31,210	31,830	32,470	33,120	33,780	34,450
Uniforms	2%	2,500	2,500	2,550	2,600	2,650	2,700	2,750	2,810	2,870
Disposal Charges	2%	2,500	2,500	2,550	2,600	2,650	2,700	2,750	2,810	2,870
Machinery and Equipment	2%	25,000	25,000	25,500	26,010	26,530	27,050	27,560	28,150	28,740
<b>5105050 Water Production</b>										
Salaries: Full-time										
Overtime	3%	102,500	102,500	105,580	108,750	112,010	115,370	118,830	122,390	126,950
Social Security	3%	15,050	15,000	15,450	15,910	16,390	16,880	17,390	17,910	18,490
Medicare	5%	7,300	7,300	7,570	8,050	8,450	8,870	9,310	9,780	10,250
R&M	5%	1,750	1,750	1,840	1,930	2,030	2,130	2,240	2,350	2,460
Insurance	5%	15,300	15,300	16,070	16,870	17,710	18,600	19,530	20,510	21,590
Education, Seminars, and Meetings	3%	33,045	33,045	34,040	35,060	36,110	37,190	38,310	39,460	40,610
Electricity	2%	-	-	-	-	-	-	-	-	-
Natural Gas	3%	70,000	70,000	72,100	74,260	76,490	78,780	81,140	83,570	86,070
Maintenance Agreements	3%	-	-	-	-	-	-	-	-	-
R&M Material and Equipment	2%	2,000	2,000	2,040	2,080	2,120	2,160	2,200	2,240	2,280
R&M Vehicles	2%	-	-	-	-	-	-	-	-	-
R&M Communication System	2%	1,900	1,900	1,940	1,980	2,020	2,060	2,100	2,140	2,180
Laboratory Testing	2%	-	-	-	-	-	-	-	-	-
Rental and Lease	2%	25,000	25,000	25,500	26,010	26,530	27,060	27,600	28,150	28,740
Other Contractual Services	2%	1,000	1,000	1,020	1,040	1,060	1,080	1,100	1,120	1,140
Paint	3%	25,000	25,000	25,750	26,570	27,320	28,140	28,980	29,850	30,720
Fuel, Gas, and Oil	2%	5,500	5,500	5,610	5,720	5,830	5,950	6,070	6,190	6,310
Small Tools and Equipment	4%	1,000	1,000	1,020	1,040	1,060	1,080	1,100	1,120	1,140
Uniforms	2%	-	-	-	-	-	-	-	-	-
<b>WATER FUND EXPENSES</b>										
	2%	3,802,495	4,242,595	4,765,730	5,174,710	5,398,278	5,545,389	5,697,159	5,853,721	6,013,450

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS	Inflation Rate	FY 2014					FY 2015					FY 2016					FY 2017					FY 2018					FY 2019				
		Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated		
<b>SEWER FUND</b>																															
51050560 Wastewater Conveyance																															
Salaries - Full-time	3%	152,500	152,500	157,080	161,790	166,640	171,640	176,790	182,090																						
Social Security	4%	9,500	9,500	9,880	10,280	10,690	11,120	11,560	12,020																						
Medicare	5%	2,250	2,250	2,360	2,480	2,600	2,730	2,870	3,010																						
IMRF	5%	19,800	19,800	20,190	21,830	22,920	24,070	25,270	26,530																						
Insurance	3%	54,850	54,850	56,500	58,200	59,950	61,750	63,600	65,510																						
Rental & Lease Purchase	3%	2,000	2,000	2,050	2,120	2,180	2,250	2,320	2,390																						
R&M Material and Equipment	2%	3,000	3,000	3,060	3,120	3,180	3,240	3,300	3,370																						
R&M Right of Way	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260																						
Other Contractual Services	2%	31,000	31,000	31,620	32,250	32,900	33,560	34,230	34,910																						
Gravel / Asphalt	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260																						
Small Tools	2%	2,000	2,000	2,040	2,080	2,120	2,160	2,200	2,240																						
Disposal Charges	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260																						
Chemicals	2%	-	-	-	-	-	-	-	-																						
51050570 Wastewater Treatment																															
Salaries - Full-time	5%	508,500	508,500	513,900	560,600	588,600	618,000	648,900	681,300																						
Salaries - Part-time	5%	-	-	-	-	-	-	-	-																						
Overtime	5%	-	-	-	-	-	-	-	-																						
Social Security	5%	-	-	-	-	-	-	-	-																						
Medicare	5%	31,500	31,500	33,080	34,730	36,470	38,230	40,200	42,210																						
IMRF	5%	2,400	2,400	2,770	3,160	3,570	3,900	4,9450	5,920																						
Insurance	5%	65,800	65,800	69,090	72,540	76,170	79,980	83,980	88,180																						
Membership Dues	3%	129,550	129,550	133,440	137,440	141,560	145,810	150,180	154,690																						
Education Seminars	2%	2,000	2,000	2,040	2,080	2,120	2,160	2,200	2,240																						
Professional Services	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260																						
Engineering Services	2%	-	-	-	-	-	-	-	-																						
Telephone	2%	37,500	37,500	38,250	39,020	39,800	40,600	41,410	42,240																						
Electricity	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260																						
Raw Materials and Equipment	2%	350,000	350,000	357,000	364,140	371,420	378,850	386,430	394,160																						
R&M Vehicles	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260																						
Office Supplies	15,000	15,000	15,300	15,610	15,920	16,240	16,560	16,890																							
Lab Supplies	7,000	7,000	7,140	7,280	7,430	7,580	7,730	7,880																							
Fuel / Gas / Oil	2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520	5,630																						
Chemicals	2%	75,000	75,000	76,500	78,030	79,590	81,180	82,800	84,460																						
Small Tools	2%	24,500	24,500	24,490	25,490	26,000	26,520	27,050	27,590																						
Uniforms	2%	3,000	3,060	3,120	3,180	3,240	3,300	3,370																							

UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 2

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WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
			Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated
R&M Right of Way		2%														
Laboratory Testing		2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260						
Variable Cost Expense [Electricity, Gas, Etc]		3%														
Other Contractual Service [United Water]		1%														
Other Contractual Service [United Water]		2%	342,000	342,000	348,840	355,820	362,940	370,200	377,600	385,150						
Rental & Lease Purchase		2%	3,500	3,500	3,570	3,640	3,710	3,780	3,860	3,940						
<b>51050577 Wastewater-pretreatment</b>																
Salaries: Full-time																
Overtime																
Social Security		4%														
Medicare		5%	1,450	1,450	1,520	1,600	1,680	1,760	1,850	1,940						
iMRF		5%	350	350	370	390	410	430	450	470						
Insurance																
Education, Seminars, and Meetings		3%														
Transportation and Travel		2%														
Engineering Services - Environmental		2%														
Printing																
R&M Material and Equipment																
R&M Vehicles		2%														
Laboratory Testing		2%														
Other Contractual Services		2%	65,000	65,000	66,300	67,630	68,980	70,360	71,770	73,210						
Materials & Supplies - Vehicles		2%	4,000	4,000	4,080	4,160	4,240	4,320	4,410	4,500						
Materials & Supplies - Laboratory		2%														
Fuel, Gas, and Oil		2%														
Chemicals		3%														
Small Tools and Equipment		2%														
Uniforms		2%														
<b>SEWER FUND EXPENSES</b>		2%														
<b>51080800 CIP Municipal Facilities</b>			<b>2,156,450</b>	<b>2,155,450</b>	<b>2,222,820</b>	<b>2,291,600</b>	<b>2,362,880</b>	<b>2,432,770</b>	<b>2,513,420</b>	<b>2,592,860</b>						
<b>Buildings</b>																
Furniture & Fixtures		3%														
Machinery & Equipment		3%														
Fleet		3%														
<b>Sub-Total CIP Municipal Facilities</b>		3%	65,000	65,000	66,950	68,960	71,030	73,160	75,350	77,610						
<b>Water Share of Municipal Facilities (50%)</b>			32,500	32,500	33,475	34,480	35,515	36,580	37,675	38,805						
<b>Sewer Share of Municipal Facilities (50%)</b>			32,500	32,500	33,475	34,480	35,515	36,580	37,675	38,805						

UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 2

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WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Initiation	FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
CAPITAL PROJECTS - WATER		Rate	Budget	Estimated						
51080860 CIP Water System			2,891,000	2,891,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000
Sub-Total Capital Projects - Water			\$2,891,000	\$2,891,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000
<b>CAPITAL PROJECTS - SEWER</b>										
51080870 CIP Sanitary Sewer System			250,000	250,000	900,000	900,000	900,000	900,000	900,000	900,000
51080880 CIP WWTP			15,454,000	15,454,000	13,244,983					
Sub-Total Capital Projects - Sewer			\$15,704,000	\$15,704,000	\$14,144,983	\$900,000	\$900,000	\$900,000	\$900,000	\$900,000
<b>51090920 Debt Service</b>										
Existing Bonds (Restructured) and 2012 Bonds			95,7825	957,825	875,785	875,540	878,648	875,255	906,315	906,315
Debt Service Fees			3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Ten Processing										
Sub-Total Debt Service			\$960,825	\$960,825	\$878,785	\$879,540	\$881,648	\$878,255	\$909,315	\$909,315
Water Share of Debt Service (50%)			\$480,413	\$480,413	\$439,393	\$439,770	\$440,824	\$439,178	\$454,658	\$454,658
Sewer Share of Debt Service (50%)			\$480,413	\$480,413	\$439,393	\$439,770	\$440,824	\$439,128	\$454,658	\$454,658
<b>Debt Service - IEPA Loans (WWTP Phase I and II)</b>										
Transfer to General Fund					1,800,000	1,800,000	1,800,000	1,800,000	1,800,000	1,800,000
Water Share of Transfer to General Fund (50%)			540,000	540,000	400,000	412,000	424,400	437,400	450,200	463,700
Sewer Share of Transfer to General Fund (50%)			270,000	270,000	200,000	206,000	212,200	218,550	225,100	231,850
Total Water Expenses			\$ 7,875,730	\$ 8,317,230	\$ 7,350,338	\$ 7,782,915	\$ 8,029,337	\$ 8,197,532	\$ 8,388,191	\$ 8,569,199
Total Sewer Expenses			\$ 19,043,085	\$ 19,043,685	\$ 19,250,411	\$ 6,099,805	\$ 6,193,939	\$ 6,288,913	\$ 6,404,453	\$ 6,508,338
Total Expenses - Water & Sewer			\$ 26,922,415	\$ 27,360,915	\$ 26,606,748	\$ 13,882,720	\$ 14,223,276	\$ 14,485,444	\$ 14,792,646	\$ 15,077,536

UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 2

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
			Budget	Estimated						
<b>Beginning Operating Balance - Water</b>										
Total Revenues			1,441,199	1,441,199	(1,822,639)	(3,449,636)	(5,089,844)	(6,527,690)	(7,651,091)	(8,446,367)
Total Expenses			4,885,000	5,053,392	5,721,341	6,142,707	6,591,491	7,074,130	7,592,915	8,152,820
Net Operating Income (Loss)			7,878,730	8,317,230	7,352,338	7,782,915	8,029,337	8,197,537	8,388,191	8,569,199
Ending Operating Balance			(2,593,730)	(3,263,838)	(1,640,208)	(1,437,597)	(1,123,401)	(795,276)	(416,379)	
Target Fund Balance			(1,552,532)	(1,822,639)	(3,449,636)	(5,089,844)	(7,651,091)	(8,446,367)	(8,462,745)	
<b>Beginning Operating Balance - Sewer</b>										
Total Revenues			6,109,051	6,109,051	7,689,213	7,454,467	7,599,139	7,878,332	8,595,427	9,672,319
Total Revenues Less Debt Proceeds			20,806,150	20,632,847	19,020,665	6,154,477	6,563,132	7,005,007	7,481,344	7,992,435
Total Expenses			5,352,150	5,168,847	5,775,682	6,154,477	6,563,132	7,005,007	7,481,344	7,992,435
Total Expenses Less Debt Funded Construction			19,043,605	19,043,685	19,254,411	6,099,805	6,193,939	6,288,913	6,404,453	6,508,338
Net Operating Income (Loss)			3,589,685	3,889,685	3,889,428	6,099,805	6,193,939	6,288,913	6,404,453	6,508,338
Ending Operating Balance			1,762,465	1,579,162	(233,746)	54,672	369,193	717,095	1,076,892	1,484,098
Target Fund Balance			7,871,516	7,688,213	7,454,467	7,599,139	7,878,332	8,595,427	9,672,319	11,156,417
<b>Beginning Operating Balance - Combined Water &amp; Sewer</b>										
Total Revenues			7,550,249	7,550,249	5,865,574	4,004,831	2,419,294	1,350,642	944,336	1,225,952
Total Revenues Less Debt Proceeds			25,691,150	25,676,240	24,746,005	12,297,184	13,154,623	14,080,138	15,074,260	16,145,256
Total Expenses			10,237,150	10,222,240	11,501,022	12,297,184	13,154,623	14,080,138	15,074,260	16,145,256
Total Expenses Less Debt Funded Construction			26,922,415	27,360,915	26,606,748	13,882,770	14,223,276	14,486,444	14,792,644	15,077,536
Net Operating Income (Loss)			11,468,415	11,906,915	13,367,765	13,882,770	14,223,276	14,486,444	14,792,644	15,077,536
Ending Operating Balance			(1,231,665)	(1,684,675)	(1,850,743)	(1,585,536)	(1,068,552)	(4,06,307)	281,616	1,067,719
Target Fund Balance			6,314,984	5,865,574	4,004,831	2,419,294	1,350,642	944,336	1,225,952	2,293,671
<b>Beginning Operating Balance - Water &amp; Sewer</b>										
Total Revenues			7,550,249	7,550,249	5,865,574	4,004,831	2,419,294	1,350,642	944,336	1,225,952
Total Revenues Less Debt Proceeds			25,691,150	25,676,240	24,746,005	12,297,184	13,154,623	14,080,138	15,074,260	16,145,256
Total Expenses			10,237,150	10,222,240	11,501,022	12,297,184	13,154,623	14,080,138	15,074,260	16,145,256
Total Expenses Less Debt Funded Construction			26,922,415	27,360,915	26,606,748	13,882,770	14,223,276	14,486,444	14,792,644	15,077,536
Net Operating Income (Loss)			11,468,415	11,906,915	13,367,765	13,882,770	14,223,276	14,486,444	14,792,644	15,077,536
Ending Operating Balance			(1,231,665)	(1,684,675)	(1,850,743)	(1,585,536)	(1,068,552)	(4,06,307)	281,616	1,067,719
Target Fund Balance			6,314,984	5,865,574	4,004,831	2,419,294	1,350,642	944,336	1,225,952	2,293,671
<b>Beginning Operating Balance - Combined Water &amp; Sewer</b>										
Total Revenues			7,550,249	7,550,249	5,865,574	4,004,831	2,419,294	1,350,642	944,336	1,225,952
Total Revenues Less Debt Proceeds			25,691,150	25,676,240	24,746,005	12,297,184	13,154,623	14,080,138	15,074,260	16,145,256
Total Expenses			10,237,150	10,222,240	11,501,022	12,297,184	13,154,623	14,080,138	15,074,260	16,145,256
Total Expenses Less Debt Funded Construction			26,922,415	27,360,915	26,606,748	13,882,770	14,223,276	14,486,444	14,792,644	15,077,536
Net Operating Income (Loss)			11,468,415	11,906,915	13,367,765	13,882,770	14,223,276	14,486,444	14,792,644	15,077,536
Ending Operating Balance			(1,231,665)	(1,684,675)	(1,850,743)	(1,585,536)	(1,068,552)	(4,06,307)	281,616	1,067,719
Target Fund Balance			6,314,984	5,865,574	4,004,831	2,419,294	1,350,642	944,336	1,225,952	2,293,671
<b>Beginning Operating Balance - Water &amp; Sewer</b>										
Total Revenues			7,550,249	7,550,249	5,865,574	4,004,831	2,419,294	1,350,642	944,336	1,225,952
Total Revenues Less Debt Proceeds			25,691,150	25,676,240	24,746,005	12,297,184	13,154,623	14,080,138	15,074,260	16,145,256
Total Expenses			10,237,150	10,222,240	11,501,022	12,297,184	13,154,623	14,080,138	15,074,260	16,145,256
Total Expenses Less Debt Funded Construction			26,922,415	27,360,915	26,606,748	13,882,770	14,223,276	14,486,444	14,792,644	15,077,536
Net Operating Income (Loss)			11,468,415	11,906,915	13,367,765	13,882,770	14,223,276	14,486,444	14,792,644	15,077,536
Ending Operating Balance			(1,231,665)	(1,684,675)	(1,850,743)	(1,585,536)	(1,068,552)	(4,06,307)	281,616	1,067,719
Target Fund Balance			6,314,984	5,865,574	4,004,831	2,419,294	1,350,642	944,336	1,225,952	2,293,671
<b>Beginning Operating Balance - Combined Water &amp; Sewer</b>										
Total Revenues			7,550,249	7,550,249	5,865,574	4,004,831	2,419,294	1,350,642	944,336	1,225,952
Total Revenues Less Debt Proceeds			25,691,150	25,676,240	24,746,005	12,297,184	13,154,623	14,080,138	15,074,260	16,145,256
Total Expenses			10,237,150	10,222,240	11,501,022	12,297,184	13,154,623	14,080,138	15,074,260	16,145,256
Total Expenses Less Debt Funded Construction			26,922,415	27,360,915	26,606,748	13,882,770	14,223,276	14,486,444	14,792,644	15,077,536
Net Operating Income (Loss)			11,468,415	11,906,915	13,367,765	13,882,770	14,223,276	14,486,444	14,792,644	15,077,536
Ending Operating Balance			(1,231,665)	(1,684,675)	(1,850,743)	(1,585,536)	(1,068,552)	(4,06,307)	281,616	1,067,719
Target Fund Balance			6,314,984	5,865,574	4,004,831	2,419,294	1,350,642	944,336	1,225,952	2,293,671

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UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 3

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated	FY 2020 Estimated
<b>REVENUES</b>										
<b>Operating Revenues - Water Fund</b>										
Water Sales - Usage Rates			3,100,000	3,730,703	4,442,340	4,442,340	4,442,340	4,442,340	4,442,340	4,442,340
Water Sales - Debt Service			N/A	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Water Sales - Fixed (Base) Charges			N/A	260,000	330,547	391,161	391,161	391,161	391,161	391,161
Capital Recovery			N/A	1,350,000	1,444,200	1,744,200	1,744,200	1,744,200	1,744,200	1,744,200
Water										
Penalties			0%	62,500	62,500	62,500	62,500	62,500	62,500	62,500
UT Penalty-Leins/NJSF/Metr Tamp			0%	4,000	4,000	4,000	4,000	4,000	4,000	4,000
Meters and Material			0%	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Unincorporated Capital Recovery Fee			N/A	18,614	-	-	-	-	-	-
Capital Surcharge			0%	-	-	-	-	-	-	-
<b>Total Operating Revenues - Water Fund</b>			4,881,500	5,725,565	6,749,201	6,749,201	6,749,201	6,749,201	6,749,201	6,749,201
<b>Non-Operating Revenues - Water Fund</b>										
Interest Income			0%	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Transfer In			0%	-	-	-	-	-	-	-
Grant Revenue			N/A	-	-	-	-	-	-	-
Miscellaneous			0%	1,000	1,000	1,000	1,000	1,000	1,000	1,000
<b>Total Revenues - Water Fund</b>			4,885,000	5,729,065	6,752,701	6,752,701	6,752,701	6,752,701	6,752,701	6,752,701

UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 3

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Updated: 5/5/2014

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
Operating Revenues - Sewer Fund	Capital Recovery		Budget	Estimated												
Sewer Penalties		N/A	1,350,000	1,609,880	1,918,361	1,918,361	1,918,361	1,918,361	1,918,361	1,918,361	1,918,361	1,918,361	1,918,361	1,918,361	1,918,361	1,918,361
UT Penalty-Liens/NSF/Meter Tamper		0%	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500	62,500
Sewer Fees - Usage Rates		0%	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
Sewer Fees - Fixed (Base) Charges		2,869,650	2,817,748	3,332,752	3,332,752	3,332,752	3,332,752	3,332,752	3,332,752	3,332,752	3,332,752	3,332,752	3,332,752	3,332,752	3,332,752	3,332,752
Sewer Fees - Pretreatment		N/A	445,000	657,739	777,620	777,620	777,620	777,620	777,620	777,620	777,620	777,620	777,620	777,620	777,620	777,620
Sewer Fees - Pretreatment Sampling and Analysis		N/A	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000	480,000
Sewer Fees - Pretreatment Elk Grove		0%	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000
Unincorporated Capital Recovery Fee		0%	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000
Capital Surcharge		N/A	18,614	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Revenues - Sewer Fund</b>		0%	5,346,150	5,784,981	6,710,233	6,710,233	6,710,233	6,710,233	6,710,233	6,710,233	6,710,233	6,710,233	6,710,233	6,710,233	6,710,233	6,710,234
<b>Non-Operating Revenues</b>																
Interest Income		0%	5,000	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Debt Proceeds: Sewer Transfer In		0%	15,454,900	15,454,000	13,244,983	-	-	-	-	-	-	-	-	-	-	-
Capital Surcharge - Sewer Miscellaneous		0%	N/A	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Revenues - Sewer Fund</b>		0%	20,806,150	21,242,481	19,958,716	6,713,733	6,713,733	6,713,733	6,713,733	6,713,733	6,713,733	6,713,733	6,713,734	6,713,734	6,713,734	6,713,734
<b>Total Revenues - Water &amp; Sewer</b>			<b>\$25,691,150</b>	<b>\$26,971,546</b>	<b>\$26,711,417</b>	<b>\$13,456,434</b>	<b>\$13,456,435</b>	<b>\$13,456,435</b>								
<b>ADMIN EXPENSES</b>																
<b>5.030250 Utility Billing</b>																
Salaries - Full-time		3%	204,000	204,000	210,000	216,000	222,000	229,000	236,000	243,000	250,000	257,000	264,000	271,000	278,000	285,000
Salaries - Part-time		3%	31,700	31,700	32,700	33,700	34,700	35,700	36,800	37,900	37,900	37,900	37,900	37,900	37,900	37,900
Overtime		3%	6,000	6,000	6,200	6,400	6,600	6,800	7,000	7,200	7,200	7,200	7,200	7,200	7,200	7,200
Social Security		5%	15,000	15,000	15,800	16,600	17,400	18,300	19,200	20,200	20,200	20,200	20,200	20,200	20,200	20,200
Medicare		5%	3,250	3,250	3,500	3,700	3,900	4,100	4,300	4,500	4,700	4,700	4,700	4,700	4,700	4,700
IMRF		5%	30,500	30,500	30,600	32,100	33,700	35,400	37,200	39,100	41,100	41,100	41,100	41,100	41,100	41,100
Insurance		6%	27,600	27,600	29,300	31,100	33,000	35,000	37,100	39,300	41,500	41,500	41,500	41,500	41,500	41,500
Postage		2%	27,000	27,000	27,500	28,100	28,700	29,300	29,900	30,500	31,100	31,100	31,100	31,100	31,100	31,100
Bank/Credit Card Fees		2%	22,000	22,000	22,400	22,800	23,300	23,800	24,300	24,800	25,300	25,300	25,300	25,300	25,300	25,300
Other Contractual Services		2%	13,000	13,000	13,300	13,600	13,900	14,200	14,500	14,800	15,100	15,100	15,100	15,100	15,100	15,100
Office Supplies		2%	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500

## UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 3

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
			Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated	Budget	Estimated
51050110 Public Works Administration																
Salaries - Full-time		3%	279,000	279,000	287,000	296,000	305,000	314,000	323,000	333,000						
Bonus		4%	-	-	-	-	-	-	-	-						
Overtime		3%	-	-	-	-	-	-	-	-						
Social Security		5%	17,300	17,300	18,200	19,100	20,100	21,100	22,200	23,300						
Medicare		5%	4,100	4,100	4,300	4,500	4,700	4,900	5,100	5,400						
IMRF		5%	36,000	37,800	39,700	41,700	43,800	46,000	48,300							
Insurance		6%	44,545	44,545	47,200	50,000	53,000	56,200	59,600	63,200						
Memberships and Dues		2%	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000						
Education, Seminars, and Meetings		2%	5,000	5,000	5,100	5,200	5,300	5,400	5,500	5,600						
Transportation and Travel		2%	-	-	-	-	-	-	-	-						
Publications		2%	-	-	-	-	-	-	-	-						
Professional Services		2%	-	-	-	-	-	-	-	-						
Engineering Services		2%	-	-	-	-	-	-	-	-						
Postage		2%	-	-	-	-	-	-	-	-						
Legal Notices		2%	-	-	-	-	-	-	-	-						
Purchasing		2%	-	-	-	-	-	-	-	-						
Physical Exams		2%	-	-	-	-	-	-	-	-						
R&M Communication System		2%	-	-	-	-	-	-	-	-						
R&M Building		2%	-	-	-	-	-	-	-	-						
Other Contractual Services		2%	-	-	-	-	-	-	-	-						
Office Supplies		2%	500	500	510	520	530	540	550	560						
Uniforms		2%	200	200	200	200	200	200	200	200						
Permits & Licenses		2%	500	500	510	520	530	540	550	560						
Depreciation Expense		2%	18,000	18,000	18,400	18,800	19,200	19,600	20,000	20,400						
Amortization of Premium / Discount		2%	-	-	-	-	-	-	-	-						
Transfer to Storm Water (to 51200000)		0%	-	-	-	-	-	-	-	-						
<b>TOTAL ADMIN EXPENSES</b>			<b>800,645</b>	<b>800,645</b>	<b>827,480</b>	<b>855,910</b>	<b>885,040</b>	<b>915,770</b>	<b>947,200</b>	<b>980,310</b>						
Water Share Administrative Expenses (50%)			400,323	400,323	413,740	427,955	442,520	457,885	473,600	490,165						
Sewer Share Administrative Expenses (50%)			400,323	400,323	413,740	427,955	442,520	457,885	473,600	490,165						

UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 3Created by: CRB/JES  
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WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated	FY 2020 Estimated
<b>WATER FUND</b>										
Direct Cost for Water Purchase										
DwP/age Water Comm. - Fixed Chg.										
DwP/age Water Comm. - Water Purchase										
51050543 Meter Program	0%	182,250	182,000	189,000	270,000	351,000	351,000	351,000	351,000	351,000
51050540 Water Customer Service										
R&M Material and Equipment	0%	2,241,000	2,679,750	3,159,000	3,449,250	3,552,728	3,659,309	3,769,089	3,882,161	
Telephone	0%	-	-	-	-	-	-	-	-	
Maintenance Agreements	0%	500	500	500	500	500	500	500	500	500
Rental and Lease Purchase	0%	19,100	19,100	19,100	19,100	19,100	19,100	19,100	19,100	19,100
Rental and Lease - Equipment	0%	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Fuel, Gas, and Oil	0%	-	-	-	-	-	-	-	-	
Water Meters	0%	-	-	-	-	-	-	-	-	
51050540 Water Distribution										
Salaries - Full-time										
Salaries - Part-time										
Overtime										
Social Security	3%	284,500	284,500	293,040	301,830	310,880	320,210	329,820	339,710	
Medicare	3%	45,000	49,000	50,470	51,980	53,540	55,150	56,800	58,500	
HR	5%	55,000	55,000	57,750	60,640	63,670	66,850	70,190	73,700	
Insurance	5%	24,100	24,100	25,310	26,580	27,910	29,310	30,780	32,320	
Education, Seminars, and Meetings	5%	5,700	5,700	5,990	6,290	6,600	6,930	7,280	7,640	
Transportation and Travel	6%	47,000	47,000	49,350	51,820	54,440	57,130	59,990	62,990	
Publications	6%	53,950	53,950	57,190	60,620	64,250	68,120	72,210	76,540	
Physical Exams	2%	-	-	-	-	-	-	-	-	
Maintenance Agreements	2%	-	-	-	-	-	-	-	-	
R&M Material and Equipment	2%	-	-	-	-	-	-	-	-	
R&M Vehicles	2%	-	-	-	-	-	-	-	-	
R&M Communication System	2%	-	-	-	-	-	-	-	-	
R&M Pavement	2%	-	-	-	-	-	-	-	-	
R&M Right of Way	2%	-	-	-	-	-	-	-	-	
Rental and Lease Purchase	2%	25,000	25,000	25,500	26,010	26,530	27,060	27,600	28,150	
Rental and Lease - Equipment	2%	5,000	5,000	5,400	5,200	5,300	5,410	5,520	5,630	
Other Contractual Services	3%	-	-	-	-	-	-	-	-	
Photo Supplies	2%	210,000	210,000	210,000	210,000	210,000	210,000	210,000	210,000	
Office Supplies	2%	-	-	-	-	-	-	-	-	
Materials & Supplies - Traffic Safety	2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520	5,630	
Materials & Supplies - Water Mains	2%	130,000	130,000	132,600	135,250	137,960	140,720	143,530	146,400	

UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 3

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated	FY 2020 Estimated
Materials & Supplies - Gravel/Asphalt	2%	20,000	20,000	20,400	20,810	21,230	21,650	22,080	22,520	
Paint	2%	1,000	1,000	1,070	1,040	1,060	1,080	1,100	1,120	
Fuel, Gas, and Oil	4%	50,000	50,000	52,000	54,080	56,240	58,480	60,830	63,260	
Small Tools and Equipment	2%	30,000	30,000	30,600	31,210	31,830	32,470	33,120	33,780	
Uniforms	2%	2,500	2,500	2,550	2,600	2,650	2,700	2,750	2,810	
Disposal Charges	2%	25,000	25,000	25,500	26,010	26,530	27,050	27,560	28,150	
Machinery and Equipment	2%									
<b>51050550 Water Production</b>										
Salaries - Full-time	3%	102,500	102,500	105,580	108,750	112,010	115,370	118,830	122,390	
Overtime	3%	15,000	15,000	15,450	15,910	16,390	16,880	17,390	17,910	
Social Security	5%	7,300	7,300	7,670	8,050	8,450	8,870	9,310	9,780	
Medicare	5%	1,750	1,750	1,840	1,930	2,030	2,130	2,240	2,350	
IRRF	5%	15,300	15,300	16,070	16,870	17,710	18,600	19,530	20,510	
Insurance	3%	33,045	33,045	34,040	35,060	36,110	37,190	38,310	39,460	
Education, Seminars, and Meetings	2%									
Electricity	3%	70,000	70,000	72,100	74,260	76,490	78,780	81,140	83,570	
Natural Gas	3%									
Maintenance Agreements	2%	2,000	2,000	2,040	2,080	2,120	2,160	2,200	2,240	
R&M Material and Equipment	2%									
R&M Vehicles	2%	1,900	1,900	1,940	1,980	2,020	2,060	2,100	2,140	
R&M Communication System	2%									
Laboratory Testing	2%	25,000	25,000	25,500	26,010	26,530	27,060	27,600	28,150	
Rental and Lease	2%	1,000	1,000	1,020	1,040	1,060	1,080	1,100	1,120	
Other Contractual Services	3%	25,000	25,000	25,750	26,520	27,320	28,140	28,980	29,850	
Paint	2%	5,500	5,500	5,610	5,720	5,830	5,950	6,070	6,190	
Fuel, Gas, and Oil	4%	1,000	1,000	1,020	1,040	1,060	1,080	1,100	1,120	
Small Tools and Equipment	2%									
Uniforms	2%									
<b>WATER FUND EXPENSES</b>										
		<b>3,804,495</b>	<b>4,242,995</b>	<b>4,765,730</b>	<b>5,274,710</b>	<b>5,398,278</b>	<b>5,545,389</b>	<b>5,697,159</b>	<b>5,853,721</b>	

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SEWER FUND	Initiation Rate	WATER UTILITY REVENUES AND EXPENSE PROJECTIONS						
		FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated
<b>51050560 Wastewater Conveyance</b>								
Salaries - Full-time	3%	152,500	132,500	157,080	161,790	166,640	171,640	176,790
Social Security	4%	9,500	9,500	9,880	10,280	10,690	11,120	11,560
Medicare	5%	2,250	2,250	2,360	2,480	2,600	2,730	2,870
IMRF	5%	19,800	19,800	20,790	21,830	22,920	24,070	25,270
Insurance	3%	54,850	54,850	56,500	58,200	59,950	61,750	63,600
Rental & Lease Purchase	3%	2,000	2,000	2,060	2,120	2,180	2,250	2,320
R&M Material and Equipment	2%	3,000	3,000	3,060	3,120	3,180	3,240	3,300
R&M Right of Way	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040
Other Contractual Services	2%	31,000	31,000	31,620	32,250	32,900	33,560	34,230
Gravel / Asphalt	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040
Small Tools	2%	2,000	2,000	2,040	2,080	2,120	2,160	2,200
Disposal Charges	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040
Chemicals	2%	-	-	-	-	-	-	-
<b>51050570 Wastewater Treatment</b>								
Salaries - Full-time	5%	508,500	508,500	533,900	560,600	588,600	618,000	648,900
Salaries - Part-time	5%	-	-	-	-	-	-	-
Overtime	5%	-	-	-	-	-	-	-
Social Security	5%	-	-	-	-	-	-	-
Medicare	5%	31,500	31,500	33,080	34,730	36,470	38,290	40,200
IMRF	5%	7,400	7,400	7,770	8,160	8,570	9,000	9,450
Insurance	5%	65,800	65,800	69,090	72,540	76,170	79,880	83,980
Membership Dues	3%	129,550	129,550	133,440	137,440	141,560	145,810	150,180
Education Seminars	2%	2,000	2,000	2,080	2,120	2,160	2,200	2,240
Professional Services	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040
Engineering Services	2%	-	-	-	-	-	-	-
Telephone	2%	37,500	37,500	38,250	39,020	39,800	40,600	41,410
Electricity	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040
Raw Materials and Equipment	2%	350,000	350,000	357,000	364,140	371,420	378,850	386,430
R&M Vehicles	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040
Office Supplies	2%	15,000	15,000	15,300	15,610	15,920	16,240	16,560
Lab Supplies	2%	7,000	7,000	7,140	7,280	7,430	7,580	7,730
Fuel, Gas / Oil	2%	5,000	5,000	5,100	5,200	5,300	5,410	5,520
Chemicals	2%	75,900	75,900	76,500	78,030	79,590	81,180	82,800
Small Tools	2%	24,500	24,500	24,990	25,490	26,000	26,520	27,050
Uniforms	2%	3,000	3,060	3,120	3,180	3,240	3,300	3,370

## UTILITY FUND REVENUE AND EXPENSE PROJECTIONS - SCENARIO 3

WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014 Budget	FY 2014 Estimated	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated	FY 2019 Estimated	FY 2020 Estimated
R&M Right of Way	2%	2%	10,000	10,000	10,200	10,400	10,610	10,820	11,040	11,260
Laboratory Testing	2%	3%	-	-	-	-	-	-	-	-
Variable Cost Expense (Electricity, Gas, Etc)	1%	1%	-	-	-	-	-	-	-	-
Other Contractual Service (United Water)	2%	2%	342,000	342,000	348,840	355,820	362,940	370,200	377,600	385,150
Other Contractual Service	2%	2%	3,500	3,500	3,570	3,640	3,710	3,780	3,850	3,940
Rental & Lease Purchase	-	-	-	-	-	-	-	-	-	-
<b>51050577 Wastewater-PreTreatment</b>										
Salaries - Full-time	4%	4%	23,500	23,500	24,440	25,420	26,440	27,500	28,600	29,740
Overtime	4%	4%	-	-	-	-	-	-	-	-
Social Security	5%	5%	1,450	1,450	1,520	1,600	1,680	1,760	1,850	1,940
Medicare	5%	5%	350	350	370	390	410	430	450	470
IMRF	5%	5%	3,000	3,000	3,150	3,310	3,480	3,650	3,830	4,020
Insurance	3%	3%	-	-	-	-	-	-	-	-
Education, Seminars, and Meetings	2%	2%	-	-	-	-	-	-	-	-
Transportation and Travel	2%	2%	-	-	-	-	-	-	-	-
Engineering Services - Environmental	2%	2%	100,000	100,000	102,000	104,040	106,120	108,240	110,400	112,610
Printing	2%	2%	-	-	-	-	-	-	-	-
R&M Material and Equipment	2%	2%	-	-	-	-	-	-	-	-
R&M Vehicles	2%	2%	-	-	-	-	-	-	-	-
Laboratory Testing	2%	2%	65,000	65,000	66,300	67,630	68,980	70,360	71,770	73,210
Other Contractual Services	2%	2%	4,000	4,000	4,080	4,160	4,240	4,320	4,410	4,500
Materials & Supplies - Vehicles	2%	2%	-	-	-	-	-	-	-	-
Materials & Supplies - Laboratory	2%	2%	-	-	-	-	-	-	-	-
Fuel, Gas, and Oil	3%	3%	-	-	-	-	-	-	-	-
Chemicals	2%	2%	-	-	-	-	-	-	-	-
Shop Tools and Equipment	2%	2%	-	-	-	-	-	-	-	-
Uniforms	2%	2%	-	-	-	-	-	-	-	-
<b>SEWER FUND EXPENSES</b>			<b>2,156,450</b>	<b>2,156,450</b>	<b>2,222,820</b>	<b>2,291,600</b>	<b>2,362,880</b>	<b>2,436,770</b>	<b>2,513,420</b>	<b>2,592,860</b>
<b>51080800 CIP Municipal Facilities</b>										
Buildings	3%	3%	-	-	-	-	-	-	-	-
Furniture & Fixtures	3%	3%	-	-	-	-	-	-	-	-
Machinery & Equipment	3%	3%	-	-	-	-	-	-	-	-
Fleet	3%	3%	65,000	65,000	66,950	68,960	71,030	73,160	75,350	77,610
<b>Sub-Total CIP Municipal Facilities</b>			<b>65,000</b>	<b>65,000</b>	<b>66,950</b>	<b>68,960</b>	<b>71,030</b>	<b>73,160</b>	<b>75,350</b>	<b>77,610</b>
<b>Water Share of Municipal Facilities (50%)</b>			<b>32,500</b>	<b>32,500</b>	<b>33,475</b>	<b>34,480</b>	<b>35,515</b>	<b>36,580</b>	<b>37,675</b>	<b>38,805</b>
<b>Sewer Share of Municipal Facilities (50%)</b>			<b>32,500</b>	<b>32,500</b>	<b>33,475</b>	<b>34,480</b>	<b>35,515</b>	<b>36,580</b>	<b>37,675</b>	<b>38,805</b>

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WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation	FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
CAPITAL PROJECTS - WATER		Rate	Budget	Estimated						
51080860 CIP Water System										
Sub-Total Capital Projects - Water			2,891,000	2,891,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000
CAPITAL PROJECTS - SEWER										
51080870 CIP Sanitary Sewer System										
51080880 CIP WWTP			250,000	250,000	900,000	900,000	900,000	900,000	900,000	900,000
Sub-Total Capital Projects - Sewer			15,454,000	15,454,000	13,244,983					
51080920 Debt Service										
Existing Bonds (Restructured) and 2012 Bonds										
Debt Service Fees			957,825	957,825	875,785	876,540	878,648	875,255	906,315	906,315
Lien Processing			3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Sub-Total Debt Service			960,825	960,825	878,785	879,540	881,648	878,255	909,315	909,315
Water Share of Debt Service (50%)										
Sewer Share of Debt Service (50%)			\$400,413	\$480,413	\$439,393	\$439,770	\$440,824	\$439,128	\$454,658	\$454,658
Debt Service - IEPA Loans (WWTP Phase I and II)										
Transfer to General Fund										
Water Share of Transfer to General Fund (50%)			540,000	540,000	400,000	412,000	424,400	437,100	450,200	463,700
Sewer Share of Transfer to General Fund (50%)			270,000	270,000	200,000	205,000	212,200	218,550	225,100	231,850
Total Water Expenses										
Total Sewer Expenses			\$ 7,878,730	\$ 8,317,230	\$ 7,352,338	\$ 7,782,915	\$ 8,029,337	\$ 8,197,532	\$ 8,386,191	\$ 8,569,199
Total Expenses - Water & Sewer			\$ 19,043,605	\$ 19,043,605	\$ 19,254,411	\$ 6,059,805	\$ 6,193,939	\$ 6,288,913	\$ 6,404,453	\$ 6,508,338
			\$ 26,922,415	\$ 27,360,915	\$ 26,605,748	\$ 13,882,720	\$ 14,223,276	\$ 14,486,444	\$ 14,792,644	\$ 15,077,536

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WATER UTILITY REVENUES AND EXPENSE PROJECTIONS		Inflation Rate	FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
			Budget	Estimated						
<b>Beginning Operating Balance - Water</b>										
Total Revenues			1,441,199	1,441,199	(1,146,966)	(1,746,603)	(2,776,817)	(4,053,453)	(5,498,284)	(7,133,774)
Total Expenses			4,885,000	5,729,065	6,752,701	6,752,701	6,752,701	6,752,701	6,752,701	6,752,701
Net Operating Income (Loss)			7,878,730	8,317,230	7,352,338	7,782,915	8,029,337	8,197,532	8,388,191	8,569,199
Ending Operating Balance			(2,993,730)	(2,888,165)	(599,637)	(1,276,214)	(1,444,536)	(1,444,331)	(1,635,490)	(1,816,498)
Target Fund Balance			(1,552,532)	(1,446,966)	(1,746,603)	(2,776,817)	(4,053,453)	(5,498,284)	(7,133,774)	(8,950,272)
<b>Beginning Operating Balance - Sewer</b>										
Total Revenues			6,109,051	6,109,051	8,307,847	9,012,152	9,626,080	10,145,814	10,570,694	10,879,974
Total Revenues Less Debt Proceeds			20,806,150	21,242,481	19,987,716	6,713,733	6,713,733	6,713,733	6,713,733	6,713,734
Total Expenses			5,352,150	5,788,481	6,713,733	6,713,733	6,713,733	6,713,733	6,713,733	6,713,734
Total Expenses Less Debt Funded Construction			19,043,985	19,043,685	19,254,411	6,099,805	6,193,939	6,288,913	6,404,453	6,508,338
Net Operating Income (Loss)			3,580,685	3,589,685	6,099,428	6,099,805	6,193,939	6,288,913	6,404,453	6,508,338
Ending Operating Balance			1,762,465	2,198,796	704,305	613,928	519,794	424,820	309,280	205,396
Target Fund Balance			7,871,516	8,307,847	9,012,152	9,626,080	10,145,814	10,570,694	10,879,974	11,085,371
<b>Beginning Operating Balance - Combined Water &amp; Sewer</b>										
Total Revenues			7,550,249	7,550,249	7,160,880	7,265,549	6,849,263	6,092,421	5,072,410	3,746,200
Total Revenues Less Debt Proceeds			25,691,150	26,971,546	26,711,417	13,466,434	13,466,434	13,466,434	13,466,434	13,466,435
Total Expenses			10,237,150	11,517,546	13,466,434	13,466,434	13,466,434	13,466,434	13,466,434	13,466,435
Total Expenses Less Debt Funded Construction			26,924,15	27,360,915	26,606,748	13,882,720	14,223,276	14,496,444	14,792,644	15,077,536
Net Operating Income (Loss)			11,466,415	11,906,915	13,381,765	13,882,720	14,223,276	14,496,444	14,792,644	15,077,536
Ending Operating Balance			(1,231,265)	(389,369)	104,669	(416,286)	(756,842)	(1,020,011)	(1,325,210)	(1,611,102)
Target Fund Balance			6,318,984	7,160,880	7,265,549	6,849,263	6,092,421	5,072,410	3,746,200	2,135,099
			1,490,236	1,599,861	1,747,138	1,866,578	1,940,289	1,985,540	2,052,645	2,111,645

Village of Bensenville, Illinois  
 2014 Water and Sewer Rate Study

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**FUTURE WATER RATE INCREASES - SCENARIO 1**

Water Rate Increase Sewer Rate Increase	9.2% 9.2%
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Water Rate Increases	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Fixed Charge Increases:	0%	9.20%	9.20%	9.20%	9.20%	9.20%	9.20%	9.20%
Usage Rate Increases:	0%	9.20%	9.20%	9.20%	9.20%	9.20%	9.20%	9.20%
Capital Recovery Charges	0%	9.20%	9.20%	9.20%	9.20%	9.20%	9.20%	9.20%

Water Rate Schedule	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Monthly Fixed Charges								
5/8" or 3/4" Meter	\$2.88	\$2.49	\$2.72	\$2.97	\$3.24	\$3.54	\$3.87	\$4.23
1" Meter	\$7.66	\$8.36	\$9.13	\$9.97	\$10.89	\$11.89	\$12.98	\$14.17
1.5" Meter	\$15.16	\$16.55	\$18.07	\$19.73	\$21.55	\$23.53	\$25.69	\$28.05
2" Meter	\$24.30	\$26.54	\$28.98	\$31.65	\$34.56	\$37.74	\$41.21	\$45.00
3" Meter	\$45.65	\$49.85	\$54.44	\$59.45	\$64.92	\$70.89	\$77.41	\$84.53
4" Meter	\$76.14	\$83.14	\$90.79	\$99.14	\$108.26	\$118.22	\$129.10	\$140.98
5" Meter	\$152.13	\$166.13	\$181.41	\$198.10	\$216.33	\$236.23	\$257.96	\$281.69
Senior	\$2.88	\$2.49	\$2.72	\$2.97	\$3.24	\$3.54	\$3.87	\$4.23

Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study

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Water Rate Schedule (Unincorporated)	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Monthly Fixed Charges								
5/8" or 3/4" Meter	\$5.28	\$3.74	\$4.08	\$4.46	\$4.86	\$5.31	\$5.81	\$6.35
1" Meter	\$1.66	\$12.54	\$13.70	\$14.96	\$16.34	\$17.84	\$19.47	\$21.26
1.5" Meter	\$15.16	\$24.83	\$27.11	\$29.60	\$32.33	\$35.30	\$38.54	\$42.08
2" Meter	\$24.30	\$39.81	\$43.47	\$47.48	\$51.84	\$56.61	\$61.82	\$67.50
3" Meter	\$45.65	\$74.78	\$81.66	\$89.18	\$97.38	\$106.34	\$116.12	\$126.80
4" Meter	\$76.14	\$124.71	\$136.19	\$148.71	\$162.39	\$177.33	\$193.65	\$211.47
6" Meter	\$152.13	\$249.20	\$272.12	\$297.15	\$324.50	\$354.35	\$386.94	\$422.54

Water Usage Rates

Per 1,000 gallons for first 10,000 gal.	\$5.38	\$5.87	\$6.41	\$7.00	\$7.64	\$8.34	\$9.11	\$9.95
Water Capital Recovery Rate	\$2.23	\$2.44	\$2.66	\$2.90	\$3.17	\$3.46	\$3.78	\$4.13
<b>Total Usage, &lt; 10,000 gallons</b>	<b>\$7.61</b>	<b>\$8.31</b>	<b>\$9.07</b>	<b>\$9.90</b>	<b>\$10.81</b>	<b>\$11.80</b>	<b>\$12.89</b>	<b>\$14.08</b>
<hr/>								
Per 1,000 gallons exceeding 10,000 gal.	\$6.19	\$6.76	\$7.38	\$8.06	\$8.80	\$9.61	\$10.49	\$11.46
Water Capital Recovery Rate	\$2.23	\$2.44	\$2.66	\$2.90	\$3.17	\$3.46	\$3.78	\$4.13
<b>Total Usage, &gt; 10,000 gallons</b>	<b>\$8.42</b>	<b>\$9.20</b>	<b>\$10.04</b>	<b>\$10.96</b>	<b>\$11.97</b>	<b>\$13.07</b>	<b>\$14.27</b>	<b>\$15.59</b>

Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study  
Updated: 3/27/2014

**Unincorporated Water Usage Rates**

Per 1,000 gallons for first 10,000 gal.	\$5.98	\$8.81	\$9.62	\$10.50	\$11.46	\$12.51	\$13.67	\$14.93
Water Capital Recovery Rate	\$2.23	\$3.66	\$3.99	\$4.35	\$4.76	\$5.19	\$5.67	\$6.20
<b>Total Usage, &lt; 10,000 gallons</b>	<b>\$7.61</b>	<b>\$12.47</b>	<b>\$13.61</b>	<b>\$14.85</b>	<b>\$16.22</b>	<b>\$17.70</b>	<b>\$19.34</b>	<b>\$21.12</b>

Per 1,000 gallons exceeding 10,000 gal.

Water Capital Recovery Rate	\$2.23	\$2.44	\$2.66	\$2.90	\$3.17	\$3.46	\$3.78	\$4.13
<b>Total Usage, &gt; 10,000 gallons</b>	<b>\$8.42</b>	<b>\$12.58</b>	<b>\$10.04</b>	<b>\$10.96</b>	<b>\$11.97</b>	<b>\$13.07</b>	<b>\$14.27</b>	<b>\$15.59</b>

**Unincorporated Surcharge, per month**

<b>\$19.39</b>	<b>\$0.00</b>						
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**DWC Water Rate Increases**

	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Fixed Rate per 1,000 gallons	\$0.27	\$0.27	\$0.28	\$0.40	\$0.52	\$0.52	\$0.52	\$0.52
O&M Rate per 1,000 gallons	\$3.32	\$3.97	\$4.68	\$5.11	\$5.26	\$5.42	\$5.58	\$5.75
Rate Increase	20%	18%	17%	11%	5%	3%	3%	3%

Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study

Created by: CFB/JES  
Updated: 3/27/2014

**FUTURE SEWER RATE INCREASES**

<b>Sewer Rate Increases</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Fixed Charge Increases:	0%	9.20%	9.20%	9.20%	9.20%	9.20%	9.20%	9.20%
Usage Rate Increases:	0%	9.20%	9.20%	9.20%	9.20%	9.20%	9.20%	9.20%
Capital Recovery Charges	0%	9.20%	9.20%	9.20%	9.20%	9.20%	9.20%	9.20%

<b>Sewer Rate Schedule</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Monthly Fixed Charges</b>								
5/8" Meter	\$4.53	\$4.95	\$5.41	\$5.91	\$6.45	\$7.04	\$7.69	\$8.40
1" Meter	\$15.06	\$16.45	\$17.96	\$19.61	\$21.41	\$23.38	\$25.53	\$27.88
1.5" Meter	\$30.32	\$33.11	\$36.16	\$39.49	\$43.12	\$47.09	\$51.42	\$56.15
2" Meter	\$48.46	\$52.92	\$57.79	\$63.11	\$68.92	\$75.26	\$82.18	\$89.74
3" Meter	\$90.75	\$99.10	\$108.22	\$118.18	\$129.05	\$140.92	\$153.88	\$168.04
4" Meter	\$151.19	\$165.10	\$180.29	\$196.88	\$214.99	\$234.77	\$256.37	\$279.96
6" Meter	\$302.60	\$330.44	\$360.84	\$394.04	\$430.29	\$469.88	\$513.11	\$560.32

<b>Sewer Rate Schedule (Unincorporated)</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Monthly Fixed Charges</b>								
5/8" Meter	\$6.53	\$7.43	\$8.12	\$8.87	\$9.68	\$10.56	\$11.54	\$12.60
1" Meter	\$15.06	\$24.68	\$26.94	\$29.42	\$32.12	\$35.07	\$38.30	\$41.82
1.5" Meter	\$30.32	\$49.67	\$54.24	\$59.24	\$64.68	\$70.64	\$77.13	\$84.23
2" Meter	\$48.46	\$79.38	\$86.59	\$94.67	\$103.38	\$112.89	\$123.27	\$134.61
3" Meter	\$90.75	\$148.65	\$162.33	\$177.27	\$193.58	\$211.38	\$230.82	\$252.06
4" Meter	\$151.19	\$247.65	\$270.44	\$295.32	\$322.49	\$352.16	\$384.56	\$419.94
6" Meter	\$302.60	\$495.66	\$541.26	\$591.06	\$645.44	\$704.82	\$769.67	\$840.48

Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study

Created by: CFB/JES  
Updated: 3/27/2014

**Sewer Usage Rates**

Per 1,000 gallons for first 10,000 gal.	\$4.25	\$4.64	\$5.07	\$5.54	\$6.05	\$6.61	\$7.22	\$7.88
Sewer Capital Recovery Rate	\$2.41	\$2.63	\$2.87	\$3.13	\$3.42	\$3.73	\$4.07	\$4.44
<b>Total Usage, &lt; 10,000 gallons</b>	<b>\$6.66</b>	<b>\$7.27</b>	<b>\$7.94</b>	<b>\$8.67</b>	<b>\$9.47</b>	<b>\$10.34</b>	<b>\$11.29</b>	<b>\$12.32</b>

Per 1,000 gallons exceeding 10,000 gal.	\$4.99	\$5.34	\$5.83	\$6.37	\$6.96	\$7.60	\$8.30	\$9.06
Sewer Capital Recovery Rate	\$2.41	\$2.63	\$2.87	\$3.13	\$3.42	\$3.73	\$4.07	\$4.44
<b>Total Usage, &gt; 10,000 gallons</b>	<b>\$7.98</b>	<b>\$7.97</b>	<b>\$8.70</b>	<b>\$9.50</b>	<b>\$10.38</b>	<b>\$11.33</b>	<b>\$12.37</b>	<b>\$13.50</b>

**Unincorporated Sewer Usage Rates**

Per 1,000 gallons for first 10,000 gal.	\$4.25	\$6.96	\$7.61	\$8.31	\$9.08	\$9.92	\$10.83	\$11.82
Sewer Capital Recovery Rate	\$2.41	\$3.95	\$4.31	\$4.70	\$5.13	\$5.60	\$6.11	\$6.66
<b>Total Usage, &lt; 10,000 gallons</b>	<b>\$6.66</b>	<b>\$10.91</b>	<b>\$11.91</b>	<b>\$13.01</b>	<b>\$14.21</b>	<b>\$15.51</b>	<b>\$16.94</b>	<b>\$18.48</b>

Per 1,000 gallons exceeding 10,000 gal.

