



Village of Faith

VILLAGE BOARD
COMMITTEE OF THE WHOLE MEETING

MAY 16, 2011 - 7:00 P.M.

Mayor
Brian K. Reaves

Village Clerk
Charlene M. Smollen

Trustees
Debby Blatzer
Paul Chialdikas
Clifford Miklos
Rick Sniegowski
Ronald Stapleton
Jeanette Virgilio

Administrator
Benjamin P. Wehmeier

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Engineering Department
phone (630) 257-2532
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Finance Department
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Police Department
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Public Works
16680 New Avenue
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www.lemont.il.us

I. CALL TO ORDER.

II. ROLL CALL.

III. DISCUSSION ITEMS

A. DISCUSSION OF UPDATED PURCHASING AUTHORITY POLICY AND PROCEDURES AND PURCHASE CARD POLICY AND PROCEDURES. (ADMINISTRATION/FINANCE)(REAVES/SNIEGOWSKI) (WEHMEIER/SCHAFFER/FRIEDLEY)

B. REVIEW OF POLICE AGENCY AGREEMENT WITH SINGER LANDING (ENFORCEMENT AUTHORITY ON PRIVATE PROPERTY). (PUBLIC SAFETY)(MIKLOS)(SHAUGHNESSY)

C. REVIEW OF PROPOSED CONTRACT WITH NCIC. (PUBLIC SAFETY)(MIKLOS)(SHAUGHNESSY)

D. REVIEW OF IDENTITY PROTECTION ACT ORDINANCE. (ADMINISTRATION/PUBLIC SAFETY)(REAVES/MIKLOS) (WEHMEIER/SCHAFFER/BLONDIN/STEIN)

E. DISCUSSION OF 703 PORTER STREET GARAGE VARIATION. (PLANNING & ED)(STAPLETON)(BROWN)

F. 10985 ARCHER - ANNEXATION (HOT DOG). (PLANNING & ED)(STAPLETON)(BROWN)

G. DISCUSSION OF LEASH ONLY ORDINANCE. (PUBLIC SAFETY/CODE ENFORCEMENT)(MIKLOS/STAPLETON) (SHAUGHNESSY)

IV. UNFINISHED BUSINESS.

V. NEW BUSINESS.

A. SLAMMERS - BUSINESS EXPANSION & OUTDOOR CAFE.

VI. AUDIENCE PARTICIPATION.

VII. ADJOURN.



**Village Board
Agenda Memorandum**

Item #

to: Mayor & Village Board

from: Ben Wehmeier, Village Administrator
George Schafer, Assistant Village Administrator
Ted Friedley, Village Treasurer

Subject: Discussion of Updated Purchasing Authority Policy and Procedures; and
Purchase Card Policy and Procedures

date: May 11, 2011

BACKGROUND/HISTORY

As part of the review of the operations of the Finance Department, staff will be updating its various financial policies as well. The tentative plan is to have a new policy/procedure to have the Committee of the Whole review and offer comments each month for the next several months. After the policies are reviewed and codified, they will be presented to the Village Board for formal approval. The goal is to have all of the financial policies in place by the end of the calendar year to lead the Village into the next budget cycle. The Village plans to review/update the following policies over the next several months.

- Purchasing Authority Policy - May COW
- Purchase Card Policy - May COW
- Fund Balance and Flow of Funds Policy (GASB 54)
- Investment Policy
- Debt Policy
- Revenue Management Policy
- Capital Asset Policy
- Red Flags Policy
- Water/Sewer Un-collectibles Policy
- Budget Policy

The two policies that will be reviewed at this Committee of the Whole meeting are the purchasing authority policy (which will replace the current purchasing manual) and the Purchase Card Policy (which will replace the current credit card use guidelines).

Purchasing Authority Policy

The first policy being updated is the Village's purchasing policy; it will eventually replace the purchasing manual. Attached is the memo from Sikich regarding the updated policy as well as the formal draft policy. Many of the provisions currently in place are incorporated into the updated policy with some changes. Once adopted, staff will be trained on the updated purchasing policies.

Purchase Card Policy

The second policy reviewed by staff and Sikich is the purchase card policy (credit card policy). Attached is the memo from Sikich and the formal draft policy. Once adopted, staff will be trained on the updated credit card use policy.