Sewer Capital Recovery Rate	\$2.41	\$3.95	\$4.31	\$4.70	\$5.13	\$5.60	\$6.11	\$6.66
<b>Total Usage, &gt; 10,000 gallons</b>	<b>\$7.30</b>	<b>\$11.96</b>	<b>\$13.05</b>	<b>\$14.25</b>	<b>\$15.57</b>	<b>\$17.00</b>	<b>\$18.56</b>	<b>\$20.25</b>

Unmetered Sewer Only, flat charge	\$59.64	\$59.64	\$59.64	\$59.64	\$59.64	\$59.64	\$60.64	\$61.64
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Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study

Created by: CFB/JES  
Updated: 3/27/2014

**FUTURE WATER RATE INCREASES - SCENARIO 2**

	Water Rate Increase	7.5%
	Sewer Rate Increase	7.5%

Water Rate Increases	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Fixed Charge Increases:	0%	15.00%	7.50%	7.50%	7.50%	7.50%	7.50%	7.50%
Usage Rate Increases:	0%	15.00%	7.50%	7.50%	7.50%	7.50%	7.50%	7.50%
Capital Recovery Charges	0%	15.00%	7.50%	7.50%	7.50%	7.50%	7.50%	7.50%

Water Rate Schedule	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>Monthly Fixed Charges</b>								
5/8" or 3/4" Meter	\$2.28	\$2.62	\$2.82	\$3.03	\$3.26	\$3.50	\$3.76	\$4.04
1" Meter	\$2.66	\$8.81	\$9.47	\$10.18	\$10.94	\$11.76	\$12.64	\$13.59
1.5" Meter	\$15.45	\$17.43	\$18.74	\$20.15	\$21.66	\$23.28	\$25.03	\$26.91
2" Meter	\$26.30	\$27.95	\$30.05	\$32.30	\$34.72	\$37.32	\$40.12	\$43.13
3" Meter	\$35.65	\$52.50	\$56.44	\$60.67	\$65.22	\$70.11	\$75.37	\$81.02
4" Meter	\$66.14	\$87.56	\$94.13	\$101.19	\$108.78	\$116.94	\$125.71	\$135.14
6" Meter	\$152.13	\$174.95	\$188.07	\$202.18	\$217.34	\$233.64	\$251.16	\$270.00
Senior	\$2.28	\$2.62	\$3.03	\$3.26	\$3.50	\$3.76	\$4.04	

## Village of Bensenville, Illinois

## 2014 Water and Sewer Rate Study

## Water Rate Schedule [Unincorporated]

Created by: CFB/JFS

Updated: 3/27/2014

Monthly Fixed Charges	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
5/8" or 3/4" Meter	\$2.28	\$3.93	\$4.23	\$4.55	\$4.89	\$5.25	\$5.64	\$6.06
1" Meter	\$7.66	\$13.22	\$14.21	\$15.27	\$16.41	\$17.64	\$18.96	\$20.39
1.5" Meter	\$15.16	\$26.15	\$28.11	\$30.23	\$32.49	\$34.92	\$37.55	\$40.37
2" Meter	\$24.30	\$41.93	\$45.08	\$48.45	\$52.08	\$55.98	\$60.18	\$64.70
3" Meter	\$45.65	\$78.75	\$84.66	\$91.01	\$97.83	\$105.17	\$113.06	\$121.53
4" Meter	\$76.14	\$131.34	\$141.20	\$151.79	\$163.17	\$175.41	\$188.57	\$202.71
6" Meter	\$152.13	\$262.43	\$282.11	\$303.27	\$326.01	\$350.46	\$376.74	\$405.00

## Water Usage Rates

Per 1,000 gallons for first 10,000 gal.	\$5.38	\$6.19	\$6.65	\$7.15	\$7.59	\$8.27	\$8.89	\$9.56
Water Capital Recovery Rate	\$2.23	\$2.56	\$2.75	\$2.96	\$3.18	\$3.42	\$3.68	\$3.96
<b>Total Usage, &lt; 10,000 gallons</b>	<b>\$7.61</b>	<b>\$8.75</b>	<b>\$9.40</b>	<b>\$10.11</b>	<b>\$10.87</b>	<b>\$11.69</b>	<b>\$12.57</b>	<b>\$13.52</b>
Per 1,000 gallons exceeding 10,000 gal.	\$6.19	\$7.12	\$7.65	\$8.22	\$8.84	\$9.50	\$10.21	\$10.98
Water Capital Recovery Rate	\$2.23	\$2.56	\$2.75	\$2.96	\$3.18	\$3.42	\$3.68	\$3.96
<b>Total Usage, &gt;10,000 gallons</b>	<b>\$8.42</b>	<b>\$9.68</b>	<b>\$10.40</b>	<b>\$11.18</b>	<b>\$12.02</b>	<b>\$12.92</b>	<b>\$13.89</b>	<b>\$14.94</b>

## Village of Bensenville, Illinois

2014 Water and Sewer Rate Study

Unincorporated Water Usage Rates

Created by: CFB/JES  
 Updated: 3/27/2014

Per 1,000 gallons for first 10,000 gal.	\$5.38	\$9.29	\$9.98	\$10.73	\$11.54	\$12.41	\$13.34	\$14.34
Water Capital Recovery Rate	\$2.23	\$3.84	\$4.13	\$4.44	\$4.77	\$5.13	\$5.52	\$5.94
<b>Total Usage, &lt; 10,000 gallons</b>	<b>\$7.61</b>	<b>\$13.13</b>	<b>\$14.10</b>	<b>\$15.17</b>	<b>\$16.31</b>	<b>\$17.54</b>	<b>\$18.86</b>	<b>\$20.28</b>
Per 1,000 gallons exceeding 10,000 gal.	\$6.19	\$10.68	\$7.65	\$8.22	\$8.84	\$9.50	\$10.21	\$10.98
Water Capital Recovery Rate	\$2.23	\$2.56	\$2.75	\$2.96	\$3.18	\$3.42	\$3.68	\$3.96
<b>Total Usage, &gt; 10,000 gallons</b>	<b>\$8.42</b>	<b>\$13.24</b>	<b>\$10.40</b>	<b>\$11.18</b>	<b>\$12.02</b>	<b>\$12.92</b>	<b>\$13.89</b>	<b>\$14.94</b>
<b>Unincorporated Surcharge, per month</b>	<b>\$19.39</b>	<b>\$0.00</b>						
<b>DWC Water Rate Increases</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Fixed Rate per 1,000 gallons	\$0.27	\$0.27	\$0.28	\$0.40	\$0.52	\$0.52	\$0.52	\$0.52
O&M Rate per 1,000 gallons	\$3.32	\$3.97	\$4.68	\$5.11	\$5.26	\$5.42	\$5.58	\$5.75
Rate Increase	20%	18%	17%	11%	5%	3%	3%	3%

Village of Bensenville, Illinois  
 2014 Water and Sewer Rate Study  
**FUTURE SEWER RATE INCREASES**

Created by: CFB/JES  
 Updated: 3/27/2014

<b>Sewer Rate Increases</b>		<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Fixed Charge Increases:		0%	15.00%	7.50%	7.50%	7.50%	7.50%	7.50%	7.50%
Usage Rate Increases:		0%	15.00%	7.50%	7.50%	7.50%	7.50%	7.50%	7.50%
Capital Recovery Charges		0%	15.00%	7.50%	7.50%	7.50%	7.50%	7.50%	7.50%

<b>Sewer Rate Schedule</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Monthly Fixed Charges								
5/8" Meter	\$4.53	\$5.21	\$5.60	\$6.02	\$6.47	\$6.96	\$7.48	\$8.04
1" Meter	\$15.06	\$17.32	\$18.62	\$20.02	\$21.52	\$23.13	\$24.86	\$26.72
1.5" Meter	\$30.52	\$34.87	\$37.49	\$40.30	\$43.32	\$46.57	\$50.06	\$53.81
2" Meter	\$48.46	\$55.73	\$59.91	\$64.40	\$69.23	\$74.42	\$80.00	\$86.00
3" Meter	\$80.75	\$104.36	\$112.19	\$120.60	\$129.65	\$139.37	\$149.82	\$161.06
4" Meter	\$151.19	\$173.87	\$186.91	\$200.93	\$216.00	\$232.20	\$249.62	\$268.34
6" Meter	\$302.60	\$347.99	\$374.09	\$402.15	\$422.31	\$454.73	\$499.58	\$537.05

Village of Bensenville, Illinois

2014 Water and Sewer Rate Study

**Sewer Rate Schedule (Unincorporated)**

Monthly Fixed Charges

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
5/8" Meter	\$4.55	\$7.82	\$8.40	\$9.03	\$9.71	\$10.44	\$11.22	\$12.06
1" Meter	\$15.06	\$25.98	\$27.93	\$30.03	\$32.28	\$34.70	\$37.29	\$40.08
1.5" Meter	\$30.32	\$52.31	\$56.24	\$60.45	\$64.98	\$69.86	\$75.09	\$80.72
2" Meter	\$48.46	\$83.60	\$89.87	\$96.60	\$103.85	\$111.63	\$120.00	\$129.00
3" Meter	\$90.75	\$156.54	\$168.29	\$180.90	\$194.48	\$209.06	\$224.73	\$241.59
4" Meter	\$151.19	\$260.81	\$280.37	\$301.40	\$324.00	\$348.30	\$374.43	\$402.51
6" Meter	\$302.60	\$521.99	\$561.14	\$603.23	\$648.47	\$697.10	\$749.37	\$805.58

**Sewer Usage Rates**

Per 1,000 Gallons for first 10,000 gal.	\$4.25	\$4.89	\$5.26	\$5.65	\$6.07	\$6.53	\$7.02	\$7.55
Sewer Capital Recovery Rate	\$2.41	\$2.77	\$2.98	\$3.20	\$3.44	\$3.70	\$3.98	\$4.28
<b>Total Usage, &lt; 10,000 gallons</b>	<b>\$6.66</b>	<b>\$7.66</b>	<b>\$8.24</b>	<b>\$8.85</b>	<b>\$9.51</b>	<b>\$10.23</b>	<b>\$11.00</b>	<b>\$11.83</b>

Per 1,000 gallons exceeding 10,000 gal.

Sewer Capital Recovery Rate	\$4.89	\$5.62	\$6.04	\$6.49	\$6.98	\$7.50	\$8.06	\$8.66
<b>Total Usage, &gt; 10,000 gallons</b>	<b>\$2.41</b>	<b>\$2.77</b>	<b>\$2.98</b>	<b>\$3.20</b>	<b>\$3.44</b>	<b>\$3.70</b>	<b>\$3.98</b>	<b>\$4.28</b>
	<b>\$7.30</b>	<b>\$8.39</b>	<b>\$9.02</b>	<b>\$9.69</b>	<b>\$10.42</b>	<b>\$11.20</b>	<b>\$12.04</b>	<b>\$12.94</b>

**Unincorporated Sewer Usage Rates**

Per 1,000 gallons for first 10,000 gal.	\$4.25	\$7.34	\$7.89	\$8.48	\$9.11	\$9.80	\$10.53	\$11.33
Sewer Capital Recovery Rate	\$2.41	\$4.16	\$4.47	\$4.80	\$5.16	\$5.55	\$5.97	\$6.42
<b>Total Usage, &lt; 10,000 gallons</b>	<b>\$6.66</b>	<b>\$11.49</b>	<b>\$12.36</b>	<b>\$13.28</b>	<b>\$14.27</b>	<b>\$15.35</b>	<b>\$16.50</b>	<b>\$17.75</b>

Per 1,000 gallons exceeding 10,000 gal.	\$4.89	\$8.43	\$9.06	\$9.74	\$10.47	\$11.25	\$12.09	\$12.99
Sewer Capital Recovery Rate	\$2.41	\$4.16	\$4.47	\$4.80	\$5.16	\$5.55	\$5.97	\$6.42
<b>Total Usage, &gt; 10,000 gallons</b>	<b>\$7.30</b>	<b>\$12.59</b>	<b>\$13.53</b>	<b>\$14.54</b>	<b>\$15.63</b>	<b>\$16.80</b>	<b>\$18.06</b>	<b>\$19.41</b>

Unmetered Sewer Only, flat charge

Unmetered Sewer Only, flat charge	\$59.64	\$59.64	\$59.64	\$59.64	\$59.64	\$59.64	\$60.64	\$61.64
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Created by: CFB/JES

Updated: 3/27/2014

Monthly Fixed Charges

5/8" Meter

1" Meter

1.5" Meter

2" Meter

3" Meter

4" Meter

6" Meter

Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study

**FUTURE WATER RATE INCREASES - SCENARIO 3**

Created by: CFB/JFS  
Updated: 3/27/2014

**Water Rate Increases**

Water Rate Increase 44.7%  
Sewer Rate Increase 44.7%

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Fixed Charge Increases:	0%	44.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Usage Rate Increases:	0%	44.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Capital Recovery Charges	0%	44.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

**Water Rate Schedule**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Monthly Fixed Charges								
5/8" or 3/4" Meter	\$2.28	\$3.30	\$3.30	\$3.30	\$3.30	\$3.30	\$3.30	\$3.30
1" Meter	\$7.65	\$11.08	\$11.08	\$11.08	\$11.08	\$11.08	\$11.08	\$11.08
1.5" Meter	\$15.16	\$21.94	\$21.94	\$21.94	\$21.94	\$21.94	\$21.94	\$21.94
2" Meter	\$24.30	\$35.16	\$35.16	\$35.16	\$35.16	\$35.16	\$35.16	\$35.16
3" Meter	\$46.65	\$66.06	\$66.06	\$66.06	\$66.06	\$66.06	\$66.06	\$66.06
4" Meter	\$76.14	\$110.17	\$110.17	\$110.17	\$110.17	\$110.17	\$110.17	\$110.17
6" Meter	\$152.13	\$220.13	\$220.13	\$220.13	\$220.13	\$220.13	\$220.13	\$220.13
Senior	\$228	\$3.30	\$3.30	\$3.30	\$3.30	\$3.30	\$3.30	\$3.30

Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study

Created by: CFB/JES  
Updated: 3/27/2014

Water Rate Schedule (Unincorporated)	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>Monthly Fixed Charges</b>								
5/8" or 3/4" Meter	\$2.28	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95
1" Meter	\$7.66	\$16.62	\$16.62	\$16.62	\$16.62	\$16.62	\$16.62	\$16.62
1.5" Meter	\$15.16	\$32.91	\$32.91	\$32.91	\$32.91	\$32.91	\$32.91	\$32.91
2" Meter	\$24.30	\$52.74	\$52.74	\$52.74	\$52.74	\$52.74	\$52.74	\$52.74
3" Meter	\$45.65	\$99.09	\$99.09	\$99.09	\$99.09	\$99.09	\$99.09	\$99.09
4" Meter	\$76.34	\$165.26	\$165.26	\$165.26	\$165.26	\$165.26	\$165.26	\$165.26
6" Meter	\$152.13	\$330.20	\$330.20	\$330.20	\$330.20	\$330.20	\$330.20	\$330.20
<b>Water Usage Rates</b>								
Per 1,000 gallons for first 10,000 gal.	\$5.98	\$7.78	\$7.78	\$7.78	\$7.78	\$7.78	\$7.78	\$7.78
Water Capital Recovery Rate	\$2.23	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23
<b>Total Usage, &lt; 10,000 gallons</b>	<b>\$7.61</b>	<b>\$11.01</b>						
Per 1,000 gallons exceeding 10,000 gal.	\$8.96	\$8.96	\$8.96	\$8.96	\$8.96	\$8.96	\$8.96	\$8.96
Water Capital Recovery Rate	\$2.33	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23
<b>Total Usage, &gt;10,000 gallons</b>	<b>\$8.42</b>	<b>\$12.19</b>						

Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study

Created by: CF8/JES  
Updated: 3/27/2014

<b>Unincorporated Water Usage Rates</b>								
Per 1,000 gallons for first 10,000 gal.	\$5.38	\$11.67	\$11.67	\$11.67	\$11.67	\$11.67	\$11.67	\$11.67
Water Capital Recovery Rate	\$2.23	\$4.85	\$4.85	\$4.85	\$4.85	\$4.85	\$4.85	\$4.85
<b>Total Usage, &lt; 10,000 gallons</b>	<b>\$7.61</b>	<b>\$16.52</b>						
Per 1,000 gallons exceeding 10,000 gal.	\$6.19	\$13.44	\$8.96	\$8.96	\$8.96	\$8.96	\$8.96	\$8.96
Water Capital Recovery Rate	\$2.23	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23
<b>Total Usage, &gt; 10,000 gallons</b>	<b>\$8.42</b>	<b>\$16.67</b>	<b>\$12.19</b>	<b>\$12.19</b>	<b>\$12.19</b>	<b>\$12.19</b>	<b>\$12.19</b>	<b>\$12.19</b>
<b>Unincorporated Surcharge, per month</b>	<b>\$19.39</b>	<b>\$0.00</b>						
<b>DWC Water Rate Increases</b>								
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Fixed Rate per 1,000 gallons	\$0.27	\$0.27	\$0.28	\$0.40	\$0.52	\$0.52	\$0.52	\$0.52
O&M Rate per 1,000 gallons	\$3.32	\$3.97	\$4.68	\$5.11	\$5.26	\$5.42	\$5.58	\$5.75
Rate Increase	20%	18%	17%	11%	5%	3%	3%	3%

Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study

Created by: CFB/JES  
Updated: 3/27/2014

**FUTURE SEWER RATE INCREASES**

<b>Sewer Rate Increases</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Fixed Charge Increases:	0%	44.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Usage Rate Increases:	0%	44.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Capital Recovery Charges	0%	44.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

<b>Sewer Rate Schedule</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Monthly Fixed Charges								
5/8" Meter	\$4.53	\$6.55	\$6.55	\$6.55	\$6.55	\$6.55	\$6.55	\$6.55
1" Meter	\$15.06	\$21.79	\$21.79	\$21.79	\$21.79	\$21.79	\$21.79	\$21.79
1.5" Meter	\$30.32	\$43.87	\$43.87	\$43.87	\$43.87	\$43.87	\$43.87	\$43.87
2" Meter	\$48.46	\$70.12	\$70.12	\$70.12	\$70.12	\$70.12	\$70.12	\$70.12
3" Meter	\$90.75	\$131.32	\$131.32	\$131.32	\$131.32	\$131.32	\$131.32	\$131.32
4" Meter	\$131.19	\$218.77	\$218.77	\$218.77	\$218.77	\$218.77	\$218.77	\$218.77
6" Meter	\$302.60	\$437.86	\$437.86	\$437.86	\$437.86	\$437.86	\$437.86	\$437.86

Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study

Created by: CFB/JES  
Updated: 3/27/2014

Sewer Rate Schedule (Unincorporated)		FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>Monthly Fixed Charges</b>									
5/8" Meter	\$4.53	\$9.83	\$9.83	\$9.83	\$9.83	\$9.83	\$9.83	\$9.83	\$9.83
1" Meter	\$15.06	\$32.69	\$32.69	\$32.69	\$32.69	\$32.69	\$32.69	\$32.69	\$32.69
1.5" Meter	\$30.32	\$65.81	\$65.81	\$65.81	\$65.81	\$65.81	\$65.81	\$65.81	\$65.81
2" Meter	\$48.46	\$105.18	\$105.18	\$105.18	\$105.18	\$105.18	\$105.18	\$105.18	\$105.18
3" Meter	\$90.75	\$196.98	\$196.98	\$196.98	\$196.98	\$196.98	\$196.98	\$196.98	\$196.98
4" Meter	\$131.19	\$328.16	\$328.16	\$328.16	\$328.16	\$328.16	\$328.16	\$328.16	\$328.16
6" Meter	\$302.60	\$656.79	\$656.79	\$656.79	\$656.79	\$656.79	\$656.79	\$656.79	\$656.79
<b>Sewer Usage Rates</b>									
Per 1,000 gallons for first 10,000 gal.	\$4.23	\$6.15	\$6.15	\$6.15	\$6.15	\$6.15	\$6.15	\$6.15	\$6.15
Sewer Capital Recovery Rate	\$2.41	\$3.49	\$3.49	\$3.49	\$3.49	\$3.49	\$3.49	\$3.49	\$3.49
<b>Total Usage, &lt; 10,000 gallons</b>	<b>\$6.66</b>	<b>\$9.64</b>							
Per 1,000 gallons exceeding 10,000 gal.	\$4.89	\$7.08	\$7.08	\$7.08	\$7.08	\$7.08	\$7.08	\$7.08	\$7.08
Sewer Capital Recovery Rate	\$2.41	\$3.49	\$3.49	\$3.49	\$3.49	\$3.49	\$3.49	\$3.49	\$3.49
<b>Total Usage, &gt; 10,000 gallons</b>	<b>\$7.30</b>	<b>\$10.57</b>							
<b>Unincorporated Sewer Usage Rates</b>									
Per 1,000 gallons for first 10,000 gal.	\$4.25	\$9.23	\$9.23	\$9.23	\$9.23	\$9.23	\$9.23	\$9.23	\$9.23
Sewer Capital Recovery Rate	\$2.41	\$5.24	\$5.24	\$5.24	\$5.24	\$5.24	\$5.24	\$5.24	\$5.24
<b>Total Usage, &lt; 10,000 gallons</b>	<b>\$6.66</b>	<b>\$14.46</b>							
Per 1,000 gallons exceeding 10,000 gal.	\$4.89	\$10.62	\$10.62	\$10.62	\$10.62	\$10.62	\$10.62	\$10.62	\$10.62
Sewer Capital Recovery Rate	\$2.41	\$5.24	\$5.24	\$5.24	\$5.24	\$5.24	\$5.24	\$5.24	\$5.24
<b>Total Usage, &gt; 10,000 gallons</b>	<b>\$7.30</b>	<b>\$15.86</b>							
Unmetered Sewer Only, flat charge	\$59.64	\$59.64	\$59.64	\$59.64	\$59.64	\$59.64	\$59.64	\$60.64	\$61.64

Village of Bensenville, Illinois  
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**PROJECTED WATER REVENUE - BASELINE**

**Fixed Charge Revenue**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>Bills Issued for 5/8" and 3/4" Meters</b>	48,403	48,403	48,403	48,403	48,403	48,403	48,403	48,403
Monthly Minimum Charge	x	\$2.28	\$2.28	\$2.28	\$2.28	\$2.28	\$2.28	\$2.28
<b>5/8" &amp; 3/4" Min. Chg. Revenue</b>	\$110,359	\$110,359	\$110,359	\$110,359	\$110,359	\$110,359	\$110,359	\$110,359
<b>Bills Issued for 1" Meter</b>	3,645	3,645	3,645	3,645	3,645	3,645	3,645	3,645
Monthly Minimum Charge	x	\$7.66	\$7.66	\$7.66	\$7.66	\$7.66	\$7.66	\$7.66
<b>1" Meter Minimum Charge Revenue</b>	\$27,921	\$27,921	\$27,921	\$27,921	\$27,921	\$27,921	\$27,921	\$27,921
<b>Bills Issued for 1 1/2" Meter</b>	4,205	4,205	4,205	4,205	4,205	4,205	4,205	4,205
Monthly Minimum Charge	x	\$15.16	\$15.16	\$15.16	\$15.16	\$15.16	\$15.16	\$15.16
<b>1 1/2" Meter Minimum Chg. Revenue</b>	\$63,748	\$63,748	\$63,748	\$63,748	\$63,748	\$63,748	\$63,748	\$63,748
<b>Bills Issued for 2" Meter</b>	1,458	1,458	1,458	1,458	1,458	1,458	1,458	1,458
Monthly Minimum Charge	x	\$24.30	\$24.30	\$24.30	\$24.30	\$24.30	\$24.30	\$24.30
<b>2" Meter Minimum Charge Revenue</b>	\$35,429	\$35,429	\$35,429	\$35,429	\$35,429	\$35,429	\$35,429	\$35,429
<b>Bills Issued for 3" Meter</b>	432	432	432	432	432	432	432	432
Monthly Minimum Charge	x	\$45.65	\$45.65	\$45.65	\$45.65	\$45.65	\$45.65	\$45.65
<b>3" Meter Minimum Charge Revenue</b>	\$19,721	\$19,721	\$19,721	\$19,721	\$19,721	\$19,721	\$19,721	\$19,721
<b>Bills Issued for 4" Meter</b>	108	108	108	108	108	108	108	108
Monthly Minimum Charge	x	\$76.14	\$76.14	\$76.14	\$76.14	\$76.14	\$76.14	\$76.14
<b>4" Meter Minimum Charge Revenue</b>	\$8,223	\$8,223	\$8,223	\$8,223	\$8,223	\$8,223	\$8,223	\$8,223
<b>Bills Issued for 6" Meter</b>	25	25	25	25	25	25	25	25
Monthly Minimum Charge	x	\$152.13	\$152.13	\$152.13	\$152.13	\$152.13	\$152.13	\$152.13
<b>6" Meter Minimum Charge Revenue</b>	\$3,803	\$3,803	\$3,803	\$3,803	\$3,803	\$3,803	\$3,803	\$3,803
<b>Sub-Total Fixed Charges</b>	\$269,204	\$269,204	\$269,204	\$269,204	\$269,204	\$269,204	\$269,204	\$269,204

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 Updated: 5/5/2014

Village of Bensenville, Illinois  
 2014 Water & Sewer Rate Study Update

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**PROJECTED WATER REVENUE - BASELINE**

**Fixed Charge Revenue - Unincorporated**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters	320	320	320	320	320	320	320	320
Monthly Minimum Charge	\$2.28	\$2.28	\$2.28	\$2.28	\$2.28	\$2.28	\$2.28	\$2.28
5/8" & 3/4" Min. Chg. Revenue	\$730	\$730	\$730	\$730	\$730	\$730	\$730	\$730
<b>Bills Issued for 1" Meter</b>								
Monthly Minimum Charge								
1" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 1 1/2" Meter</b>								
Monthly Minimum Charge								
1 1/2" Meter Minimum Chg. Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 2" Meter</b>								
Monthly Minimum Charge								
2" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 3" Meter</b>								
Monthly Minimum Charge								
3" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 4" Meter</b>								
Monthly Minimum Charge								
4" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 6" Meter</b>								
Monthly Minimum Charge								
6" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Sub-Total Fixed Charges - Uninc.</b>	\$730	\$730	\$730	\$730	\$730	\$730	\$730	\$730

Village of Bensenville, Illinois  
 2014 Water & Sewer Rate Study Update

**PROJECTED WATER REVENUE - BASELINE**

**Unincorporated Capital Recovery Fee**

	320	320	320	320	320	320	320
Unincorporated Additional Capital Recovery Fee per Service	\$19.39	\$19.39	\$19.39	\$19.39	\$19.39	\$19.39	\$19.39
<b>Sub-Total Uninc. Capital Recovery Fee</b>	<b>\$74,458</b>						

**Commodity Charge Revenue**

Metered Water Usage (gallons)	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690
Water Usage Rate (0.10,000 gal)	x	\$5.38	\$5.38	\$5.38	\$5.38	\$5.38	\$5.38
Water Usage Revenue		\$2,044,813	\$2,044,813	\$2,044,813	\$2,044,813	\$2,044,813	\$2,044,813
Metered Water Usage (gallons)	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310
Water Usage Rate (above 10,000 gal)	x	\$6.19	\$6.19	\$6.19	\$6.19	\$6.19	\$6.19
Water Usage Revenue		\$870,167	\$870,167	\$870,167	\$870,167	\$870,167	\$870,167
<b>Sub-Total Commodity Charges</b>	<b>\$2,914,980</b>						

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Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

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**PROJECTED WATER REVENUE - BASELINE**

**Commodity Charge Revenue - Unincorporated**

Metered Water Usage (gallons)								
Water Usage Rate (0-10,000 gal)	x	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Water Usage Revenue	x	\$5.38	\$5.38	\$5.38	\$5.38	\$5.38	\$5.38	\$5.38
Metered Water Usage (gallons)								
Water Usage Rate (above 10,000 gal)	x	\$104,087	\$104,087	\$104,087	\$104,087	\$104,087	\$104,087	\$104,087
Water Usage Revenue	x	0	0	0	0	0	0	0
<b>Sub-Total Commodity Charges - Uninc.</b>		<b>\$147,231</b>	<b>\$104,087</b>	<b>\$104,087</b>	<b>\$104,087</b>	<b>\$104,087</b>	<b>\$104,087</b>	<b>\$104,087</b>

**Capital Recovery**

Metered Water Usage (gallons)								
Water Capital Recovery Rate	x	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000
Water Capital Recovery Revenue	x	\$2.23	\$2.23	\$2.23	\$2.23	\$2.23	\$2.23	\$2.23
<b>Sub-Total Capital Recovery</b>		<b>\$1,161,056</b>						

**Capital Recovery - Unincorporated**

Metered Water Usage (gallons)								
Water Capital Recovery Rate	x	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Water Capital Recovery Revenue	x	\$2.23	\$2.23	\$2.23	\$2.23	\$2.23	\$2.23	\$2.23
<b>Sub-Total Capital Recovery - Uninc</b>		<b>\$43,144</b>						
<b>Total Water Revenue</b>		<b>\$ 4,567,658</b>						

Village of Bensenville, Illinois  
 2014 Water & Sewer Rate Study Update

Created by: CFB/JES  
 Updated: 3/27/2014

**PROJECTED WATER REVENUE - SCENARIO 1**

<u>Fixed Charge Revenue</u>		FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters		48,403	48,403	48,403	48,403	48,403	48,403	48,403	48,403
Monthly Minimum Charge	x	\$2.28	\$2.49	\$2.72	\$2.97	\$3.24	\$3.54	\$3.87	\$4.23
5/8" & 3/4" Min. Chg. Revenue		\$110,359	\$115,441	\$129,801	\$141,740	\$150,648	\$168,926	\$184,657	\$201,841
Bills Issued for 1" Meter		3,645	3,645	3,645	3,645	3,645	3,645	3,645	3,645
Monthly Minimum Charge	x	\$7.66	\$8.36	\$9.13	\$9.97	\$10.89	\$11.89	\$12.98	\$14.17
1" Meter Minimum Charge Revenue		\$27,921	\$29,195	\$32,811	\$35,830	\$39,135	\$42,732	\$46,650	\$50,927
Bills Issued for 1 1/2" Meter		4,205	4,205	4,205	4,205	4,205	4,205	4,205	4,205
Monthly Minimum Charge	x	\$15.16	\$16.55	\$18.07	\$19.73	\$21.55	\$23.53	\$25.69	\$28.05
1 1/2" Meter Minimum Chg. Revenue		\$63,748	\$66,670	\$74,919	\$81,801	\$89,342	\$97,556	\$106,513	\$116,796
Bills Issued for 2" Meter		1,458	1,458	1,458	1,458	1,458	1,458	1,458	1,458
Monthly Minimum Charge	x	\$24.30	\$26.54	\$28.98	\$31.65	\$34.56	\$37.74	\$41.21	\$45.00
2" Meter Minimum Charge Revenue		\$35,429	\$37,062	\$41,660	\$45,497	\$49,681	\$54,252	\$59,241	\$64,689
Bills Issued for 3" Meter		432	432	432	432	432	432	432	432
Monthly Minimum Charge	x	\$45.65	\$49.85	\$54.44	\$59.45	\$64.92	\$70.89	\$77.41	\$84.53
3" Meter Minimum Charge Revenue		\$19,721	\$20,628	\$23,188	\$25,322	\$27,652	\$30,195	\$32,972	\$36,004
Bills Issued for 4" Meter		108	108	108	108	108	108	108	108
Monthly Minimum Charge	x	\$76.14	\$83.14	\$90.79	\$99.14	\$108.26	\$118.22	\$129.10	\$140.98
4" Meter Minimum Charge Revenue		\$8,223	\$8,601	\$9,668	\$10,557	\$11,528	\$12,588	\$13,747	\$15,012
Bills Issued for 6" Meter		25	25	25	25	25	25	25	25
Monthly Minimum Charge	x	\$152.13	\$156.13	\$161.41	\$168.10	\$176.33	\$186.23	\$197.96	\$211.69
6" Meter Minimum Charge Revenue		\$3,803	\$3,978	\$4,472	\$4,883	\$5,332	\$5,823	\$6,338	\$6,943
<b>Sub-Total Fixed Charges</b>		<b>\$269,204</b>	<b>\$281,578</b>	<b>\$316,518</b>	<b>\$345,630</b>	<b>\$377,318</b>	<b>\$412,072</b>	<b>\$450,138</b>	<b>\$491,712</b>

Village of Bensenville, Illinois  
 2014 Water & Sewer Rate Study Update  
 Scenario 1

Created by: CFB/JES  
 Updated: 3/27/2014

**PROJECTED WATER REVENUE - SCENARIO 1**

**Fixed Charge Revenue - Unincorporated**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters	\$320	\$320	\$320	\$320	\$320	\$320	\$320	\$320
Monthly Minimum Charge	\$2.28	\$3.74	\$4.08	\$4.46	\$4.86	\$5.31	\$5.81	\$6.35
5/8" & 3/4" Min. Chg. Revenue	\$730	\$962	\$1,287	\$1,406	\$1,534	\$1,675	\$1,831	\$2,002
Bills Issued for 1" Meter								
Monthly Minimum Charge								
1" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 1 1/2" Meter								
Monthly Minimum Charge								
1 1/2" Meter Minimum Chg. Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 2" Meter								
Monthly Minimum Charge								
2" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 3" Meter								
Monthly Minimum Charge								
3" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 4" Meter								
Monthly Minimum Charge								
4" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 6" Meter								
Monthly Minimum Charge								
6" Meter Minimum Charge Revenue	\$152.13	\$249.20	\$272.12	\$297.15	\$324.50	\$354.35	\$386.94	\$422.54
<b>Sub-Total Fixed Charges - Uninc.</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>\$962</b>	<b>\$1,287</b>	<b>\$1,406</b>	<b>\$1,534</b>	<b>\$1,675</b>	<b>\$1,831</b>	<b>\$2,002</b>	

Village of Bensenville, Illinois  
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Updated: 3/7/2014

### PROJECTED WATER REVENUE - SCENARIO 1

#### Unincorporated Capital Recovery Fee

	320	320	320	320	320	320	320	320
Unincorporated Additional Capital Recovery								
Fee per Service	\$19.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total Uninc. Capital Recovery Fee	\$74,458	\$37,229	\$0	\$0	\$0	\$0	\$0	\$0

#### Commodity Charge Revenue

Metered Water Usage (gallons)	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690
Water Usage Rate (0-10,000 gal)	x	\$5.38	\$5.87	\$6.41	\$7.00	\$7.64	\$8.34	\$9.11
Water Usage Revenue	\$2,044,813	\$2,137,931	\$2,402,085	\$2,623,163	\$2,863,244	\$3,125,497	\$3,413,722	\$3,728,552
Metered Water Usage (gallons)	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310
Water Usage Rate (above 10,000 gal)	x	\$6.19	\$6.76	\$7.38	\$8.06	\$8.80	\$9.51	\$10.49
Water Usage Revenue	\$870,167	\$910,232	\$1,022,927	\$1,117,113	\$1,219,734	\$1,331,961	\$1,454,028	\$1,588,278
Sub-Total Commodity Charges	\$2,914,980	\$3,048,163	\$3,425,012	\$3,740,276	\$4,082,978	\$4,457,488	\$4,867,750	\$5,316,830

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

Created by: CFB/JES  
Updated: 3/27/2014

**PROJECTED WATER REVENUE - SCENARIO 1**

**Commodity Charge Revenue - Unincorporated**

Metered Water Usage (gallons)	x	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Water Usage Rate (0-10,000 gal)	x	\$5.38	\$8.81	\$9.62	\$10.50	\$11.46	\$12.51	\$13.67
Water Usage Revenue		\$104,087	\$137,219	\$183,410	\$200,290	\$218,621	\$238,645	\$260,652
Metered Water Usage (gallons)	x	0	0	0	0	0	0	0
Water Usage Rate (above 10,000 gal)	x	\$6.19	\$10.14	\$7.38	\$8.06	\$8.80	\$9.61	\$10.49
Water Usage Revenue		\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Sub-Total Commodity Charges - Uninc.</b>		<b>\$147,231</b>	<b>\$137,719</b>	<b>\$183,410</b>	<b>\$200,290</b>	<b>\$218,621</b>	<b>\$238,645</b>	<b>\$260,652</b>
								<b>\$284,591</b>

**Capital Recovery**

Metered Water Usage (gallons)	x	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000
Water Capital Recovery Rate	x	\$2.23	\$2.44	\$2.66	\$2.90	\$3.17	\$3.46	\$3.78
Water Capital Recovery Revenue		1,161,056	\$1,215,725	\$1,365,846	\$1,489,068	\$1,627,041	\$1,776,294	\$1,940,300
<b>Sub-Total Capital Recovery</b>		<b>\$1,215,725</b>	<b>\$1,365,846</b>	<b>\$1,489,068</b>	<b>\$1,627,041</b>	<b>\$1,776,294</b>	<b>\$1,940,300</b>	<b>\$2,119,925</b>

**Capital Recovery - Unincorporated**

Metered Water Usage (gallons)	x	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Water Capital Recovery Rate	x	\$2.23	\$2.44	\$2.66	\$2.90	\$3.17	\$3.46	\$3.78
Water Capital Recovery Revenue		\$43,144	\$45,115	\$50,754	\$55,332	\$60,459	\$66,006	\$72,100
<b>Sub-Total Capital Recovery - Uninc</b>		<b>\$45,175</b>	<b>\$50,754</b>	<b>\$55,332</b>	<b>\$60,459</b>	<b>\$66,006</b>	<b>\$72,100</b>	<b>\$78,775</b>

**Total Water Revenue**

Total Water Revenue	\$ 4,766,050	\$ 5,342,426	\$ 5,832,001	\$ 6,367,951	\$ 6,952,150	\$ 7,592,772	\$ 8,293,935
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Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

Created by: CFB/JES  
Updated: 3/27/2014

**PROJECTED WATER REVENUE - SCENARIO 2**

**Fixed Charge Revenue**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters	48,403	48,403	48,403	48,403	48,403	48,403	48,403	48,403
Monthly Minimum Charge	x \$2.28	\$2.28	\$2.62	\$2.82	\$3.03	\$3.26	\$3.50	\$3.76
5/8" & 3/4" Min. Chg. Revenue	\$110,359	\$118,587	\$134,883	\$144,967	\$155,938	\$167,474	\$178,898	\$193,289
Bills Issued for 1" Meter	3,645	3,645	3,645	3,645	3,645	3,645	3,645	3,645
Monthly Minimum Charge	x \$7.66	\$8.81	\$9.47	\$10.18	\$10.94	\$11.76	\$12.64	\$13.59
1" Meter Minimum Charge Revenue	\$27,921	\$30,017	\$34,117	\$36,675	\$39,415	\$42,367	\$45,538	\$48,958
Bills Issued for 1 1/2" Meter	4,205	4,205	4,205	4,205	4,205	4,205	4,205	4,205
Monthly Minimum Charge	x \$15.16	\$17.43	\$18.74	\$20.15	\$21.66	\$23.28	\$25.03	\$26.91
1 1/2" Meter Minimum Chg. Revenue	\$63,748	\$68,520	\$77,884	\$83,743	\$90,022	\$98,757	\$104,025	\$111,839
Bills Issued for 2" Meter	1,458	1,458	1,458	1,458	1,458	1,458	1,458	1,458
Monthly Minimum Charge	x \$24.30	\$27.95	\$30.05	\$32.30	\$34.72	\$37.32	\$40.12	\$43.13
2" Meter Minimum Charge Revenue	\$35,429	\$38,090	\$43,303	\$46,547	\$50,034	\$53,781	\$57,815	\$62,152
Bills Issued for 3" Meter	432	432	432	432	432	432	432	432
Monthly Minimum Charge	x \$45.65	\$52.50	\$56.44	\$60.67	\$65.22	\$70.11	\$75.37	\$81.02
3" Meter Minimum Charge Revenue	\$19,721	\$21,200	\$24,098	\$25,905	\$27,847	\$29,935	\$32,181	\$34,594
Bills Issued for 4" Meter	108	108	108	108	108	108	108	108
Monthly Minimum Charge	x \$76.14	\$87.55	\$94.13	\$101.19	\$108.78	\$116.94	\$125.71	\$135.14
4" Meter Minimum Charge Revenue	\$8,223	\$8,840	\$10,048	\$10,801	\$11,612	\$12,483	\$13,419	\$14,425
Bills Issued for 6" Meter	25	25	25	25	25	25	25	25
Monthly Minimum Charge	x \$152.13	\$174.95	\$188.07	\$202.18	\$217.34	\$233.64	\$251.16	\$270.00
6" Meter Minimum Charge Revenue	\$3,803	\$4,089	\$4,547	\$4,996	\$5,370	\$5,773	\$6,206	\$6,672
Sub-Total Fixed Charges	\$269,204	\$289,343	\$328,980	\$333,633	\$380,238	\$408,570	\$439,081	\$471,930

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

Created by: CFM/ES  
Updated: 3/27/2014

**PROJECTED WATER REVENUE - SCENARIO 2**

**Fixed Charge Revenue - Unincorporated**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters	\$320	\$320	\$320	\$320	\$320	\$320	\$320	\$320
Monthly Minimum Charge	\$2.28	\$3.93	\$4.23	\$4.55	\$4.89	\$5.25	\$5.64	\$6.06
5/8" & 3/4" Min. Chg. Revenue	\$730	\$994	\$1,338	\$1,438	\$1,546	\$1,661	\$1,784	\$1,917
<b>Bills Issued for 1" Meter</b>								
Monthly Minimum Charge								
1" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 1 1/2" Meter</b>								
Monthly Minimum Charge								
1 1/2" Meter Minimum Chg. Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 2" Meter</b>								
Monthly Minimum Charge								
2" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 3" Meter</b>								
Monthly Minimum Charge								
3" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 4" Meter</b>								
Monthly Minimum Charge								
4" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 5" Meter</b>								
Monthly Minimum Charge								
5" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Sub-Total Fixed Charges - Uninc.</b>	\$994	\$1,338	\$1,438	\$1,546	\$1,661	\$1,784	\$1,917	

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

Created by: CFB/JES  
Updated: 3/27/2014

**PROJECTED WATER REVENUE - SCENARIO 2**

**Unincorporated Capital Recovery Fee**

	320	320	320	320	320	320	320	320
Unincorporated Additional Capital Recovery								
Fee per Service	\$19.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Sub-Total Uninc. Capital Recovery Fee</b>	<b>\$74,458</b>	<b>\$37,229</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Commodity Charge Revenue**

Metered Water Usage (gallons)		380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690
Water Usage Rate (0-10,000 gal)	x	\$5.38	\$6.19	\$6.65	\$7.15	\$7.69	\$8.27	\$8.89
<b>Water Usage Revenue</b>		<b>\$2,044,813</b>	<b>\$2,198,744</b>	<b>\$2,498,371</b>	<b>\$2,685,875</b>	<b>\$2,888,583</b>	<b>\$3,106,493</b>	<b>\$3,339,607</b>
Metered Water Usage (gallons)		140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310
Water Usage Rate (above 10,000 gal)	x	\$6.19	\$7.12	\$7.65	\$8.22	\$8.84	\$9.50	\$10.21
<b>Water Usage Revenue</b>		<b>\$870,167</b>	<b>\$935,535</b>	<b>\$1,062,991</b>	<b>\$1,142,183</b>	<b>\$1,228,168</b>	<b>\$1,320,012</b>	<b>\$1,418,649</b>
<b>Sub-Total Commodity Charges</b>		<b>\$2,914,980</b>	<b>\$3,134,279</b>	<b>\$3,561,362</b>	<b>\$3,828,058</b>	<b>\$4,116,751</b>	<b>\$4,426,505</b>	<b>\$4,758,256</b>
								<b>\$5,116,579</b>

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

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**PROJECTED WATER REVENUE - SCENARIO 2**

**Commodity Charge Revenue - Unincorporated**

Metered Water Usage (gallons)	x	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Water Usage Rate (0-10,000 gal)	x	\$5.38	\$9.29	\$9.98	\$10.73	\$11.54	\$12.41	\$13.34
Water Usage Revenue		\$104,087	\$141,862	\$190,761	\$205,078	\$220,556	\$237,194	\$254,993
Metered Water Usage (gallons)	x	0	0	0	0	0	0	0
Water Usage Rate (above 10,000 gal)	x	\$6.19	\$10.68	\$7.65	\$8.22	\$8.84	\$9.50	\$10.21
Water Usage Revenue		\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Sub-Total Commodity Charges - Uninc.</b>		<b>\$147,231</b>	<b>\$141,862</b>	<b>\$190,761</b>	<b>\$205,078</b>	<b>\$220,556</b>	<b>\$237,194</b>	<b>\$254,993</b>
								<b>\$274,195</b>

**Capital Recovery**

Metered Water Usage (gallons)	x	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000
Water Capital Recovery Rate	x	\$2.23	\$2.56	\$2.75	\$2.96	\$3.18	\$3.42	\$3.68
Water Capital Recovery Revenue		\$1,161,056	\$1,246,964	\$1,415,308	\$1,527,910	\$1,636,586	\$1,759,807	\$1,893,441
<b>Sub-Total Capital Recovery</b>		<b>\$1,246,964</b>	<b>\$1,415,308</b>	<b>\$1,527,910</b>	<b>\$1,636,586</b>	<b>\$1,759,807</b>	<b>\$1,893,441</b>	<b>\$2,037,489</b>

**Capital Recovery - Unincorporated**

Metered Water Usage (gallons)	x	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Water Capital Recovery Rate	x	\$2.23	\$2.56	\$2.75	\$2.96	\$3.18	\$3.42	\$3.68
Water Capital Recovery Revenue		\$43,144	\$46,336	\$52,592	\$56,590	\$60,814	\$65,398	\$70,359
<b>Sub-Total Capital Recovery - Uninc</b>		<b>\$46,336</b>	<b>\$52,592</b>	<b>\$56,590</b>	<b>\$60,814</b>	<b>\$65,393</b>	<b>\$70,359</b>	<b>\$75,711</b>
<b>Total Water Revenue</b>		<b>\$ 4,897,007</b>	<b>\$ 5,550,341</b>	<b>\$ 5,957,707</b>	<b>\$ 6,416,491</b>	<b>\$ 6,899,130</b>	<b>\$ 7,417,915</b>	<b>\$ 7,977,820</b>

**PROJECTED WATER REVENUE - SCENARIO 3**

<b>Fixed Charge Revenue</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Bills Issued for 5/8" and 3/4" Meters	48,403	48,403	48,403	48,403	48,403	48,403	48,403	48,403
Monthly Minimum Charge	x \$2.28	\$3.30	\$3.30	\$3.30	\$3.30	\$3.30	\$3.30	\$3.30
5/8" & 3/4" Min. Chg. Revenue	\$110,359	\$135,044	\$159,730	\$159,730	\$159,730	\$159,730	\$159,730	\$159,730
Bills Issued for 1" Meter	3,645	3,645	3,645	3,645	3,645	3,645	3,645	3,645
Monthly Minimum Charge	x \$7.66	\$11.08	\$11.08	\$11.08	\$11.08	\$11.08	\$11.08	\$11.08
1" Meter Minimum Charge Revenue	\$27,921	\$34,154	\$40,387	\$40,387	\$40,387	\$40,387	\$40,387	\$40,387
Bills Issued for 1 1/2" Meter	4,205	4,205	4,205	4,205	4,205	4,205	4,205	4,205
Monthly Minimum Charge	x \$15.16	\$21.94	\$21.94	\$21.94	\$21.94	\$21.94	\$21.94	\$21.94
1 1/2" Meter Minimum Chg. Revenue	\$63,748	\$78,003	\$92,258	\$92,258	\$92,258	\$92,258	\$92,258	\$92,258
Bills Issued for 2" Meter	1,458	1,458	1,458	1,458	1,458	1,458	1,458	1,458
Monthly Minimum Charge	x \$24.30	\$35.16	\$35.16	\$35.16	\$35.16	\$35.16	\$35.16	\$35.16
2" Meter Minimum Charge Revenue	\$35,429	\$43,346	\$51,263	\$51,263	\$51,263	\$51,263	\$51,263	\$51,263
Bills Issued for 3" Meter	432	432	432	432	432	432	432	432
Monthly Minimum Charge	x \$45.65	\$66.06	\$66.06	\$66.06	\$66.06	\$66.06	\$66.06	\$66.06
3" Meter Minimum Charge Revenue	\$19,721	\$24,129	\$28,538	\$28,538	\$28,538	\$28,538	\$28,538	\$28,538
Bills Issued for 4" Meter	108	108	108	108	108	108	108	108
Monthly Minimum Charge	x \$76.14	\$110.17	\$110.17	\$110.17	\$110.17	\$110.17	\$110.17	\$110.17
4" Meter Minimum Charge Revenue	\$8,223	\$10,061	\$11,898	\$11,898	\$11,898	\$11,898	\$11,898	\$11,898
Bills Issued for 6" Meter	25	25	25	25	25	25	25	25
Monthly Minimum Charge	x \$152.13	\$220.13	\$220.13	\$220.13	\$220.13	\$220.13	\$220.13	\$220.13
6" Meter Minimum Charge Revenue	\$3,803	\$4,653	\$5,503	\$5,503	\$5,503	\$5,503	\$5,503	\$5,503
<b>Sub-Total Fixed Charges</b>	<b>\$269,204</b>	<b>\$329,390</b>	<b>\$389,577</b>	<b>\$389,577</b>	<b>\$389,577</b>	<b>\$389,577</b>	<b>\$389,577</b>	<b>\$389,577</b>

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

**PROJECTED WATER REVENUE - SCENARIO 3**

**Fixed Charge Revenue - Unincorporated**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters								
Monthly Minimum Charge	320	320	320	320	320	320	320	320
5/8" & 3/4" Min. Chg. Revenue	\$2.28	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95
Bills Issued for 1" Meter								
Monthly Minimum Charge								
1" Meter Minimum Charge Revenue	\$730	\$1,157	\$1,584	\$1,584	\$1,584	\$1,584	\$1,584	\$1,584
Bills Issued for 1 1/2" Meter								
Monthly Minimum Charge								
1 1/2" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 2" Meter								
Monthly Minimum Charge								
2" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 3" Meter								
Monthly Minimum Charge								
3" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 4" Meter								
Monthly Minimum Charge								
4" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 6" Meter								
Monthly Minimum Charge								
6" Meter Minimum Charge Revenue	\$152.13	\$330.20	\$330.20	\$330.20	\$330.20	\$330.20	\$330.20	\$330.20
<b>Sub-Total Fixed Charges - Uninc.</b>	<b>\$1,157</b>	<b>\$1,584</b>						