PROS/CONS/ALTERNATIVES (IF APPLICABLE)

RECOMMENDATION

ATTACHMENTS (IF APPLICABLE)

1. Purchasing Authority Policy Memo and Policy
2. Purchase Card Policy Memo and Policy

SPECIFIC VILLAGE BOARD ACTION REQUIRED

Discussion

April 29, 2011

Mr. Ben Wehmeier
Mr. George Shafer
Village of Lemont
Lemont, IL 60439

We have reviewed the current procedures for the Village purchasing program and developed the attached Purchasing Authority Policy and Procedures document to replace the existing Village Purchasing Manual. This new policy identifies and/or incorporates the following enhancements to the purchasing process:

Invoice Approval

Invoices can be received in the operating department or in the Finance Department. It was noted that there are some instances where the Finance Department coded the invoices without routing to the department for approval and coding. The new policy provides a process by which certain recurring invoices can be coded by the Finance Department if there has been a documented coding/approval for recurring invoices memo added to the vendor file. This will create efficiencies in the accounts payable process while still allowing department heads control over their budgeted expenditures.

Accounts Payable Check Processing

The Village currently processes checks twice each month to correspond with the Board meetings. The Village will wait until the warrant list is approved at the meeting before mailing the checks. This often results in late payment charges and missed vendor discounts as well as the issuance of many manual checks. The updated policy provides for a weekly processing of accounts payable and early release of checks to take advantage of vendor discounts and avoid late payment penalties. As they are all included on the warrant list that is approved by the Board, the Board still meets the statutory requirement to approve all Village obligations.

Purchasing Authority Procedures

Currently, the Village Administrator is required to approve any purchase over \$3,000. The new policy requires the Village Administrator to approve purchases over \$10,000 and provides the Department Heads authority to approve purchases less than \$10,000 provided it is included as a budgeted item. This not only creates efficiencies in the process, but provides additional emphasis on the department heads to manage their budget.

Use of Purchase Orders

The existing Purchasing Manual requires the use of a purchase order for purchases over \$100. We noted this procedure is not being adhered to. We have revised the Purchasing Authority Policy and Procedures document to limit the use of purchase orders to purchases that exceed \$10,000 or for those vendors that require a purchase order. Furthermore, we recommend the Village adopt a Purchase Card Policy as the use of purchase cards can now replace the use of purchase orders while still providing effective controls.

Overnight Travel and Expense Reimbursement Forms

The Village currently utilizes the Travel and Expense Reimbursement Request form for mileage reimbursement and travel expense reimbursement. The new policy utilizes an updated Mileage Reimbursement form that adds the account coding to the current form. In addition, a Travel Authorization and Expense form will be required to be completed and approved prior to overnight travel and subsequently used for expense reimbursement purposes.

Please let us know if you have any questions or if we can provide any further assistance.

Sincerely,

Lynn McCammon
Debbie Crabtree
Sikich LLP
998 Corporate Blvd.
Aurora, IL 60502-9102

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A. Purpose

The purpose of this policy is to provide the Village of Lemont staff with guidelines and directions for the acquisition of goods and services. When used with good judgment and common sense, the policies and procedures conveyed within will allow the Village to obtain required supplies and services efficiently and economically.

Employees are expected to read this policy and provide the Finance Department with feedback regarding the policies and procedures contained within. This policy is designed to be a fluid document and will be modified from time to time to conform with changes in legislation, technology and actual practice. Although it may not answer every question related to purchasing practices, it does provide general guidelines for purchasing activities. Employees who need help dealing with specific situations not covered by the manual should contact the Village Treasurer for assistance.

The Village Administrator, or his/her designee, shall be the final authority with regards to enforcement of any of the provisions of this policy. Failure to follow the procedures outlined in this policy may lead to disciplinary action.

B. Code of Ethics

All Village personnel engaged in purchasing and related activities shall conduct business dealings in a manner above reproach in every respect. Transactions relating to expenditure of public funds require the highest degree of public trust to protect the interests of the Village and the residents of Lemont. Village employees shall strive to:

- Ensure that public money is spent efficiently and effectively and in accordance with statutes, regulations and Village policies.
- Maintain confidentiality at all times.
- Not accept gifts or favors from current or potential suppliers, which might compromise the integrity of their purchasing function.
- Specify generic descriptions of goods wherever possible in lieu of brand names when compiling specifications.
- Never allow purchase orders for identical goods or services to be split or variations to Village Board approvals to be made in order to circumvent established policy.
- Purchase without favor or prejudice.