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Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

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### PROJECTED WATER REVENUE - SCENARIO 3

#### Unincorporated Capital Recovery Fee

Unincorporated Additional Capital Recovery	320	320	320	320	320	320	320
Fee per Service		\$19.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total Uninc. Capital Recovery Fee		\$74,458	\$37,229	\$0	\$0	\$0	\$0

#### Commodity Charge Revenue

Metered Water Usage (gallons)	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690
Water Usage Rate (0-10,000 Gal)	x	\$5.38	\$7.78	\$7.78	\$7.78	\$7.78	\$7.78
Water Usage Revenue		\$2,044,813	\$2,500,905	\$2,956,997	\$2,956,997	\$2,956,997	\$2,956,997
Metered Water Usage (gallons)	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310
Water Usage Rate (above 10,000 Gal)	x	\$6.19	\$8.96	\$8.96	\$8.96	\$8.96	\$8.96
Water Usage Revenue		\$870,167	\$1,064,866	\$1,259,564	\$1,259,564	\$1,259,564	\$1,259,564
Sub-Total Commodity Charges		\$2,914,980	\$3,565,770	\$4,216,560	\$4,216,560	\$4,216,560	\$4,216,560

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

Created by: CCB/ES  
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### PROJECTED WATER REVENUE - SCENARIO 3

#### Commodity Charge Revenue - Unincorporated

Metered Water Usage (gallons)	x	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Water Usage Rate (0-10,000 gal)	x	\$5.38	\$11.67	\$11.67	\$11.67	\$11.67	\$11.67	\$11.67
Water Usage Revenue		\$104,087	\$164,933	\$225,779	\$225,779	\$225,779	\$225,779	\$225,779
Metered Water Usage (gallons)	x	0	0	0	0	0	0	0
Water Usage Rate (above 10,000 gal)	x	\$6.19	\$13.44	\$8.96	\$8.96	\$8.96	\$8.96	\$8.96
Water Usage Revenue		\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Sub-Total Commodity Charges - Uninc.</b>		<b>\$147,731</b>	<b>\$164,933</b>	<b>\$225,779</b>	<b>\$225,779</b>	<b>\$225,779</b>	<b>\$225,779</b>	<b>\$225,779</b>

#### Capital Recovery

Metered Water Usage (gallons)	x	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000
Water Capital Recovery Rate	x	\$2.23	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23
Water Capital Recovery Revenue		1,161,056	\$1,421,383	\$1,681,709	\$1,681,709	\$1,681,709	\$1,681,709	\$1,681,709
<b>Sub-Total Capital Recovery</b>		<b>\$1,421,383</b>	<b>\$1,681,709</b>	<b>\$1,681,709</b>	<b>\$1,681,709</b>	<b>\$1,681,709</b>	<b>\$1,681,709</b>	<b>\$1,681,709</b>

#### Capital Recovery - Unincorporated

Metered Water Usage (gallons)	x	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Water Capital Recovery Rate	x	\$2.23	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23	\$3.23
Water Capital Recovery Revenue		\$43,144	\$52,817	\$62,491	\$62,491	\$62,491	\$62,491	\$62,491
<b>Sub-Total Capital Recovery - Uninc</b>		<b>\$52,817</b>	<b>\$62,491</b>	<b>\$62,491</b>	<b>\$62,491</b>	<b>\$62,491</b>	<b>\$62,491</b>	<b>\$62,491</b>

#### *Total Water Revenue*

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

Created by: CFB/JES  
Updated: 3/27/2014

**PROJECTED SEWER REVENUE - BASELINE**

<u>Fixed Charge Revenue</u>	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters	48,403	48,403	48,403	48,403	48,403	48,403	48,403	48,403
Monthly Minimum Charge	x	\$4.53	\$4.53	\$4.53	\$4.53	\$4.53	\$4.53	\$4.53
5/8" & 3/4" Min. Chg. Revenue		\$219,266	\$219,266	\$219,266	\$219,266	\$219,266	\$219,266	\$219,266
Bills Issued for 1" Meter	3,645	3,645	3,645	3,645	3,645	3,645	3,645	3,645
Monthly Minimum Charge	x	\$15.06	\$15.06	\$15.06	\$15.06	\$15.06	\$15.06	\$15.06
1" Meter Minimum Charge Revenue		\$54,894	\$54,894	\$54,894	\$54,894	\$54,894	\$54,894	\$54,894
Bills Issued for 1 1/2" Meter	4,205	4,205	4,205	4,205	4,205	4,205	4,205	4,205
Monthly Minimum Charge	x	\$30.32	\$30.32	\$30.32	\$30.32	\$30.32	\$30.32	\$30.32
1 1/2" Meter Minimum Chg. Revenue		\$127,496	\$127,496	\$127,496	\$127,496	\$127,496	\$127,496	\$127,496
Bills Issued for 2" Meter	1,458	1,458	1,458	1,458	1,458	1,458	1,458	1,458
Monthly Minimum Charge	x	\$48.46	\$48.46	\$48.46	\$48.46	\$48.46	\$48.46	\$48.46
2" Meter Minimum Charge Revenue		\$70,655	\$70,655	\$70,655	\$70,655	\$70,655	\$70,655	\$70,655
Bills Issued for 3" Meter	432	432	432	432	432	432	432	432
Monthly Minimum Charge	x	\$90.75	\$90.75	\$90.75	\$90.75	\$90.75	\$90.75	\$90.75
3" Meter Minimum Charge Revenue		\$39,204	\$39,204	\$39,204	\$39,204	\$39,204	\$39,204	\$39,204
Bills Issued for 4" Meter	108	108	108	108	108	108	108	108
Monthly Minimum Charge	x	\$151.19	\$151.19	\$151.19	\$151.19	\$151.19	\$151.19	\$151.19
4" Meter Minimum Charge Revenue		\$16,329	\$16,329	\$16,329	\$16,329	\$16,329	\$16,329	\$16,329
Bills Issued for 6" Meter	25	25	25	25	25	25	25	25
Monthly Minimum Charge	x	\$302.60	\$302.60	\$302.60	\$302.60	\$302.60	\$302.60	\$302.60
6" Meter Minimum Charge Revenue		\$7,565	\$7,565	\$7,565	\$7,565	\$7,565	\$7,565	\$7,565
<b>Sub-Total Fixed Charge Revenue</b>	<b>\$535,407</b>							

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

Created by: CFB/JFS  
Updated: 3/27/2014

**PROJECTED SEWER REVENUE - BASELINE**  
**Fixed Charge Revenue - Unincorporated**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters	320	320	320	320	320	320	320	320
Monthly Minimum Charge	\$4.53	\$4.53	\$4.53	\$4.53	\$4.53	\$4.53	\$4.53	\$4.53
5/8" & 3/4" Min. Chg. Revenue	\$1,450	\$1,450	\$1,450	\$1,450	\$1,450	\$1,450	\$1,450	\$1,450
Bills Issued for 1" Meter	0	0	0	0	0	0	0	0
Monthly Minimum Charge	\$15.06	\$15.06	\$15.06	\$15.06	\$15.06	\$15.06	\$15.06	\$15.06
1" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 1 1/2" Meter	0	0	0	0	0	0	0	0
Monthly Minimum Charge	\$30.32	\$30.32	\$30.32	\$30.32	\$30.32	\$30.32	\$30.32	\$30.32
1 1/2" Meter Minimum Chg. Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 2" Meter	0	0	0	0	0	0	0	0
Monthly Minimum Charge	\$48.46	\$48.46	\$48.46	\$48.46	\$48.46	\$48.46	\$48.46	\$48.46
2" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 3" Meter	0	0	0	0	0	0	0	0
Monthly Minimum Charge	\$90.75	\$90.75	\$90.75	\$90.75	\$90.75	\$90.75	\$90.75	\$90.75
3" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 4" Meter	0	0	0	0	0	0	0	0
Monthly Minimum Charge	\$151.19	\$151.19	\$151.19	\$151.19	\$151.19	\$151.19	\$151.19	\$151.19
4" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 6" Meter	0	0	0	0	0	0	0	0
Monthly Minimum Charge	\$302.60	\$302.60	\$302.60	\$302.60	\$302.60	\$302.60	\$302.60	\$302.60
6" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Sub-Total Fixed Charge Revenue Uninc.</b>	<b>\$1,450</b>							

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

**PROJECTED SEWER REVENUE - BASELINE**

**Commodity Charge Revenue**

Metered Water Usage (gallons)	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690
Sewer Usage Rate (0-10,000 gal)	x \$4.25	\$4.25	\$4.25	\$4.25	\$4.25	\$4.25	\$4.25
Sewer Usage Revenue	\$1,615,326	\$1,615,326	\$1,615,326	\$1,615,326	\$1,615,326	\$1,615,326	\$1,615,326
Metered Water Usage (gallons)	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310
Sewer Usage Rate (above 10,000 gal)	x \$4.89	\$4.89	\$4.89	\$4.89	\$4.89	\$4.89	\$4.89
Sewer Usage Revenue	\$687,418	\$687,418	\$687,418	\$687,418	\$687,418	\$687,418	\$687,418
<b>Sub-Total Commodity Charges</b>	<b>\$2,302,744</b>						

**Commodity Charge Revenue - Uninc.**

Metered Water Usage (gallons)	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Sewer Usage Rate (0-10,000 gal)	x \$4.25	\$4.25	\$4.25	\$4.25	\$4.25	\$4.25	\$4.25
Sewer Usage Revenue	\$82,225	\$82,225	\$82,225	\$82,225	\$82,225	\$82,225	\$82,225
Metered Water Usage (gallons)	0	0	0	0	0	0	0
Sewer Usage Rate (above 10,000 gal)	x \$4.89	\$7.34	\$7.34	\$7.34	\$7.34	\$7.34	\$7.34
Sewer Usage Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Sub-Total Commodity Charges - Uninc.</b>	<b>\$82,225</b>						

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

**PROJECTED SEWER REVENUE - BASELINE**

Capital Recovery

Metered Water Usage (gallons)									
	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000
Sewer Capital Recovery Rate	x	\$2.41	\$2.41	\$2.41	\$2.41	\$2.41	\$2.41	\$2.41	\$2.41
<b>Sub-Total Capital Recovery</b>		<b>\$1,254,774</b>							

Capital Recovery - Unincorporated

Uninc. Water Usage (gallons)									
	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Uninc. Sewer Usage	x	\$2.41	\$2.41	\$2.41	\$2.41	\$2.41	\$2.41	\$2.41	\$2.41
<b>Sewer Uninc. Usage Revenue</b>		<b>\$46,626</b>							
<b>Sub-Total Capital Recovery - Uninc.</b>		<b>\$46,626</b>							
<b>Total Sewer Revenue</b>		<b>\$4,223,226</b>							

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

**PROJECTED SEWER REVENUE - SCENARIO 1**

Created by: CFB/ES  
Updated: 3/27/2014

**Fixed Charge Revenue**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters	48,403	48,403	48,403	48,403	48,403	48,403	48,403	48,403
Monthly Minimum Charge	x \$4.53	\$4.95	\$5.41	\$5.91	\$6.45	\$7.04	\$7.69	\$8.40
5/8" & 3/4" Min. Chg. Revenue	\$219,266	\$229,430	\$258,149	\$282,028	\$307,843	\$335,997	\$366,975	\$400,838
<b>Bills Issued for 1" Meter</b>								
Monthly Minimum Charge	3,645	3,645	3,645	3,645	3,645	3,645	3,645	3,645
1" Meter Minimum Charge Revenue	x \$15.06	\$16.45	\$17.96	\$19.61	\$21.41	\$23.38	\$25.53	\$27.88
Bills Issued for 1 1/2" Meter	4,205	4,205	4,205	4,205	4,205	4,205	4,205	4,205
Monthly Minimum Charge	x \$30.32	\$33.11	\$36.16	\$39.49	\$43.12	\$47.09	\$51.42	\$56.15
1 1/2" Meter Minimum Chg. Revenue	\$127,496	\$133,362	\$149,915	\$163,722	\$178,776	\$195,731	\$213,186	\$232,796
<b>Bills Issued for 2" Meter</b>								
Monthly Minimum Charge	x 1,458	1,458	1,458	1,458	1,458	1,458	1,458	1,458
2" Meter Minimum Charge Revenue	x \$48.46	\$52.92	\$57.79	\$63.11	\$68.92	\$75.26	\$82.18	\$89.74
Bills Issued for 3" Meter	570,655	573,906	\$83,074	\$90,722	\$99,074	\$108,188	\$118,137	\$129,004
Monthly Minimum Charge	x 432	432	432	432	432	432	432	432
3" Meter Minimum Charge Revenue	x \$90.75	\$99.10	\$108.22	\$118.18	\$129.05	\$140.92	\$153.88	\$168.04
<b>Bills Issued for 4" Meter</b>								
Monthly Minimum Charge	x 108	108	108	108	108	108	108	108
4" Meter Minimum Charge Revenue	x \$151.19	\$165.10	\$180.29	\$196.88	\$214.99	\$234.77	\$256.37	\$279.96
Bills Issued for 6" Meter	25	25	25	25	25	25	25	25
Monthly Minimum Charge	x \$302.60	\$330.44	\$360.84	\$394.04	\$430.29	\$469.88	\$513.11	\$560.32
<b>Sub-Total Fixed Charge Revenue</b>	\$535,407	\$560,125	\$629,873	\$687,961	\$751,104	\$820,044	\$895,539	\$978,048

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

**PROJECTED SEWER REVENUE - SCENARIO 1**

**Fixed Charge Revenue - Unincorporated**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters	320	320	320	320	320	320	320	320
Monthly Minimum Charge	x \$4.53	\$7.43	\$8.12	\$8.87	\$9.68	\$10.56	\$11.54	\$12.60
5/8" & 3/4" Min. Chg. Revenue	\$1,450	\$1,913	\$2,560	\$2,797	\$3,053	\$3,332	\$3,639	\$3,975
Bills Issued for 1" Meter	0	0	0	0	0	0	0	0
Monthly Minimum Charge	x \$15.06	\$24.68	\$26.94	\$29.42	\$32.12	\$35.07	\$38.30	\$41.82
1" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 1 1/2" Meter	0	0	0	0	0	0	0	0
Monthly Minimum Charge	x \$30.32	\$49.67	\$54.24	\$59.24	\$64.68	\$70.64	\$77.13	\$84.23
1 1/2" Meter Minimum Chg. Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 2" Meter	0	0	0	0	0	0	0	0
Monthly Minimum Charge	x \$48.46	\$79.38	\$86.69	\$94.67	\$103.38	\$112.89	\$123.27	\$134.51
2" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 3" Meter	0	0	0	0	0	0	0	0
Monthly Minimum Charge	x \$90.75	\$148.65	\$162.33	\$177.27	\$193.58	\$211.38	\$230.82	\$252.06
3" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 4" Meter	0	0	0	0	0	0	0	0
Monthly Minimum Charge	x \$151.19	\$247.65	\$270.44	\$295.32	\$322.49	\$352.16	\$384.56	\$419.94
4" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bills Issued for 6" Meter	0	0	0	0	0	0	0	0
Monthly Minimum Charge	x \$302.60	\$495.66	\$541.26	\$591.06	\$645.44	\$704.82	\$769.67	\$840.48
6" Meter Minimum Charge Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Sub-Total Fixed Charge Revenue Uninc.</b>	<b>\$1,450</b>	<b>\$1,913</b>	<b>\$2,560</b>	<b>\$2,797</b>	<b>\$3,053</b>	<b>\$3,332</b>	<b>\$3,639</b>	<b>\$3,975</b>

Created by: CFB/JES  
Updated: 3/27/2014

Created by: CFB/JES  
Updated: 3/27/2014

**PROJECTED SEWER REVENUE - SCENARIO 1**

**Commodity Charge Revenue**

Metered Water Usage (gallons)	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690
Sewer Usage Rate (0-10,000 gal)	x	\$4.25	\$4.64	\$5.07	\$5.54	\$6.05	\$6.61	\$7.22
Sewer Usage Revenue		\$1,615,326	\$1,689,441	\$1,899,750	\$2,075,852	\$2,261,157	\$2,476,833	\$2,705,513
Metered Water Usage (gallons)		140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310
Sewer Usage Rate (above 10,000 gal)	x	\$4.89	\$5.34	\$5.83	\$6.37	\$6.96	\$7.50	\$8.30
Sewer Usage Revenue		\$687,418	\$719,048	\$808,079	\$882,819	\$964,588	\$1,053,385	\$1,150,383
Sub-Total Commodity Charges		\$2,302,744	\$2,408,489	\$2,707,829	\$2,958,671	\$3,231,745	\$3,530,218	\$3,855,895
<b>Commodity Charge Revenue - Unincorporated</b>								

Metered Water Usage (gallons)	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Sewer Usage Rate (0-10,000 gal)	x	\$4.25	\$6.96	\$7.61	\$8.31	\$9.08	\$9.92	\$10.83
Sewer Usage Revenue		\$82,225	\$108,440	\$145,054	\$158,500	\$173,107	\$189,117	\$206,578
Metered Water Usage (gallons)		0	0	0	0	0	0	0
Sewer Usage Rate (above 10,000 gal)	x	\$4.89	\$8.01	\$8.75	\$9.56	\$10.44	\$11.40	\$12.45
Sewer Usage Revenue		\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sub-Total Commodity Charges - Uninc.		\$82,225	\$108,440	\$145,054	\$158,500	\$173,107	\$189,117	\$206,578
								\$225,489



Village of Bensenville, Illinois  
 2014 Water & Sewer Rate Study Update

PROJECTED SEWER REVENUE - SCENARIO 2

Created by: CFBJES  
 Updated: 3/27/2014

Fixed Charge Revenue	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters	48,403	48,403	48,403	48,403	48,403	48,403	48,403	48,403
Monthly Minimum Charge	x \$4.53	\$5.21	\$5.60	\$6.02	\$6.47	\$6.96	\$7.48	\$8.04
5/8" & 3/4" Min. Chg. Revenue	\$219,266	\$235,723	\$267,911	\$287,998	\$309,537	\$322,932	\$335,7860	\$349,643
Bills Issued for 1" Meter	3,645	3,645	3,645	3,645	3,645	3,645	3,645	3,645
Monthly Minimum Charge	x \$15.06	\$17.32	\$18.62	\$20.02	\$21.52	\$23.13	\$24.86	\$26.72
1" Meter Minimum Charge Revenue	\$54,894	\$59,013	\$67,080	\$72,122	\$77,529	\$83,331	\$89,564	\$96,264
Bills Issued for 1 1/2" Meter	4,205	4,205	4,205	4,205	4,205	4,205	4,205	4,205
Monthly Minimum Charge	x \$30.32	\$34.87	\$37.49	\$40.30	\$43.32	\$46.57	\$50.06	\$53.81
1 1/2" Meter Minimum Chg. Revenue	\$127,496	\$137,062	\$155,809	\$167,492	\$180,044	\$193,549	\$208,056	\$223,543
Bills Issued for 2" Meter	1,458	1,458	1,458	1,458	1,458	1,458	1,458	1,458
Monthly Minimum Charge	x \$48.46	\$55.73	\$59.91	\$64.40	\$69.23	\$74.42	\$80.00	\$86.00
2" Meter Minimum Charge Revenue	\$70,655	\$75,955	\$85,333	\$92,804	\$99,764	\$107,243	\$115,284	\$123,930
Bills Issued for 3" Meter	432	432	432	432	432	432	432	432
Monthly Minimum Charge	x \$90.75	\$104.36	\$112.19	\$120.60	\$129.65	\$139.37	\$149.82	\$161.06
3" Meter Minimum Charge Revenue	\$39,204	\$42,144	\$47,902	\$51,494	\$55,357	\$59,508	\$63,970	\$68,789
Bills Issued for 4" Meter	108	108	108	108	108	108	108	108
Monthly Minimum Charge	x \$151.19	\$173.87	\$186.91	\$200.93	\$216.00	\$232.20	\$249.62	\$268.34
4" Meter Minimum Charge Revenue	\$16,329	\$17,553	\$19,952	\$21,448	\$23,057	\$24,786	\$26,645	\$28,644
Bills Issued for 6" Meter	25	25	25	25	25	25	25	25
Monthly Minimum Charge	x \$302.60	\$347.99	\$374.09	\$402.15	\$432.31	\$464.73	\$499.58	\$537.05
6" Meter Minimum Charge Revenue	\$7,585	\$8,132	\$9,244	\$9,937	\$10,682	\$11,483	\$12,344	\$13,270
<b>Sub-Total Fixed Charge Revenue</b>	<b>\$535,407</b>	<b>\$575,581</b>	<b>\$654,230</b>	<b>\$703,795</b>	<b>\$755,970</b>	<b>\$812,832</b>	<b>\$873,723</b>	<b>\$939,162</b>

## Village of Bensenville, Illinois

2014 Water &amp; Sewer Rate Study Update

Created by: CFB/JES  
 Updated: 3/27/2014

PROJECTED SEWER REVENUE - SCENARIO 2Fixed Charge Revenue - Unincorporated

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters	320	320	320	320	320	320	320	320
Monthly Minimum Charge	x	\$4.53	\$7.82	\$8.40	\$9.03	\$9.71	\$10.44	\$11.22
5/8" & 3/4" Min. Chg. Revenue		\$1,450	\$1,975	\$2,651	\$2,856	\$3,070	\$3,302	\$3,549
<b>Bills Issued for 1" Meter</b>								
Monthly Minimum Charge	x	0	0	0	0	0	0	0
1" Meter Minimum Charge Revenue		\$15.06	\$25.98	\$27.93	\$30.03	\$32.78	\$34.70	\$37.29
<b>Bills Issued for 1 1/2" Meter</b>								
Monthly Minimum Charge	x	0	0	0	0	0	0	0
1 1/2" Meter Minimum Chg. Revenue		\$30.32	\$52.31	\$56.24	\$60.45	\$64.98	\$69.86	\$75.09
<b>Bills Issued for 2" Meter</b>								
Monthly Minimum Charge	x	\$48.46	\$83.60	\$89.87	\$96.60	\$103.85	\$111.63	\$120.00
2" Meter Minimum Charge Revenue		\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 3" Meter</b>								
Monthly Minimum Charge	x	\$90.75	\$156.54	\$168.29	\$180.90	\$194.48	\$209.05	\$224.73
3" Meter Minimum Charge Revenue		\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 4" Meter</b>								
Monthly Minimum Charge	x	\$151.19	\$260.81	\$280.37	\$301.40	\$324.00	\$348.30	\$374.43
4" Meter Minimum Charge Revenue		\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 6" Meter</b>								
Monthly Minimum Charge	x	\$302.60	\$521.99	\$561.14	\$603.23	\$648.47	\$697.10	\$749.37
6" Meter Minimum Charge Revenue		\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Sub-Total Fixed Charge Revenue Uninc.</b>		\$1,450	\$1,975	\$2,657	\$2,856	\$3,070	\$3,302	\$3,549
								\$3,814

Village of Glen Ellyn, Illinois

2014 Water &amp; Sewer Rate Study Update

Created by: CFB/IES  
 Updated: 3/27/2014

**PROJECTED SEWER REVENUE - SCENARIO 2**Commodity Charge Revenue

Metered Water Usage (gallons)	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690
Sewer Usage Rate (0-10,000 gal)	x \$4.25	\$4.89	\$5.26	\$5.55	\$6.07	\$6.53	\$7.02
Sewer Usage Revenue	\$1,615,326	\$1,736,950	\$1,975,765	\$2,122,728	\$2,280,460	\$2,452,762	\$2,637,099
Metered Water Usage (gallons)	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310
Sewer Usage Rate (above 10,000 gal)	x \$4.89	\$5.62	\$6.04	\$6.49	\$6.98	\$7.50	\$8.06
Sewer Usage Revenue	\$687,418	\$738,729	\$839,241	\$901,797	\$969,742	\$1,042,139	\$1,119,925
<b>Sub-Total Commodity Charges</b>	<b>\$2,302,744</b>	<b>\$2,475,679</b>	<b>\$2,815,006</b>	<b>\$3,024,525</b>	<b>\$3,550,202</b>	<b>\$3,494,901</b>	<b>\$3,757,023</b>
<b>Commodity Charge Revenue - Unincorporated</b>							

Metered Water Usage (gallons)	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Sewer Usage Rate (0-10,000 gal)	x \$4.25	\$7.34	\$7.89	\$8.48	\$9.11	\$9.80	\$10.53
Sewer Usage Revenue	\$82,225	\$112,067	\$150,858	\$162,079	\$174,123	\$187,279	\$201,354
Metered Water Usage (gallons)	0	0	0	0	0	0	0
Sewer Usage Rate (above 10,000 gal)	x \$4.89	\$8.43	\$9.06	\$9.74	\$10.47	\$11.25	\$12.09
Sewer Usage Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Sub-Total Commodity Charges - Uninc.</b>	<b>\$82,225</b>	<b>\$112,067</b>	<b>\$150,858</b>	<b>\$162,079</b>	<b>\$174,123</b>	<b>\$187,279</b>	<b>\$201,354</b>
<b>Sub-Total Commodity Charges - Uninc.</b>							

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

Created by: CFB/ES  
Updated: 3/27/2014

**PROJECTED SEWER REVENUE - SCENARIO 2**

**Capital Recovery**

Metered Water Usage (gallons)	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000	520,653,000
Sewer Capital Recovery Rate	x	\$2.41	\$2.77	\$2.98	\$3.20	\$3.44	\$3.70	\$3.98
Sewer Capital Recovery Revenue		\$1,254,774	\$1,348,491	\$1,533,323	\$1,646,999	\$1,770,220	\$1,903,854	\$2,047,902
<b>Sub-Total Capital Recovery</b>		<b>\$1,254,774</b>	<b>\$1,348,491</b>	<b>\$1,533,323</b>	<b>\$1,646,999</b>	<b>\$1,770,220</b>	<b>\$1,903,854</b>	<b>\$2,047,902</b>
<b>Total Sewer Revenue</b>								<b>\$2,202,362</b>

**Capital Recovery - Unincorporated**

Uninc. Water Usage (gallons)	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Uninc. Sewer Usage	x	\$2.41	\$4.16	\$4.47	\$4.80	\$5.16	\$5.55	\$5.97
Sewer Uninc. Usage Revenue		\$45,626	\$63,507	\$85,465	\$91,802	\$98,670	\$106,118	\$114,147
<b>Sub-Total Capital Recovery - Uninc</b>		<b>\$45,626</b>	<b>\$63,507</b>	<b>\$85,465</b>	<b>\$91,802</b>	<b>\$98,670</b>	<b>\$106,118</b>	<b>\$114,147</b>
<b>Total Sewer Revenue</b>		<b>\$4,577,300</b>	<b>\$5,241,540</b>	<b>\$5,631,556</b>	<b>\$6,052,755</b>	<b>\$6,508,286</b>	<b>\$6,997,698</b>	<b>\$7,523,976</b>

Village of Rensenville, Illinois  
 2014 Water & Sewer Rate Study Update

PROJECTED SEWER REVENUE - SCENARIO 3

Created by: CFB/JES  
 Updated: 3/27/2014

Fixed Charge Revenue

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Bills Issued for 5/8" and 3/4" Meters	48,403	48,403	48,403	48,403	48,403	48,403	48,403	48,403
Monthly Minimum Charge	x \$4.53	\$6.55	\$6.55	\$6.55	\$6.55	\$6.55	\$6.55	\$6.55
5/8" & 3/4" Min. Chg. Revenue	\$219,266	\$268,153	\$317,040	\$317,040	\$317,040	\$317,040	\$317,040	\$317,040
Bills Issued for 1" Meter	3,645	3,645	3,645	3,645	3,645	3,645	3,645	3,645
Monthly Minimum Charge	x \$15.06	\$21.79	\$21.79	\$21.79	\$21.79	\$21.79	\$21.79	\$21.79
1" Meter Minimum Charge Revenue	\$54,894	\$67,159	\$79,425	\$79,425	\$79,425	\$79,425	\$79,425	\$79,425
Bills Issued for 1 1/2" Meter	4,205	4,205	4,205	4,205	4,205	4,205	4,205	4,205
Monthly Minimum Charge	x \$30.32	\$43.87	\$43.87	\$43.87	\$43.87	\$43.87	\$43.87	\$43.87
1 1/2" Meter Minimum Charge Revenue	\$127,496	\$155,984	\$184,473	\$184,473	\$184,473	\$184,473	\$184,473	\$184,473
Bills Issued for 2" Meter	1,458	1,458	1,458	1,458	1,458	1,458	1,458	1,458
Monthly Minimum Charge	x \$48.46	\$70.12	\$70.12	\$70.12	\$70.12	\$70.12	\$70.12	\$70.12
2" Meter Minimum Charge Revenue	\$70,655	\$86,445	\$102,235	\$102,235	\$102,235	\$102,235	\$102,235	\$102,235
Bills Issued for 3" Meter	432	432	432	432	432	432	432	432
Monthly Minimum Charge	x \$90.75	\$131.32	\$131.32	\$131.32	\$131.32	\$131.32	\$131.32	\$131.32
3" Meter Minimum Charge Revenue	\$39,704	\$47,967	\$56,730	\$56,730	\$56,730	\$56,730	\$56,730	\$56,730
Bills Issued for 4" Meter	108	108	108	108	108	108	108	108
Monthly Minimum Charge	x \$151.19	\$218.77	\$218.77	\$218.77	\$218.77	\$218.77	\$218.77	\$218.77
4" Meter Minimum Charge Revenue	\$16,329	\$19,978	\$23,627	\$23,627	\$23,627	\$23,627	\$23,627	\$23,627
Bills Issued for 5" Meter	25	25	25	25	25	25	25	25
Monthly Minimum Charge	x \$302.60	\$437.86	\$437.86	\$437.86	\$437.86	\$437.86	\$437.86	\$437.86
5" Meter Minimum Charge Revenue	\$7,565	\$9,256	\$10,947	\$10,947	\$10,947	\$10,947	\$10,947	\$10,947
<b>Sub-Total Fixed Charge Revenue</b>	<b>\$535,407</b>	<b>\$654,942</b>	<b>\$774,476</b>	<b>\$774,476</b>	<b>\$774,476</b>	<b>\$774,476</b>	<b>\$774,476</b>	<b>\$774,476</b>

## Village of Bensenville, Illinois

2014 Water &amp; Sewer Rate Study Update

Created by: CFB/IES  
 Updated: 3/27/2014

**Fixed Charge Revenue - Unincorporated**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>Bills Issued for 5/8" and 3/4" Meters</b>								
Monthly Minimum Charge	320	320	320	320	320	320	320	320
5/8" & 3/4" Min. Chg. Revenue	x \$4.53	\$9.83	\$9.83	\$9.83	\$9.83	\$9.83	\$9.83	\$9.83
<b>Bills Issued for 1" Meter</b>								
Monthly Minimum Charge	1,450	\$2,297	\$3,144	\$3,144	\$3,144	\$3,144	\$3,144	\$3,144
1" Meter Minimum Charge Revenue	x 0	0	0	0	0	0	0	0
<b>Bills Issued for 1 1/2" Meter</b>								
Monthly Minimum Charge	15.06	\$32.69	\$32.69	\$32.69	\$32.69	\$32.69	\$32.69	\$32.69
1 1/2" Meter Minimum Chg. Revenue	x \$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bills Issued for 2" Meter</b>								
Monthly Minimum Charge	30	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2" Meter Minimum Charge Revenue	x \$30.32	\$65.81	\$65.81	\$65.81	\$65.81	\$65.81	\$65.81	\$65.81
<b>Bills Issued for 3" Meter</b>								
Monthly Minimum Charge	0	0	0	0	0	0	0	0
3" Meter Minimum Charge Revenue	x \$48.46	\$105.18	\$105.18	\$105.18	\$105.18	\$105.18	\$105.18	\$105.18
<b>Bills Issued for 4" Meter</b>								
Monthly Minimum Charge	0	0	0	0	0	0	0	0
4" Meter Minimum Charge Revenue	x \$90.75	\$196.98	\$196.98	\$196.98	\$196.98	\$196.98	\$196.98	\$196.98
<b>Bills Issued for 6" Meter</b>								
Monthly Minimum Charge	0	0	0	0	0	0	0	0
6" Meter Minimum Charge Revenue	x \$302.60	\$656.79	\$656.79	\$656.79	\$656.79	\$656.79	\$656.79	\$656.79
<b>Sub-Total Fixed Charge Revenue Uninc.</b>								
	\$1,450	\$2,297	\$3,144	\$3,144	\$3,144	\$3,144	\$3,144	\$3,144

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

Created by: CFB/IES  
Updated: 3/27/2014

Commodity Charge Revenue

Metered Water Usage (gallons)	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690	380,076,690
Sewer Usage Rate (0-10,000 gal)	x \$4.25	\$6.15	\$6.15	\$6.15	\$6.15	\$6.15	\$6.15
Sewer Usage Revenue	\$1,615,326	\$1,976,399	\$2,337,472	\$2,337,472	\$2,337,472	\$2,337,472	\$2,337,472
Metered Water Usage (gallons)	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310	140,576,310
Sewer Usage Rate (above 10,000 gal)	x \$4.89	\$7.08	\$7.08	\$7.08	\$7.08	\$7.08	\$7.08
Sewer Usage Revenue	\$687,418	\$811,349	\$995,280	\$995,280	\$995,280	\$995,280	\$995,280
<b>Sub-Total Commodity Charges</b>	<b>\$2,302,744</b>	<b>\$2,817,748</b>	<b>\$3,332,752</b>	<b>\$3,332,752</b>	<b>\$3,332,752</b>	<b>\$3,332,752</b>	<b>\$3,332,752</b>

Commodity Charge Revenue - Unincorporated

Metered Water Usage (gallons)	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Sewer Usage Rate (0-10,000 gal)	x \$4.25	\$9.23	\$9.23	\$9.23	\$9.23	\$9.23	\$9.23
Sewer Usage Revenue	\$82,225	\$130,350	\$178,476	\$178,476	\$178,476	\$178,476	\$178,476
Metered Water Usage (gallons)	0	0	0	0	0	0	0
Sewer Usage Rate (above 10,000 gal)	x \$4.89	\$10.62	\$10.62	\$10.62	\$10.62	\$10.62	\$10.62
Sewer Usage Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Sub-Total Commodity Charges - Uninc.</b>	<b>\$82,225</b>	<b>\$130,350</b>	<b>\$178,476</b>	<b>\$178,476</b>	<b>\$178,476</b>	<b>\$178,476</b>	<b>\$178,476</b>

Village of Bensenville, Illinois  
2014 Water & Sewer Rate Study Update

Created by: CFB/JES  
Updated: 3/27/2014

Capital Recovery

Matered Water Usage (gallons)	\$20,653,000	\$20,653,000	\$20,653,000	\$20,653,000	\$20,653,000	\$20,653,000	\$20,653,000	\$20,653,000
Sewer Capital Recovery Rate	x	\$2.41	\$3.49	\$3.49	\$3.49	\$3.49	\$3.49	\$3.49
Sewer Capital Recovery Revenue		\$1,254,774	\$1,535,926	\$1,817,079	\$1,817,079	\$1,817,079	\$1,817,079	\$1,817,079
<b>Sub-Total Capital Recovery</b>		<b>\$1,254,774</b>	<b>\$1,535,926</b>	<b>\$1,817,079</b>	<b>\$1,817,079</b>	<b>\$1,817,079</b>	<b>\$1,817,079</b>	<b>\$1,817,079</b>

Capital Recovery - Unincorporated

Uninc. Water Usage (gallons)	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000	19,347,000
Uninc. Sewer Usage	x	\$2.41	\$5.24	\$5.24	\$5.24	\$5.24	\$5.24	\$5.24
Sewer Uninc. Usage Revenue		\$46,626	\$73,954	\$101,282	\$101,282	\$101,282	\$101,282	\$101,282
<b>Sub-Total Capital Recovery - Uninc</b>		<b>\$46,626</b>	<b>\$73,954</b>	<b>\$101,282</b>	<b>\$101,282</b>	<b>\$101,282</b>	<b>\$101,282</b>	<b>\$101,282</b>

*Total Sewer Revenue*

*\$5,215,217*      *\$6,207,209*      *\$6,207,209*      *\$6,207,209*      *\$6,207,209*      *\$6,207,209*      *\$6,207,209*      *\$6,207,209*      *\$6,207,209*

Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study Update

**PROJECTED FINANCIAL IMPACTS TO RATE PAYERS: SCENARIO 1**

Created by: CFB/JES  
Updated: 3/27/2014

**Water Monthly Bills**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Senior 5/8" Conn - 2,000 gallons with \$1.54 discount	\$15.96	\$17.57	\$19.32	\$21.23	\$23.32	\$25.60	\$28.11	\$30.85
<b>Uninc 5/8" Conn - 6,000 gallons</b>	<b>\$67</b>	<b>\$79</b>	<b>\$86</b>	<b>\$94</b>	<b>\$102</b>	<b>\$112</b>	<b>\$122</b>	<b>\$133</b>
<b>5/8" Connection - 6,000 gallons</b>	<b>\$48</b>	<b>\$52</b>	<b>\$57</b>	<b>\$62</b>	<b>\$68</b>	<b>\$74</b>	<b>\$81</b>	<b>\$89</b>
1" Connection - 9,000 gallons	\$76	\$83	\$91	\$98	\$108	\$118	\$129	\$141
1.5" Connection - 29,000 gallons	\$251	\$274	\$300	\$327	\$357	\$390	\$426	\$465
2" Connection - 43,000 gallons	\$24	\$29	\$29	\$29	\$29	\$29	\$0	\$0
3" Connection - 130,000 gallons	\$1,132	\$1,237	\$1,350	\$1,474	\$1,609	\$1,757	\$1,919	\$2,096
4" Connection - 205,000 gallons	\$1,963	\$2,144	\$2,340	\$2,555	\$2,790	\$3,046	\$3,326	\$3,634
6" Connection - 3,000 gallons	\$478	\$521	\$569	\$622	\$679	\$741	\$810	\$884

**Sewer Monthly Bills**

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Senior 5/8" Conn - 2,000 gallons with \$1.54 discount	\$16.31	\$17.95	\$19.75	\$21.71	\$23.85	\$26.18	\$28.73	\$31.50
<b>Uninc 5/8" Conn - 6,000 gallons</b>	<b>\$44</b>	<b>\$53</b>	<b>\$60</b>	<b>\$69</b>	<b>\$75</b>	<b>\$84</b>	<b>\$94</b>	<b>\$103</b>
<b>5/8" Connection - 6,000 gallons</b>	<b>\$44</b>	<b>\$49</b>	<b>\$53</b>	<b>\$58</b>	<b>\$63</b>	<b>\$69</b>	<b>\$75</b>	<b>\$82</b>
1" Connection - 9,000 gallons	\$75	\$82	\$89	\$98	\$107	\$116	\$127	\$139
1.5" Connection - 29,000 gallons	\$236	\$257	\$281	\$307	\$335	\$366	\$399	\$436
2" Connection - 43,000 gallons	\$356	\$389	\$424	\$463	\$506	\$553	\$603	\$658
3" Connection - 130,000 gallons	\$1,033	\$1,128	\$1,232	\$1,345	\$1,469	\$1,604	\$1,751	\$1,911
4" Connection - 205,000 gallons	\$1,787	\$1,951	\$2,130	\$2,326	\$2,541	\$2,774	\$3,029	\$3,306
6" Connection - 3,000 gallons	\$303	\$335	\$365	\$399	\$436	\$476	\$520	\$567

Village of Bensenville, Illinois  
 2014 Water and Sewer Rate Study Update

**PROJECTED FINANCIAL IMPACTS TO RATE PAYERS: SCENARIO 1**

Created by: CFB/JES  
 Updated: 3/27/2014

Water and Sewer Monthly Bills	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Senior 5/8" Conn - 2,000 gallons	\$32	\$36	\$39	\$43	\$47	\$52	\$57	\$62
Uninc 5/8" Conn - 6,000 gallons	\$112	\$151	\$165	\$180	\$197	\$215	\$235	\$257
<b>5/8" Connection - 6,000 gallons</b>	<b>\$92</b>	<b>\$101</b>	<b>\$110</b>	<b>\$120</b>	<b>\$131</b>	<b>\$143</b>	<b>\$157</b>	<b>\$171</b>
1" Connection - 9,000 gallons	\$151	\$165	\$180	\$197	\$215	\$235	\$256	\$280
1.5" Connection - 29,000 gallons	\$487	\$532	\$580	\$634	\$692	\$756	\$825	\$901
2" Connection - 43,000 gallons	\$380	\$418	\$454	\$493	\$536	\$582	\$603	\$658
3" Connection - 130,000 gallons	\$2,166	\$2,365	\$2,582	\$2,819	\$3,079	\$3,361	\$3,670	\$4,007
4" Connection - 225,000 gallons	\$3,750	\$4,096	\$4,470	\$4,881	\$5,311	\$5,820	\$6,355	\$6,939
<b>6" Connection - 3,000 gallons</b>	<b>\$780</b>	<b>\$856</b>	<b>\$935</b>	<b>\$1,021</b>	<b>\$1,115</b>	<b>\$1,217</b>	<b>\$1,329</b>	<b>\$1,452</b>

**PROJECTED FINANCIAL IMPACTS TO RATE PAYERS: SCENARIO 2**

Created by: CFB/JES  
Updated: 3/27/2014

Water Monthly Bills	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Senior 5/8" Conn - 2,000 gallons with \$1.54 discount	\$15.96	\$18.58	\$20.08	\$21.71	\$23.46	\$25.34	\$27.36	\$29.54
Uninc 5/8" Conn - 6,000 gallons	\$67	\$83	\$89	\$96	\$103	\$110	\$119	\$128
<b>5/8" Connection - 6,000 gallons</b>	<b>\$48</b>	<b>\$55</b>	<b>\$59</b>	<b>\$64</b>	<b>\$68</b>	<b>\$74</b>	<b>\$79</b>	<b>\$85</b>
1" Connection - 9,000 gallons	\$76	\$88	\$94	\$101	\$109	\$117	\$126	\$135
1.5" Connection - 29,000 gallons	\$251	\$289	\$310	\$334	\$359	\$386	\$415	\$446
2" Connection - 43,000 gallons	\$24	\$29	\$29	\$29	\$29	\$29	\$0	\$0
3" Connection - 130,000 gallons	\$1,132	\$1,302	\$1,398	\$1,503	\$1,616	\$1,737	\$1,868	\$2,009
4" Connection - 225,000 gallons	\$1,953	\$2,256	\$2,424	\$2,606	\$2,802	\$3,012	\$3,238	\$3,482
6" Connection - 3,000 gallons	\$478	\$549	\$590	\$635	\$682	\$733	\$788	\$848

Sewer Monthly Bills	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Senior 5/8" Conn - 2,000 gallons with \$1.54 discount	\$16.31	\$18.99	\$20.54	\$22.18	\$23.95	\$25.88	\$27.94	\$30.16
Uninc 5/8" Conn - 6,000 gallons	\$44	\$77	\$83	\$89	\$95	\$103	\$110	\$119
<b>5/8" Connection - 6,000 gallons</b>	<b>\$44</b>	<b>\$77</b>	<b>\$83</b>	<b>\$89</b>	<b>\$95</b>	<b>\$103</b>	<b>\$110</b>	<b>\$119</b>
1" Connection - 9,000 gallons	\$44	\$51	\$55	\$59	\$64	\$68	\$73	\$79
1.5" Connection - 29,000 gallons	\$75	\$86	\$93	\$100	\$107	\$115	\$124	\$133
2" Connection - 43,000 gallons	\$236	\$271	\$291	\$313	\$336	\$362	\$389	\$418
3" Connection - 130,000 gallons	\$355	\$409	\$440	\$473	\$508	\$546	\$587	\$631
4" Connection - 225,000 gallons	\$1,033	\$1,188	\$1,277	\$1,372	\$1,475	\$1,586	\$1,705	\$1,832
6" Connection - 3,000 gallons	\$1,787	\$2,054	\$2,209	\$2,373	\$2,551	\$2,743	\$2,948	\$3,169

Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study Update

**PROJECTED FINANCIAL IMPACTS TO RATE PAYERS: SCENARIO 2**

Created by: CFB/JES  
Updated: 3/27/2014

Water and Sewer Monthly Bills	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Senior 5/8" Conn - 2,000 gallons	\$32	\$38	\$41	\$44	\$47	\$51	\$55	\$60
Junior 5/8" Conn - 6,000 gallons	\$112	\$159	\$171	\$184	\$198	\$213	\$229	\$246
<b>5/8" Connection - 6,000 gallons</b>	<b>\$112</b>	<b>\$159</b>	<b>\$171</b>	<b>\$184</b>	<b>\$198</b>	<b>\$213</b>	<b>\$229</b>	<b>\$246</b>
1" Connection - 9,000 gallons	\$92	\$106	\$114	\$123	\$132	\$142	\$153	\$164
1.5" Connection - 29,000 gallons	\$151	\$174	\$187	\$201	\$216	\$232	\$250	\$268
2" Connection - 43,000 gallons	\$487	\$560	\$602	\$647	\$695	\$747	\$803	\$864
3" Connection - 130,000 gallons	\$380	\$439	\$469	\$502	\$538	\$576	\$587	\$591
4" Connection - 225,000 gallons	\$2,166	\$2,459	\$2,675	\$2,875	\$3,091	\$3,323	\$3,572	\$3,841
5" Connection - 3,000 gallons	\$3,750	\$4,311	\$4,633	\$4,979	\$5,353	\$5,754	\$6,186	\$6,651
<b>6" Connection - 3,000 gallons</b>	<b>\$3,750</b>	<b>\$4,311</b>	<b>\$4,633</b>	<b>\$4,979</b>	<b>\$5,353</b>	<b>\$5,754</b>	<b>\$6,186</b>	<b>\$6,651</b>
	\$780	\$902	\$969	\$1,042	\$1,120	\$1,204	\$1,294	\$1,392

Village of Bensenville, Illinois  
2014 Water and Sewer Rate Study Update

**PROJECTED FINANCIAL IMPACTS TO RATE PAYERS: SCENARIO 3**

Created by: CFB/JES  
Updated: 3/27/2014

Water Monthly Bills	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Senior 5/8" Conn - 2,000 gallons with \$1.54 discount	\$15.96	\$23.78	\$23.78	\$23.78	\$23.78	\$23.78	\$23.78	\$23.78
<u>Unitc 5/8" Conn - 6,000 gallons</u>	<u>\$67</u>	<u>\$104</u>						
<u>5/8" Connection - 6,000 gallons</u>	<u>\$48</u>	<u>\$69</u>						
1" Connection - 9,000 gallons	\$76	\$110	\$110	\$110	\$110	\$110	\$110	\$110
1.5" Connection - 29,000 gallons	\$251	\$364	\$364	\$364	\$364	\$364	\$364	\$364
2" Connection - 43,000 gallons	\$24	\$29	\$29	\$29	\$29	\$29	\$0	\$0
3" Connection - 130,000 gallons	\$1,132	\$1,639	\$1,639	\$1,639	\$1,639	\$1,639	\$1,639	\$1,639
4" Connection - 225,000 gallons	\$1,963	\$2,841	\$2,841	\$2,841	\$2,841	\$2,841	\$2,841	\$2,841
6" Connection - 3,000 gallons	\$478	\$691	\$691	\$691	\$691	\$691	\$691	\$691

Sewer Monthly Bills	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Senior 5/8" Conn - 2,000 gallons with \$1.54 discount	\$16.31	\$24.29	\$24.29	\$24.29	\$24.29	\$24.29	\$24.29	\$24.29
<u>Unitc 5/8" Conn - 6,000 gallons</u>	<u>\$64</u>	<u>\$97</u>						
<u>5/8" Connection - 6,000 gallons</u>	<u>\$44</u>	<u>45%</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>
1" Connection - 9,000 gallons	\$64	\$64	\$64	\$64	\$64	\$64	\$64	\$64
1.5" Connection - 29,000 gallons	\$75	\$109	\$109	\$109	\$109	\$109	\$109	\$109
2" Connection - 43,000 gallons	\$236	\$341	\$341	\$341	\$341	\$341	\$341	\$341
3" Connection - 130,000 gallons	\$356	\$515	\$515	\$515	\$515	\$515	\$515	\$515
4" Connection - 225,000 gallons	\$1,013	\$1,496	\$1,496	\$1,496	\$1,496	\$1,496	\$1,496	\$1,496
6" Connection - 3,000 gallons	\$1,187	\$2,588	\$2,588	\$2,588	\$2,588	\$2,588	\$2,588	\$2,588

Village of Bensenville, Illinois  
 2014 Water and Sewer Rate Study Update

PROJECTED FINANCIAL IMPACTS TO RATE PAYERS: SCENARIO 3

Created by: CRB/JES  
 Updated: 3/27/2014

Water and Sewer Monthly Bills	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Single 5/8" Conn. 2,000 gallons	\$32	\$48	\$48	\$48	\$48	\$48	\$48	\$48
Unitic 5/8" Conn. - 6,000 gallons	\$112	\$201	\$201	\$201	\$201	\$201	\$201	\$201
5/8" Connection - 5,000 gallons	\$92	\$134	\$134	\$134	\$134	\$134	\$134	\$134
1" Connection - 9,000 gallons	\$151	\$219	\$219	\$219	\$219	\$219	\$219	\$219
1.5" Connection - 29,000 gallons	\$487	\$705	\$705	\$705	\$705	\$705	\$705	\$705
2" Connection - 43,000 gallons	\$380	\$545	\$545	\$545	\$545	\$545	\$545	\$545
3" Connection - 130,000 gallons	\$2,166	\$3,135	\$3,135	\$3,135	\$3,135	\$3,135	\$3,135	\$3,135
4" Connection - 225,000 gallons	\$2,750	\$5,429	\$5,429	\$5,429	\$5,429	\$5,429	\$5,429	\$5,429
6" Connection - 3,000 gallons	\$780	\$1,134	\$1,134	\$1,134	\$1,134	\$1,134	\$1,134	\$1,134

**VILLAGE OF BENSENVILLE  
12 S. CENTER STREET  
BENSENVILLE, ILLINOIS 60106**

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**Ordinance No. 35-2014**

**An Ordinance Amending Ordinance No. 30-2014, Adopted June 24, 2014 Amending the  
Municipal Water/Sewer Rates of the Village of Bensenville, Counties of Cook and DuPage,  
Illinois to Correct a Scrivener's Error**

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**ADOPTED BY THE  
VILLAGE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF BENSENVILLE  
THIS 12th DAY OF AUGUST, 2014**

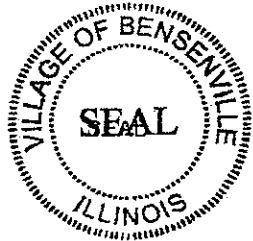
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Published in pamphlet form by authority of the President and Board of Trustees of the  
Village of Bensenville, DuPage and Cook Counties, Illinois this 13<sup>th</sup> day of August 2014

STATE OF ILLINOIS      )  
COUNTIES OF COOK    )  
SS AND DUPAGE      )

I, Corey Williamsen, do hereby certify that I am the duly appointed Deputy Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois, and as such officer, I am the keeper of the records and files of said Village; I do further certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 35-2014 entitled an ordinance amending ordinance no. 30-2014, adopted June 24, 2014 amending the municipal water/sewer rates of the Village of Bensenville, Counties of Cook and DuPage, Illinois to correct a scrivener's error.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal on this  
13th day of August, 2014.



  
Corey Williamsen  
Deputy Village Clerk

ORDINANCE # 35-2014

AN ORDINANCE AMENDING ORDINANCE NO. 30-2014, ADOPTED JUNE 24,  
2014 AMENDING THE MUNICIPAL WATER/SEWER RATES OF THE  
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS  
TO CORRECT A SCRIVENER'S ERROR

WHEREAS, pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, the Village of Bensenville (the "Village") owns and operates sewerage and waterworks facilities (the "System") within and outside the municipal boundaries of the Village; and

WHEREAS, the Illinois Municipal Code at Division 139 grants the Village the authority to charge its inhabitants a reasonable compensation for the use and service of the System and to establish rates for that purpose; and

WHEREAS, the Village has carefully considered the findings and recommendations of the Baxter & Woodman, Inc. 2014 Village of Bensenville Water & Sewer Rate Study, (the "Baxter & Woodman Study");

WHEREAS, the Village has carefully considered its own experience in operating and maintaining the System and the revenues and expenses associated therewith, together with the current condition of the System,

BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

**SECTION ONE: AMENDMENT OF RATES.** For the purpose of establishing the rates hereinafter set forth, the Village's Corporate Authorities hereby adopt the findings and recommendations contained in the Baxter & Woodman Study heretofore incorporated herein as Exhibit "A" for the use of, and for the service supplied by, the waterworks system of the Village and the same are hereby amended, in part, as provided for herein. Annually, the Finance Director shall evaluate the system revenues, expenses and fund balance against projections. The Director shall issue a report of findings to the Village Board at least one month prior to the scheduled annual rate increase at which time the Board can determine whether the scheduled annual rate increase needs to be revised.

**SECTION TWO:** In accordance with the provisions hereof, Section 8-7-7 of the Bensenville Village Code, as amended, as follows

**A. WATER RATES WITHIN CORPORATE LIMITS**

1. 2014 Water Commodity Charges (effective July 1, 2014):

a. First 10,000 gallons per month	\$6.19 per 1,000 gallons
b. Above 10,000 gallons per month	\$7.12 per 1,000 gallons

2. Monthly Fixed Charges:

a. 5/8 inch and 3/4 inch meter size Fixed charge	\$2.62
b. 1-inch meter size Fixed charge	\$8.81
c. 1-1/2 inch meter size Fixed charge	\$17.43
d. 2-inch meter size Fixed charge	\$27.95
e. 3-inch meter size Fixed charge	\$52.50
f. 4-inch meter size Fixed charge	\$87.56
g. 6-inch meter size Fixed charge	\$174.95

Senior Citizen Residential Accounts (over age 65):

h. Fixed charge	\$2.62
Deduction from Total Bill	\$1.54

3. Future Water Rates:

a. Water rates for customers within the corporate limits will be further revised once per year according to the following schedule.

Item	As of January 1, 2015	As of January 1, 2016	As of January 1, 2017	As of January 1, 2018	As of January 1, 2019	As of January 1, 2020
Water Commodity Charge, First 10,000 gallons per month, per 1,000 gallons	\$6.65	\$7.15	\$7.69	\$8.27	\$8.89	\$9.56
Water Commodity Charge, Above 10,000 gallons, per 1,000 gallons	\$7.65	\$8.22	\$8.84	\$9.5	\$10.21	\$10.98
Monthly Fixed Charges (per Meter Size)						
5/8 inch and 3/4 inch	\$2.82	\$3.03	\$3.26	\$3.50	\$3.76	\$4.04
1 inch meter	\$9.47	\$10.18	\$10.94	\$11.76	\$12.64	\$13.59
1 1/2 inch meter	\$18.74	\$20.15	\$21.66	\$23.28	\$25.03	\$26.91

2 inch meter	\$30.05	\$32.30	\$34.72	\$37.32	\$40.12	\$43.13
3 inch meter	\$56.44	\$60.67	\$65.22	\$70.11	\$75.37	\$81.02
4 inch meter	\$94.13	\$101.19	\$108.78	\$116.94	\$125.71	\$135.14
6 inch meter	\$188.07	\$202.18	\$217.34	\$233.64	\$251.16	\$270.00
Senior Citizen Fixed Charge Deduction	(\$1.54)	(\$1.54)	(\$1.54)	(\$1.54)	(\$1.54)	(\$1.54)

**B. WATER RATES OUTSIDE CORPORATE LIMITS (RESIDENTIAL)**

1. 2014 Water Commodity / Monthly Fixed Charges (effective July 1, 2014 – December 31) established at 100% of Corporate Limit Rates:

2. 2015 Water Commodity Charges (effective January 1, 2015) established at 150% of Corporate Limit Rates:

- a. First 10,000 gallons per month \$9.98 per 1,000 gallons
- b. Above 10,000 gallons per month \$11.48 per 1,000 gallons

3. Monthly Fixed Charges (effective January 1, 2015) established at 150% of Corporate Limit Monthly Fixed Charges:

- a. 5/8 inch and 3/4 inch meter size  
Fixed charge \$4.23
- b. 1-inch meter size  
Fixed charge \$14.21
- c. 1-1/2 inch meter size  
Fixed charge \$28.11
- d. 2-inch meter size  
Fixed charge \$45.08
- e. 3-inch meter size  
Fixed charge \$84.66
- f. 4-inch meter size  
Fixed charge \$141.20
- g. 6-inch meter size  
Fixed charge \$282.11

4. Future Water Rates:

a. Water rates for residential customers outside the corporate limits will be further revised once per year according to the following schedule.

Item	As of January 1, 2015	As of January 1, 2016	As of January 1, 2017	As of January 1, 2018	As of January 1, 2019	As of January 1, 2020
Water Commodity Charge, First 10,000 gallons per month, per 1,000 gallons	\$9.98	\$10.73	\$11.54	\$12.41	\$13.34	\$14.34
Water Commodity Charge, Above 10,000 gallons, per 1,000 gallons	\$11.48	\$12.33	\$13.26	\$14.25	\$15.31	\$16.47
Monthly Fixed Charges (per Meter Size)						
5/8 inch and 3/4 inch	\$4.23	\$4.55	\$4.89	\$5.25	\$5.64	\$6.06
1 inch meter	\$14.21	\$15.27	\$16.41	\$17.64	\$18.96	\$20.39
1 1/2 inch meter	\$28.11	\$30.23	\$32.49	\$34.92	\$37.55	\$40.37
2 inch meter	\$45.08	\$48.45	\$52.08	\$55.98	\$60.18	\$64.70
3 inch meter	\$84.66	\$91.01	\$97.83	\$105.17	\$113.06	\$121.53
4 inch meter	\$141.20	\$151.79	\$163.17	\$175.41	\$188.57	\$202.71
6 inch meter	\$282.11	\$303.27	\$326.01	\$350.46	\$376.74	\$405.00

**C. WATER RATES OUTSIDE CORPORATE LIMITS (NON-RESIDENTIAL)**

1. Same as established in SECTION TWO.B. above.

#### CAPITAL RECOVERY CHARGES WITHIN CORPORATE LIMITS

1. 2014 Capital Recovery Charges (effective July 1, 2014 within the Corporate Limits (regardless of usage volume):

- a. Water capital recovery charge \$2.56 per 1,000 gallons
- b. Wastewater capital recovery charge \$2.77 per 1,000 gallons

2. Non-metered Accounts:

a. Flat rate per month – 9,000 gallons minimum	
1. Water Capital Recovery	\$23.04
2. Wastewater capital recovery	<u>\$24.93</u>
3. Total Capital Recovery Rate per month	\$47.97

3. Future Capital Recovery Charges:

- a. Capital recovery charges for customers within the corporate limits will be further revised once per year according to the following schedule.

Item	As of January 1, 2015	As of January 1, 2016	As of January 1, 2017	As of January 1, 2018	As of January 1, 2019	As of January 1, 2020
Water Capital Recovery Charge, Per 1,000 gallons	\$2.75	\$2.96	\$3.18	\$3.42	\$3.68	\$3.96
Wastewater Recovery Charge, Per 1,000 gallons	\$2.98	\$3.20	\$3.44	\$3.70	\$3.98	\$4.28

#### D. CAPITAL RECOVERY CHARGES OUTSIDE CORPORATE LIMITS

1. 2014 Fixed Capital Recovery (effective July 1, 2014 – December 31, 2014) outside the Corporate Limits (regardless of usage volume) charge of \$19.39 (\$32.48 for 1" meters) per month.

2. 2015 Capital Recovery Charges (January 1, 2015 outside the Corporate Limits (regardless of usage volume) established at 150% of Corporate Capital Recovery Charges:

- a. Water Capital Recovery Charge \$3.84 per 1,000 gallons
- b. Wastewater Capital Recovery Charge \$4.16 per 1,000 gallons

3. Non-metered Accounts:

- a. Flat rate per month – 9,000 gallons minimum

1. Water Capital Recovery	\$34.56
2. Wastewater capital recovery	<u>\$37.40</u>
Total Capital Recovery Rate per month	\$71.96

3. Future Capital Recovery Charges:

a. Capital recovery charges for customers within the corporate limits will be further revised once per year according to the following schedule:

Item	As of January 1, 2015	As of January 1, 2016	As of January 1, 2017	As of January 1, 2018	As of January 1, 2019	As of January 1, 2020
Water Capital Recovery Charge, Per 1,000 gallons	\$3.84	\$4.13	\$4.44	\$4.77	\$5.13	\$5.52
Wastewater Recovery Charge, Per 1,000 gallons	\$4.47	\$4.80	\$5.16	\$5.55	\$5.97	\$6.42

SECTION THREE: In accordance with the provisions hereof, Section 8-6-23-4 of the Bensenville Village Code is hereby amended follows:

**A. SEWER/WASTEWATER RATES WITHIN THE CORPORATE LIMITS:**

1. 2014 Wastewater Commodity Charges (effective July 1, 2014):
 

a. First 10,000 gallons per month	\$4.89 per 1,000 gallons
b. Above 10,000 gallons per month	\$5.62 per 1,000 gallons
2. Monthly Fixed Bills per month:
 

a. 5/8 inch and 3/4 inch meter size Fixed charge	\$5.21
b. 1-inch meter size Fixed charge	\$17.32
c. 1-1/2 inch meter size Fixed charge	\$34.87
d. 2-inch meter size Fixed charge	\$55.73
e. 3-inch meter size Fixed charge	\$104.36
f. 4-inch meter size Fixed charge	\$173.87
g. 6-inch meter size Fixed charge	\$347.99

3. Non-metered Accounts:

a. Flat rate per month	
1. Fixed charge	\$5.21
2. 9,000 gallons	\$44.01
Total flat rate per month	\$49.22

4. Future Wastewater Rates:

a. Wastewater rates for customers within the corporate limits will be further revised once per year according to the following schedule.

Item	As of January 1, 2015	As of January 1, 2016	As of January 1, 2017	As of January 1, 2018	As of January 1, 2019	As of January 1, 2020
Wastewater Commodity Charge, First 10,000 gallons per month, per 1,000 gallons	\$5.26	\$5.65	\$6.07	\$6.53	\$7.02	\$7.55
Wastewater Commodity Charge, Above 10,000 gallons, per 1,000 gallons	\$6.04	\$6.49	\$6.98	\$7.50	\$8.06	\$8.66
Monthly Fixed Charges (per Meter Size)						
5/8 inch and 3/4 inch	\$5.60	\$6.02	\$6.47	\$6.96	\$7.48	\$8.04
1 inch meter	\$18.62	\$20.02	\$21.52	\$23.13	\$24.86	\$26.72
1 1/2 inch meter	\$37.49	\$40.30	\$43.32	\$46.57	\$50.06	\$53.81
2 inch meter	\$59.91	\$64.40	\$69.23	\$74.42	\$80.00	\$86.00
3 inch meter	\$112.19	\$120.60	\$129.65	\$139.37	\$149.82	\$161.06
4 inch meter	\$186.91	\$200.93	\$216.00	\$232.20	\$249.62	\$268.34
6 inch meter	\$374.09	\$402.15	\$432.31	\$464.73	\$499.58	\$537.05

B. SEWER/WASTEWATER RATES OUTSIDE THE CORPORATE LIMITS:

1. 2014 Wastewater Commodity / Monthly Fixed Charges (effective July 1, 2014 – December 31) established at 100% of Corporate Limit Rates:
2. 2015 Wastewater Commodity Charges (January 1, 2015) established at 150% of the Corporate Rates:
  - a. First 10,000 gallons per month \$7.34 per 1,000 gallons
  - b. Above 10,000 gallons per month \$8.43 per 1,000 gallons
3. Monthly Fixed Bills per month:

a.	5/8 inch and 3/4 inch meter size Fixed charge	\$7.82
b.	1-inch meter size Fixed charge	\$25.98
c.	1-1/2 inch meter size Fixed charge	\$52.31
d.	2-inch meter size Fixed charge	\$83.60
e.	3-inch meter size Fixed charge	\$156.54
f.	4-inch meter size Fixed charge	\$260.81
g.	6-inch meter size Fixed charge	\$521.99
4.	Non-metered Accounts:	
b.	Flat rate per month	
1.	Fixed charge	\$7.82
2.	9,000 gallons	\$66.02
	Total flat rate per month	\$73.84

5. Future Wastewater Rates:

b. Wastewater rates for customers outside the corporate limits will be further revised once per year according to the following schedule.

Item	As of January 1, 2015	As of January 1, 2016	As of January 1, 2017	As of January 1, 2018	As of January 1, 2019	As of January 1, 2020
Wastewater Commodity Charge, First 10,000 gallons per month, per 1,000 gallons	\$7.89	\$8.48	\$9.11	\$9.80	\$10.53	\$11.33
Wastewater Commodity Charge, Above 10,000 gallons, per 1,000 gallons	\$9.06	\$9.74	\$10.47	\$11.25	\$12.09	\$12.99
Monthly Fixed Charges (per Meter Size)						
5/8 inch and 3/4 inch	\$8.40	\$9.03	\$9.71	\$10.44	\$11.22	\$12.06
1 inch meter	\$27.93	\$30.03	\$32.28	\$34.70	\$37.29	\$40.08
1 1/2 inch meter	\$56.24	\$60.45	\$64.98	\$69.86	\$75.09	\$80.72

2 inch meter	\$89.87	\$96.60	\$103.85	\$111.63	\$120.00	\$129.00
3 inch meter	\$168.29	\$180.90	\$194.48	\$209.06	\$224.73	\$241.59
4 inch meter	\$280.37	\$301.40	\$324.00	\$348.30	\$374.43	\$402.51
6 inch meter	\$561.14	\$603.23	\$648.47	\$697.10	\$749.37	\$805.58

C. SEWER/WASTEWATER RATES OUTSIDE CORPORATE LIMITS (NON-RESIDENTIAL)

1. Same as established in SECTION THREE.B. above.

SECTION FOUR: All ordinances in conflict herewith are repealed to the extent of said conflict. This Ordinance is in full force and effect after passage and publication according to law and the rates and charges contained herein shall apply to all bills issued on or after AUGUST 1, 2014.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this 12<sup>TH</sup> day of AUGUST, 2014.



Frank Soto  
Village President

ATTEST:



Ilsa Rivera-Trujillo  
Village Clerk

AYES: BARTLETT, JANOWIAK, JARECKI, RIDDER  
NAYS: WESSELER  
ABSENT: O'CONNELL  
Published in Pamphlet Form AUGUST 13, 2014

<b>STATE OF ILLINOIS</b>	<b>UNITED STATES OF AMERICA</b>	<b>COUNTY OF DU PAGE</b>
<b>IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT</b>		
<p>Gina Mellenthin, Kurt Igleman, Celeste Shaw, et al  <input type="checkbox"/> Plaintiff,            v.            Village of Bensenville  <input type="checkbox"/> Defendant,</p>		<p>Chris Kachiroubas            e-filed in the 18th Judicial Circuit Court            DuPage County            ENVELOPE: 6399572            2018CH001065            FILEDATE: 8/30/2019 12:31 PM            Date Submitted: 8/30/2019 12:31 PM            Date Accepted: 8/30/2019 2:04 PM            MP</p>
File Stamp Here		

**EXHIBIT COVER SHEET**  
 Local Court Rules 5.06 and 5.09

**EXHIBIT NAME:** Exhibit D

**TITLE OF DOCUMENT THIS EXHIBIT BELONGS WITH:**  
**Amended Complaint**

**Document File Date: August 30, 2019**  
*(The file date of the document this exhibit belongs with)*

**EXHIBIT FILED ON BEHALF OF: Gina Mellenthin, Kurt Igleman, Celeste Shaw, and Phil Adcock**  
*(Case Party Name)*

Submitted by: Keith H. Werwas

Name: Matton and Werwas, P.C.  Pro Se  
 DuPage Attorney Number: 328992  
 Attorney for: Plaintiffs  
 Address: 134 N. LaSalle Street, Suite 1040  
 City/State/Zip: Chicago, IL 60602  
 Telephone Number: 312-236-6800  
 Email: kwerwas@mattonandwerwas.com

# EXHIBIT D



RECEIVED

August 15, 2019

RECORDED

File # [REDACTED]

SEARCHED

Ms. Gina McLeathem  
Ginawperts@gmail.com

RECORDED

Re: Freedom of Information Act request  
Received August 8, 2019

SEARCHED

Dear Ms. McLeathem,

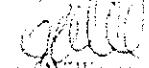
RECORDED

Thank you for writing to the Village of Bensenville ("Village") with your request for information pursuant to the Freedom of Information Act (FOIA), 5 ILCS 140/1 et seq. Your FOIA request provides as follows:

I [am] asking what [is] the basis of your water rate [ ] for the unincorporated area [from 1986 till 2019 we are asking how they came about the extra charge over and above the water [b]ill.

The Village does not have an existing public record reflecting the answer to your question and is not obligated to create a public record to answer questions posed by FOIA requesters. See Kenyon v. Garrels, 184 Ill. App. 3d 28, 33 (4th Dist. 1989).

Very truly yours,

  
Corey Williamsen  
Freedom of Information Officer  
Village of Bensenville



STATE OF ILLINOIS

UNITED STATES OF AMERICA  
IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

COUNTY OF DU PAGE

Gina Mellenthin, Kurt Igleman, Celeste Shaw, et al

Plaintiff,

v.

Village of Bensenville

Defendant,

18 CH 001065

Case Number

Chris Kachiroubas  
e-filed in the 18th Judicial Circuit Court  
DuPage County  
ENVELOPE: 6399572  
2018CH001065  
FILEDATE: 8/30/2019 12:31 PM  
Date Submitted: 8/30/2019 12:31 PM  
Date Accepted: 8/30/2019 2:04 PM  
MP

File Stamp Here

## EXHIBIT COVER SHEET

Local Court Rules 5.06 and 5.09

EXHIBIT NAME: Group Exhibit E

## TITLE OF DOCUMENT THIS EXHIBIT BELONGS WITH:

Amended Complaint

Document File Date: August 30, 2019

(The file date of the document this exhibit belongs with)

EXHIBIT FILED ON BEHALF OF: Gina Mellenthin, Kurt Igleman, Celeste Shaw, and Phil Adcock

(Case Party Name)

Submitted by: Keith H. Werwas

Name: Matton and Werwas, P.C.  Pro SeDuPage Attorney Number: 328992Attorney for: PlaintiffsAddress: 134 N. LaSalle Street, Suite 1040City/State/Zip: Chicago, IL 60602Telephone Number: 312-236-6800Email: kwerwas@mattonandwerwas.com

# GROUP EXHIBIT E

VILLAGE OF BENSENVILLE, ILLINOIS

Nonmajor Governmental Funds

Combining Balance Sheet  
December 31, 2015

	Unincorporated Utility	Special Revenue	Capital Projects	Totals
<b>ASSETS</b>				
Cash and Investments	\$ 968,723	3,844,180	4,812,903	
Receivables - Net of Allowances				
Property Taxes		297,064	297,064	
Accounts	9,657	70,000	79,657	
Total Assets	<u>978,380</u>	<u>4,211,244</u>	<u>5,189,624</u>	
<b>LIABILITIES</b>				
Accounts Payable	2,033	108,409	110,442	
Accrued Interest	-	8,624	8,624	
Due to Other Funds	-	11,354	11,354	
Advances from Other Funds	-	1,488,982	1,488,982	
Other Payables	-	89,881	89,881	
Total Liabilities	<u>2,033</u>	<u>1,707,250</u>	<u>1,709,283</u>	
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Property Taxes	-	289,773	289,773	
Total Liabilities and Deferred Inflows of Resources	<u>2,033</u>	<u>1,997,023</u>	<u>1,999,056</u>	
<b>FUND BALANCES</b>				
Restricted	-	2,182,908	2,182,908	
Committed	976,347	-	976,347	
Assigned	-	772,844	772,844	
Unassigned	-	(741,531)	(741,531)	
Total Fund Balances	<u>976,347</u>	<u>2,214,221</u>	<u>3,190,568</u>	
Total Liabilities, Deferred Inflows of Resources and Fund Balances	<u>978,380</u>	<u>4,211,244</u>	<u>5,189,624</u>	

VILLAGE OF BENSENVILLE, ILLINOIS

Nonmajor Governmental Funds

Combining Balance Sheet  
December 31, 2014

	Special Revenue Unincorporated Utility	Capital Projects	Totals
<b>ASSETS</b>			
Cash and Investments	\$ 1,041,374	4,218,527	5,259,901
Receivables - Net of Allowances			
Property Taxes	-	410,045	410,045
Accounts	4,204	35,000	39,204
Prepays	-	37,063	37,063
<b>Total Assets</b>	<b>1,045,578</b>	<b>4,700,635</b>	<b>5,746,213</b>
<b>LIABILITIES</b>			
Accounts Payable	7,032	93,815	100,847
Advances from Other Funds	-	1,500,584	1,500,584
Other Payables	-	54,882	54,882
<b>Total Liabilities</b>	<b>7,032</b>	<b>1,649,281</b>	<b>1,656,313</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Property Taxes	-	410,045	410,045
<b>Total Liabilities and Deferred Inflows of Resources</b>	<b>7,032</b>	<b>2,059,326</b>	<b>2,066,358</b>
<b>FUND BALANCES</b>			
Nonspendable	-	37,063	37,063
Restricted	-	2,360,964	2,360,964
Committed	1,038,546	-	1,038,546
Assigned	-	1,042,530	1,042,530
Unassigned	-	(799,248)	(799,248)
<b>Total Fund Balances</b>	<b>1,038,546</b>	<b>2,641,309</b>	<b>3,679,855</b>
<b>Total Liabilities, Deferred Inflows of Resources and Fund Balances</b>	<b>1,045,578</b>	<b>4,700,635</b>	<b>5,746,213</b>

VILLAGE OF BENSENVILLE, ILLINOIS

Nonmajor Governmental Funds

Combining Balance Sheet  
December 31, 2015

	Special Revenue		
	Unincorporated Utility	Capital Projects	Totals
<b>ASSETS</b>			
Cash and Investments	\$ 1,025,077	4,481,596	5,506,673
Receivables - Net of Allowances			
Property Taxes	-	320,729	320,729
Accounts	745	34,995	35,740
<b>Total Assets</b>	<b>1,025,822</b>	<b>4,837,320</b>	<b>5,863,142</b>
<b>LIABILITIES</b>			
Accounts Payable	26,824	238,412	265,236
Advances from Other Funds	-	1,500,584	1,500,584
Other Payables	-	19,887	19,887
<b>Total Liabilities</b>	<b>26,824</b>	<b>1,758,883</b>	<b>1,785,707</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Property Taxes	-	319,957	319,957
<b>Total Liabilities and Deferred Infloows of Resources</b>	<b>26,824</b>	<b>2,078,840</b>	<b>2,105,664</b>
<b>FUND BALANCES</b>			
Restricted	-	2,493,820	2,493,820
Committed	998,998	-	998,998
Assigned	-	1,046,364	1,046,364
Unassigned	-	(781,704)	(781,704)
<b>Total Fund Balances</b>	<b>998,998</b>	<b>2,738,480</b>	<b>3,757,478</b>
<b>Total Liabilities, Deferred Infloows of Resources and Fund Balances</b>	<b>1,025,822</b>	<b>4,837,320</b>	<b>5,863,142</b>

VILLAGE OF BENSENVILLE, ILLINOIS

Nonmajor Governmental Funds

Combining Statement of Revenues, Expenditures and Changes in Fund Balances  
For the Fiscal Year Ended December 31, 2015

	Special Revenue		
	Unincorporated Utility	Capital Projects	Totals
Revenues			
Taxes	\$ -	1,279,628	1,279,628
Charges for Services	6,579	-	6,579
Interest	-	6,393	6,393
Miscellaneous	-	35,000	35,000
Total Revenues	<u>6,579</u>	<u>1,321,021</u>	<u>1,327,600</u>
Expenditures			
Public Works	46,127	-	46,127
Community Development	-	331,091	331,091
Debt Service	-		
Principal Retirement	-	822,765	822,765
Interest and Fiscal Charges	-	550,084	550,084
Total Expenditures	<u>46,127</u>	<u>1,703,940</u>	<u>1,750,067</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	(39,548)	(822,919)	(422,467)
Other Financing Sources			
Transfers In	-	500,090	500,090
Net Change in Fund Balances	(39,548)	117,171	77,623
Fund Balances - Beginning	<u>1,038,546</u>	<u>2,641,309</u>	<u>3,679,855</u>
Fund Balances - Ending	<u>998,998</u>	<u>2,758,480</u>	<u>3,757,478</u>

VILLAGE OF BENSENVILLE, ILLINOIS

Nonmajor Governmental Funds

Combining Balance Sheet  
December 31, 2016

	Special Revenue		
	Unincorporated Utility	Capital Projects	Totals
<b>ASSETS</b>			
Cash and Investments	\$ 919,941	4,668,660	5,588,601
Receivables - Net of Allowances			
Property Taxes		303,659	303,659
Accounts	431	34,995	35,426
<b>Total Assets</b>	<b>920,372</b>	<b>5,007,314</b>	<b>5,927,686</b>
<b>LIABILITIES</b>			
Accounts Payable		172,959	172,959
Advances from Other Funds	-	1,500,584	1,500,584
Other Payables	-	19,877	19,877
<b>Total Liabilities</b>	<b>-</b>	<b>1,693,420</b>	<b>1,693,420</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Property Taxes	-	303,659	303,659
Total Liabilities and Deferred Inflows of Resources	-	1,997,079	1,997,079
<b>FUND BALANCES</b>			
Restricted		2,650,423	2,650,423
Committed	920,372		920,372
Assigned	-	1,136,526	1,136,526
Unassigned	-	(776,714)	(776,714)
<b>Total Fund Balances</b>	<b>920,372</b>	<b>3,010,235</b>	<b>3,930,607</b>
Total Liabilities, Deferred Inflows of Resources and Fund Balances	920,372	5,007,314	5,927,686

VILLAGE OF BENSENVILLE, ILLINOIS

Nonmajor Governmental Funds

Combining Statement of Revenues, Expenditures and Changes in Fund Balances  
For the Fiscal Year Ended December 31, 2016

	Special Revenue		
	Unincorporated Utility	Capital Projects	Totals
Revenues			
Taxes	\$ -	1,343,502	1,343,502
Interest	-	20,037	20,037
Total Revenues	-	1,363,539	1,363,539
Expenditures			
Public Works	78,626	-	78,626
Community Development	-	773,742	773,742
Debt Service			
Principal Retirement	-	909,177	909,177
Interest and Fiscal Charges	-	570,477	570,477
Total Expenditures	78,626	2,233,396	2,312,022
Excess (Deficiency) of Revenues Over (Under) Expenditures	(78,626)	(889,857)	(968,483)
Other Financing Sources			
Debt Issuance	-	570,612	570,612
Transfers In	-	571,000	571,000
	-	1,141,612	1,141,612
Net Change in Fund Balances	(78,626)	251,755	173,129
Fund Balances - Beginning	998,998	2,758,480	3,757,478
Fund Balances - Ending	920,372	3,010,235	3,930,607

**VILLAGE OF BENSENVILLE, ILLINOIS**  
**NONMAJOR GOVERNMENTAL FUNDS**  
**COMBINING BALANCE SHEET**  
**DECEMBER 31, 2017**

	<b>Special Revenue</b>			
	<b>Unincorporated Utility</b>	<b>Capital Projects</b>		<b>Totals</b>
<b>Assets</b>				
Cash and investments	\$ 911,917	\$ 8,727,458	\$	9,639,375
Receivables - net of allowances				
Property taxes	164	194,384	194,548	
Accounts	-	45,883	45,883	
Total assets	<u>912,081</u>	<u>8,867,725</u>	<u></u>	<u>9,879,806</u>
<b>Liabilities</b>				
Accounts payable		282,485	282,485	
Advances from other funds		2,763,397	2,763,397	
Other payables		15,922	15,922	
Total liabilities	<u>-</u>	<u>3,075,804</u>	<u></u>	<u>3,075,804</u>
<b>Deferred inflows of Resources</b>				
Property taxes	<u>-</u>	<u>194,379</u>	<u></u>	<u>194,379</u>
Total liabilities and deferred inflows of resources	<u>-</u>	<u>3,270,183</u>	<u></u>	<u>3,270,183</u>
<b>Fund Balances</b>				
Restricted		5,906,825	5,906,825	
Committed	912,081	-	912,081	
Assigned		1,016,190	1,016,190	
Unassigned		(1,225,473)	(1,225,473)	
Total fund balances	<u>912,081</u>	<u>5,697,342</u>	<u></u>	<u>5,609,623</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 912,081</u>	<u>\$ 8,867,725</u>	<u>\$</u>	<u>9,879,806</u>

**VILLAGE OF BENSENVILLE, ILLINOIS**  
**NONMAJOR GOVERNMENTAL FUNDS**  
**COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES**  
**FOR THE YEAR ENDED DECEMBER 31, 2017**

	Special Revenue			
	Unincorporated Utility	Capital Projects		Totals
<b>Revenue</b>				
Taxes	\$ -	\$ 2,884,289	\$ 2,884,289	
Interest	- -	87,334	87,334	
<b>Total revenues</b>	- -	2,971,623	2,971,623	
<b>Expenditures</b>				
Public works	8,291	- -	8,291	
Community development	- -	685,251	685,251	
Debt services				
Principal retirement	- -	1,231,428	1,231,428	
Interest and fiscal charges	- -	1,737,438	1,737,438	
<b>Total expenditures</b>	8,291	3,654,117	3,662,408	
<b>Excess (Deficiency) of Revenues</b>				
<b>Over (Under) Expenditures</b>	(8,291)	(682,494)	(690,785)	
<b>Other Financing Sources (Uses)</b>				
Debt issuance	- -	9,945,000	9,945,000	
Bond discount	- -	(67,129)	(67,129)	
Payment to escrow agent	- -	(9,787,091)	(9,787,091)	
Transfers in	- -	350,000	350,000	
Transfers out	- -	(190,000)	(190,000)	
<b>Total other financing sources (uses)</b>	- -	250,780	250,780	
<b>Net Change in Fund Balances</b>	(8,291)	(431,714)	(440,005)	
<b>Fund Balances - Beginning</b>	920,372	6,129,256	7,049,628	
<b>Fund Balances - Ending</b>	\$ 812,081	\$ 5,697,542	\$ 5,609,523	

**From:** Corey Williamsen  
**Sent:** Tuesday, October 1, 2019 9:35 AM  
**To:** 'James Brill'  
**Cc:** Nancy Quinn  
**Subject:** Bensenville FOIA Response - October 1, 2019 - Brill #6430  
**Attachments:** 6430\_James\_Brill\_FOIA\_Complete.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	'James Brill'	
	Nancy Quinn	
	NQuinn@bensenville.il.us	Delivered: 10/1/2019 9:35 AM

Good Morning Mr. Brill-

Please see the attached FOIA response dated October 1, 2019 in regards to your FOIA request dated September 30, 2019.

Please let me know if you have any questions.

Thanks!

**Corey Williamsen**  
Deputy Village Clerk



12 South Center Street, Bensenville, IL 60106  
P: 630.350.3404 F: 630.350.3438

**From:** James Brill <[mywhitepines@gmail.com](mailto:mywhitepines@gmail.com)>  
**Sent:** Monday, September 30, 2019 12:59 PM  
**To:** Corey Williamsen <[CWilliamsen@bensenville.il.us](mailto:CWilliamsen@bensenville.il.us)>  
**Subject:** Fwd: FOIA request

Corey,

Can we please send us a copy of any court filings made by Bensenville attorneys within the last seven days regarding the Mellenthin lawsuit against the Village.

Thank you,

Jim Brill

Your White Pines Community Alliance,

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello and Mark Shawaluk

From: Corey Williamsen

Date: Tue, Sep 3, 2019 9:58 AM

To: White Pines Community Alliance;

Cc: Nancy Quinn;

Subject: Bensenville FOIA Response - September 3, 2019 - Brill #6274

Good Morning Mr. Brill-

Please see the attached FOIA response dated September 3, 2019 in regards to your FOIA request dated September 2, 2019.

Please let me know if you have any questions.

Thanks!

Corey Williamsen  
Deputy Village Clerk

12 South Center Street, Bensenville, IL 60106  
P: 630.350.3404 F: 630.350.3438

From: White Pines Community Alliance >  
Sent: Monday, September 2, 2019 9:15 AM  
To: Corey Williamsen >  
Subject: FOIA request

Corey,

Please find attached our September 02, 2019 FOIA request.

Your White Pines Community Alliance

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello, Mark Shawaluk, Tony Saldana, Debbie Brill and Jim Novello



BENSENVILLE

12 South Center Street  
Bensenville, IL 60106

Office: 630.350.3404  
Fax: 630.350.3408  
[www.bensenville.il.us](http://www.bensenville.il.us)

VILLAGE BOARD

October 1, 2019

President  
*President [Redacted]*

Board of Trustees  
*Board of Trustees  
Tessa Brumley  
Amy Foyat  
Mark H. Gray  
Matthew James  
Nicholas Kavallines  
Kris McHugh-Perry*

Village Clerk  
*Village Clerk [Redacted]*

Village Manager  
*Village Manager [Redacted]*

Mr. James Brill  
White Pines Community Alliance

Re: September 30, 2019 FOIA Request

Dear Mr. Brill:

I am pleased to help you with your September 30, 2019 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on September 30, 2019. You requested copies of the items indicated below:

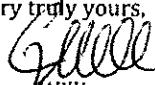
*"A copy of any court filings made by Bensenville Attorneys within the last seven days regarding the Mellenthin lawsuit against the Village."*

After a search of Village files, the following information was found responsive to your request:

- 1) Defendant's Section 2-615 and 2-619 Motions to Dismiss Plaintiffs' Second Amendment Complaint for DuPage Circuit Court Case No. 18CH1065. (10 pgs.)

These are all the records found responsive to your request.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,  
  
Corey Williamsen  
Freedom of Information Officer  
Village of Bensenville

**From:** James Brill <mywhitepines@gmail.com>  
**Sent:** Monday, September 30, 2019 12:59 PM  
**To:** Corey Williamsen  
**Subject:** Fwd: FOIA request

6430

Corey,

Can we please send us a copy of any court filings made by Bensenville attorneys within the last seven days regarding the Mellenthin lawsuit against the Village.

Thank you,

Jim Brill

Your White Pines Community Alliance,

Chris Balog, Jim Brill, Marianne Faraone, Kelly Novello and Mark Shawaluk

----- Original message-----

**From:** Corey Williamsen

**Date:** Tue, Sep 3, 2019 9:58 AM

**To:** White Pines Community Alliance;

**Cc:** Nancy Quinn;

**Subject:** Bensenville FOIA Response - September 3, 2019 - Brill #6274

Good Morning Mr. Brill-

Please see the attached FOIA response dated September 3, 2019 in regards to your FOIA request dated September 2, 2019.

Please let me know if you have any questions.

Thanks!

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL DISTRICT  
DUPAGE COUNTY, WHEATON, ILLINOIS

Chris Kachiroubas  
e-filed in the 18th Judicial Circuit Court  
ENVELOPE: 6772272  
2018CH001065  
FILEDATE: 9/30/2019 3:56 PM  
Date Submitted: 9/30/2019 3:56 PM  
Date Accepted: 9/30/2019 4:01 PM  
KB

GINA MELLINTHIN, KURT IGLEMAN, )  
CELESTE SHAW, AND PHIL ADCOCK, )  
Plaintiffs, )  
vs. ) No. 18 CH 1065  
VILLAGE OF BENSENVILLE, )  
Defendant. )

**DEFENDANT'S SECTION 2-615 AND 2-619  
MOTIONS TO DISMISS PLAINTIFFS' SECOND AMENDED COMPLAINT**

Defendant Village of Bensenville ("Village"), through its attorneys, Montana & Welch, LLC, presents the following as its Motion to Dismiss Plaintiffs' Second Amended Complaint pursuant to Section 2-615 and Section 2-619(a)(9) of the Illinois Code of Civil Procedure.

**I. Overview**

The Second Amended Complaint is Plaintiffs' third attempt to state a claim against the Village. Plaintiff Gina Mellinthin filed the original complaint *pro se* on behalf of White Pines Civic Association, an Illinois not-for-profit corporation. Plaintiff Mellinthin sought to enjoin the Village from implementing a water main improvement project in the White Pines subdivision in unincorporated Bensenville so she could explore other options which she believes are better for all White Pines residents. The Court struck this pleading on November 16, 2018. Among other defects, Plaintiff Mellinthin, a non-attorney, lacked the ability to bring a lawsuit on behalf of the White Pines Civic Association under the Illinois Attorney Act.

Four additional Plaintiffs then joined the action (including one who did not even receive water service from the Village) and obtained legal counsel, who filed an Amended Complaint. This pleading alleged that the individual Village Trustees and President had breached a fiduciary duty to the Plaintiffs by not putting \$300,000 into the Unincorporated Utility Fund between 2013

and 2017. The Court dismissed this First Amended Complaint on August 5, 2019, concluding that Plaintiffs did not state a breach of fiduciary duty claim. In particular, the Court pointed to the fact that Plaintiffs had failed to cite to an ordinance establishing a formula or amount that the Village was required to put into the Unincorporated Utility Fund, or plead any facts establishing that the amounts to be put into the Fund were not discretionary.

With the Second Amended Complaint, Plaintiffs still do not provide any facts, or exhibits, which establish that the amounts to be placed into the Unincorporated Utility Fund were not discretionary, or that the Village violated any ordinance with respect to the Fund. For these reasons, and others which will be discussed more fully below, Plaintiffs' Second Amended Complaint should be dismissed.

## **II. Plaintiffs' Pled Facts<sup>1</sup>**

Plaintiffs allege that they are all similarly situated Plaintiffs and are all unincorporated owners within the Village of Bensenville. (Second Amended Complaint, ¶ 6). Plaintiffs contend that the Village is in charge of their water service. (Second Amended Complaint, ¶ 7). Plaintiffs state that they have been contributing funds through their water bill to a capital fund called "Unincorporated Utility Fund" for capital improvements to their water system. (Second Amended Complaint, ¶ 9).

Plaintiffs plead that the Unincorporated Utility Fund is an account which "was established in the 1980s to finance major capital improvements to the water system exclusively in unincorporated areas." (Second Amended Complaint, ¶ 10, citing Ex. A). Plaintiffs allege that the "Unincorporated Utility Fund is defined as 'accounts for deposits made by the unincorporated

---

<sup>1</sup> By citing to and arguing regarding Plaintiffs' pled facts in this Motion, the Village in no way admits that these facts are true. Plaintiffs' pled facts are contested and the Village reserves the right to deny them in an answer should its Motion not be granted.

water and sewer utility users with the intent of providing various water and sewer system improvements that would directly benefit those depositors.” (Second Amended Complaint, ¶ 11, citing Ex. B).

According to Plaintiffs, the amounts paid into the Unincorporated Utility Fund are set forth via ordinance but Plaintiffs also contend that the Village “refuses to answer questions regarding the water rates and formulas from inception through today.” (Second Amended Complaint, ¶ 12-13, citing Ex. C-D).

Plaintiffs allege that the “Village of Bensenville trustees and representatives are supposed to put the funds received from the unincorporated owners into the Unincorporated Utility Fund.” (Second Amended Complaint, ¶ 14). Plaintiffs allege the Village’s “trustees and representatives have not been putting the funds received from the unincorporated owners into the Unincorporated Utility Fund.” (Second Amended Complaint, ¶ 15, citing Group Ex. E).

Plaintiffs plead that while there was \$912,081 in the Unincorporated Utility Fund as of the end of 2017, no monies were attributed by the Village to the Unincorporated Utility Fund from at least 2013 through 2017. (Second Amended Complaint, ¶ 17-18, citing Group Ex. E). All told, there would be an additional \$300,000 in the Unincorporated Utility Fund but for the zero contribution during these years, Plaintiffs allege. (Second Amended Complaint, ¶ 18-19). Though Plaintiffs acknowledge that there was nearly \$1 million in the Unincorporated Utility Fund as of the end of 2017, they still claim that they “have and will continue to suffer irreparable injury in that the moneys that have been paid to the Unincorporated Utility Fund have disappeared.” (Second Amended Complaint, ¶ 23). Plaintiffs bring claims for breach of fiduciary duty (Count I), breach of contract (Count II), and unjust enrichment (Count III).

## **II. Plaintiffs Lack Standing to Bring this Action (All Claims)**

Lack of standing is an affirmative matter which may be raised in a motion to dismiss pursuant to Section 2-619(a)(9) of the Code of Civil Procedure. Plaintiffs bring the Second Amended Complaint in their individual capacities seeking to affect the rights of unincorporated property owners who receive or have received water service from the Village since the 1980s.

Plaintiffs do not allege that they have any representational relationship with these individuals, nor plead any facts which would allow them to represent and affect the interests of these individuals. They do not allege any of the elements required to bring a class action pursuant to Section 2-801 of the Illinois Code of Civil Procedure. Plaintiffs' Second Amended Complaint should be dismissed in its entirety pursuant to Section 2-619(a)(9) for these reasons.

## **III. Breach of Fiduciary Duty Claim (Count I)**

### **A. Plaintiffs Lack a Clear Protectable Interest**

Plaintiffs contend in Count I that the Village breached a fiduciary duty to them by not attributing \$300,000 to the Unincorporated Utility Fund between 2013 and 2017 and they seek an injunction against the Village to force the Village to deposit this sum. “[I]n order to be entitled to permanent injunctive relief, a party “must show that he possesses a clear, protectable interest for which there is no adequate remedy at law.” *C.J. v. Dep’t of Human Servs.*, 331 Ill. App. 3d 871, 891 (1<sup>st</sup> Dist. 2002)).

Plaintiffs have not cited to any authority establishing that they have standing to represent past and present unincorporated property owners. Nor have they cited any injury particular as to them. Plaintiffs lack a clear protectable interest in the context of the relief they are seeking. This is grounds to dismiss Count I pursuant to Section 2-615.

### **B. Plaintiffs Do not Plead an Irreparable Injury**

Plaintiffs must also establish that an irreparable injury will result if the relief is not granted in order to prevail on their claim for injunctive relief. *C.J.*, 331 Ill.App.3d at 891. Plaintiffs generally allege that “[u]nless enjoined by this Court, the Defendant will continue to breach its fiduciary duties owed to Plaintiffs to the irreparable harm of Plaintiffs and will continue to do so until Defendant conforms with the intention of the Unincorporated Utility Fund.” (Second Amended Complaint ¶ 25).

This conclusory allegation is not sufficient to establish an irreparable injury. Plaintiffs contend that there was nearly \$1 million in the Unincorporated Utility Fund as of the end of 2017. (Second Amended Complaint, ¶ 16). If there was nearly \$1 million in the Unincorporated Utility Fund as of the end of 2017, and no allegation that the Village is or was unable to make any specific capital improvement due to the alleged reduction in funds, no injury can be inferred from Plaintiffs' pled facts.

Further, “[i]t is a well-established rule that, if a party's injury can be adequately compensated through money damages, then it has an adequate remedy at law and does not need the extraordinary remedy of injunctive relief.” *Lumbermen's Mut. Cas. Co. v. Sykes*, 384 Ill. App. 3d 207, 230–31 (1<sup>st</sup> Dist. 2008). Plaintiffs are alleging that a specific sum of money was not put into the fund. (Second Amended Complaint ¶ 18, 24). Plaintiffs directly admit that their alleged irreparable injury is purely monetary. (Second Amended Complaint ¶ 23). Even if Plaintiffs established the other elements of injunctive relief, which they do not, monetary damages would be sufficient to compensate them for their injuries. This too is grounds to dismiss Count I under Section 2-615.

### **C. Plaintiffs are not Likely to Succeed on the Merits**

“When granting permanent injunctive relief, the trial court, by definition, necessarily decides the plaintiffs’ success on the merits of the case.” *Sparks v. Gray*, 334 Ill. App. 3d 390, 395 (5<sup>th</sup> Dist. 2002). To prevail on a claim of breach of fiduciary duty, “the plaintiff must show that: 1) there existed a fiduciary duty; 2) that duty was breached; and 3) an injury resulted from the breach.” *In re Edgewater Med. Ctr.*, 373 B.R. 845, 858 (Bankr. N.D. Ill. 2007) (*citing Petri v. Gatlin*, 997 F.Supp. 956, 977 (N.D.Ill.1997)).

Plaintiffs attach two exhibits to their Second Amended Complaint which purport to define the “Unincorporated Utility Fund.” Exhibit A is a July 16, 1996 letter and an August 27, 1997 letter from Michael S. Allison, the Village Manager from that time period. The letters state that the Village had collected a surcharge on water and sewer since the 1980s to finance major capital improvements to the water system in unincorporated areas. (Second Amended Complaint, Ex. A). The July 1996 letter appears to seek to quell fears by some unincorporated residents that the funds were being used to repair or replace fire hydrants or to repair water main breaks or valve problems. *Id.* The August 1997 letter addresses a concern that the Village was contemplating extending water lines to encourage annexation. *Id.*

The letters are hearsay and lack foundation and thus should not be considered as part of Plaintiffs’ pled allegations. Moreover, the letters establish no duty on the part of the Village to use the Unincorporated Utility Fund to finance major capital improvements to the water system exclusively in unincorporated areas, because the Village Manager’s representations without Village Board authority are not binding. *See Lindhl v. City of Des Plaines*, 210 Ill. App. 3d 281, 294 (1<sup>st</sup> Dist. 1991) (oral promise by supervisor held not enforceable).

Even if Exhibit A did create such a duty, the breach of fiduciary duty Plaintiffs allege is that the Village allegedly put no money into the Unincorporated Utility Fund from 2013 to the present. (Second Amended Complaint ¶ 17-18, 24). The letters do not state that all water surcharges paid by unincorporated residents, or a given percentage, would go into the Unincorporated Utility Fund. Rather, they state what the funds were being used for during that particular time period.

Exhibit B does not support Plaintiffs' breach of fiduciary claim either. This undated and unauthenticated document defines an Unincorporated Utility Fund as a then-active non-major Special Revenue Fund. Exhibit B says nothing about any obligations on the part of the Village to deposit any given amount into the fund.

Plaintiffs attach Village Ordinance No. 30-2014 as Group Exhibit C. This ordinance sets forth water rates within or outside corporate limits, and capital recovery charges, but there is nothing in the ordinance which requires that the Village pay a certain amount into an Unincorporated Utility Fund, or which even references that fund. The ordinance was also passed on August 1, 2014. If the alleged breaches occurred starting in 2013, and if the Unincorporated Utility Fund began in the 1980s, then the ordinance is not germane to the alleged breaches of fiduciary duty. If anything, the ordinance may defeat Plaintiffs' claims, since the ordinance holds that it repeals all ordinance in conflict with it. (Second Amended Complaint, Group Exhibit C at 9).

Notwithstanding these issues, Plaintiffs have not pled facts showing that they have suffered any injury as a result of the alleged breaches, nor can they give that they plead that there was nearly \$1 million in the Fund as of the end of 2017 and there is no allegation of any project that

the Village could not complete as a result of the alleged breach of duty. Count I of Plaintiffs' Second Amended Complaint should be dismissed under Section 2-615.

#### **IV. Breach of Contract Claim (Count II)**

Plaintiffs contend in Count II that because they were required to pay into the Unincorporated Utility Fund by the Village, a contract was formed with each of them, and that this contract was breached by the "misallocation" of the \$300,000. In order to plead a cause of action for breach of contract, a plaintiff must allege: (1) the existence of a valid and enforceable contract; (2) substantial performance by the plaintiff; (3) a breach by the defendant; and (4) resultant damages. *W.W. Vincent & Co. v. First Colony Life Ins. Co.*, 351 Ill. App. 3d 752, 759 (1<sup>st</sup> Dist. 2004).

The "presumption is that a law is not intended to create private contractual or vested rights but merely declares a policy to be pursued until the legislature shall ordain otherwise." *Fumarolo v. Chicago Bd. Educ.*, 142 Ill.2d 54, 104 (1990) (*citing National R.R. Passenger Corp. v. Atchison, Topeka & Santa Fe Ry. Co.*, 470 U.S. 451, 466 (1985)).<sup>2</sup> "A party who asserts that a State law creates contractual rights has the burden of overcoming the presumption that a contract does not arise out of a legislative enactment." *Id.* "In determining whether a statute was intended to create a contractual relationship between the State and the affected party, the court must examine the language of the statute." *Id.*

Here, we do not have an ordinance for the Court to examine. All Plaintiffs include with their Second Amended Complaint are the two Exhibit A letters from a long-ago Village Manager which do not discuss the Village's obligations, if any, to deposit monies in the Unincorporated Utility Fund; the undated and unauthenticated Exhibit B which defines an Unincorporated Utility

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<sup>2</sup> *See Boswell v. City of Chicago*, 2016 IL App (1st) 150871, ¶ 19, 69 N.E.3d 379, 383 (applying *Fumarolo* to a municipal ordinance).

Fund as a non-major Special Revenue Fund; and Exhibit C, a 2014 ordinance which was passed after the Unincorporated Utility Fund was established and after the alleged breaches allegedly began in 2013 and which makes no reference to an Unincorporated Utility Fund. None of these items, nor anything stated in the Second Amended Complaint, meets Plaintiffs' burden of overcoming the presumption that a contract did not arise out of the Unincorporated Utility Fund.

Plaintiffs have not pled the other elements of breach of contract either. While Plaintiffs claim that they paid "their share" into the Unincorporated Utility Fund, they do not plead what that share was. Rather, Plaintiffs seek to recover the entire \$300,000 which they alleged was not deposited into the Fund. (Second Amended Complaint ¶ 31). As was discussed above, Plaintiffs do not have standing to bring this lawsuit on behalf of all of the past and present unincorporated property owners who receive water from the Village. Count II of Plaintiffs' Second Amended Complaint should be dismissed under Section 2-615.

#### **V. Unjust Enrichment Claim (Count III)**

Plaintiffs contend in Count III that because they were required to pay into the Unincorporated Utility Fund by the Village, an "agreement" was formed with each of them, and that this "agreement" was breached by the "misallocation" of the \$300,000. "To state a claim for unjust enrichment, a plaintiff must allege that the defendant has unjustly retained a benefit to the plaintiff's detriment, and that defendant's retention of the benefit violates the fundamental principles of justice, equity, and good conscience." *Gagnon v. Schickel*, 2012 IL App (1st) 120645, ¶ 25, 983 N.E.2d 1044, 1052 (internal citations omitted).

Unjust enrichment is "inapplicable where an express contract, oral or written, governs the parties' relationship. *Id.* "[A]lthough a plaintiff may plead claims alternatively based

on express contract and an unjust enrichment, the unjust enrichment claim cannot include allegations of an express contract.” *Id.*

The only difference between Plaintiffs’ breach of contract claim and their unjust enrichment claim is that Plaintiffs substituted the word “agreement” for the word “contract” in the latter. It is thus clear that Plaintiffs base Count III on the exact same invalid “contract” that they base Count II on. Count III is clearly an attempt to circumvent Illinois law regarding contractual rights in legislative enactments.

That aside, there are no facts pled establishing an unjust enrichment claim, while Plaintiffs allege that \$300,000 was not put into the Unincorporated Utility Fund between 2013 and the present, Plaintiffs plead no unlawful or improper conduct on the part of the Village, or how the Village was unjustly enriched by the \$300,000. In fact, Plaintiffs do not state what happened to this money at all. They just plead that it “disappeared.” Count III should be dismissed pursuant to Section 2-615.

## VI. Conclusion

For the foregoing reasons, Defendant Village of Bensenville requests that this Court dismiss Plaintiffs’ Second Amended Complaint, and grant any further relief deemed just.

Respectfully submitted,

VILLAGE OF BENSENVILLE, Defendant.

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