The Village of Lemont
Purchasing Authority Policy and Procedures
Adopted: May xx, 2011

- Ensure that all potential suppliers are provided with adequate and identical information upon which to base their offer or quotation and that any subsequent information is made available to all bidders.
- Establish and maintain procedures to ensure that fair and equal consideration is given to each offer or quotation received and selection is based upon the lowest total cost compliant bid.
- Offer a prompt and courteous response to all inquiries from potential or existing suppliers.

It shall be the responsibility of the Village Administrator to determine if a violation of this Code of Ethics has occurred and if disciplinary action is necessary.

C. Conflict of Interest Policy

Except as may be disclosed to and permitted by the Village Board, it shall be a breach of ethical standards for any employee to participate directly or indirectly in the purchasing process when the employee knows that:

1. The employee is contemporaneously employed by a bidder, vendor or contractor involved in the procurement transaction; or
2. The employee, the employee's partner, or any member of the employee's immediate family holds a position with a bidder, offeror or contractor such as an officer, director, trustee, partner or the like, or is employed in a capacity involving personal and substantial participation in the procurement transaction, or owns or controls an interest in the company; or
3. The employee, the employee's partner, or any member of the employee's immediate family has a financial interest arising from the procurement transaction; or
4. The employee, the employee's partner, or any member of the employee's immediate family is negotiating, or has an arrangement concerning, prospective employment with a bidder, vendor or contractor.

The employee's immediate family shall be defined as a spouse, children, parents, brothers and sisters and any other person living in the same household as the employee.

It shall be the responsibility of the Village Administrator to determine if a violation of this Conflict of Interest policy has occurred and if disciplinary action is necessary.

D. Gifts and Gratuities – Village Guidelines for Accepting

Village personnel should be aware that offers of gratitude from vendors could be designed to compromise objective judgment in product or service selection. Accordingly, it is Village policy to observe the highest standards of ethics and to shield the employee, the Village and the vendor from any suggestion or appearance of conflict of interest.

No employee shall permit any influence by vendors, which could conflict with the best interest of the Village, or prejudice the Village's reputation. Expenditures of Village funds to vendors shall not by intention personally benefit any person employed with the Village. Employees shall strive to follow the following guidelines:

1. Tangible gifts or gratuities shall not be accepted where their value suggests something more than merely a social gesture. Such gifts should be returned with a statement of Village policy. Promotional or advertising items of nominal value such as key chains, pens, coffee mugs, calendars and holiday candy are acceptable. Promotional gifts that are capable of being shared, such as a box of chocolates, shall be shared within the office or section where the recipient works.
2. Association with vendor representatives at business meals or business organization meetings is occasionally necessary and is neither questionable nor unethical, provided the individual keeps himself/herself free of obligation.
3. Personal loans of money or equipment are not to be accepted from a vendor or an individual associated with a vendor doing business with the Village.
4. Solicitation of vendors for merchandise or certificates to serve as door prizes or favors is normally prohibited. However, the Village Administrator may approve exceptions.
5. Corporate discounts granted to Village employees are acceptable only if they are offered to all Village employees and other corporate clients of the vendor.

If in any doubt about the propriety of accepting a gift, the matter should be referred to the Department Head who will, if necessary, discuss the matter with the Village Administrator or his/her designee.

E. General Purchasing Procedure and Responsibilities

1. The Village Board adopts a budget for the fiscal year.
2. Purchases of goods/services for budgeted items may be ordered by Department Heads provided that expenditures do not exceed the amount available in the budget. Exceptions to this general rule will occur when a purchase order is required (Section G), pricing requires Board action (Section F), or a budget amendment is required (Section H).

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3. The level of budget authority (the level at which expenditures cannot legally exceed the budget) granted to the Village Treasurer is established at the individual fund level.
4. Approved invoices are forwarded by Departments to the Finance Department for inclusion in the Village's Warrant List approval process. Invoices should be submitted to Finance on a regular basis as received.
5. The Finance Department sends any invoices received directly by the Finance Department to appropriate departments for review and signature of Department Head on invoice. Certain recurring invoices (e.g., contract amounts, utilities) do not need to be returned to the individual department for approval. In these instances, a memo from the Department Head with the appropriate coding will be maintained in the vendor file as evidence of approval and coding.
6. Checks are processed on a weekly basis. Those checks not requiring specific board approval can be mailed 30 days from date of invoice or earlier if a discount is allowed.
7. All properly approved invoices are then compiled by the Finance Department on a Warrant List for Board approval. The Warrant List is included in the agenda packet for the Board Meeting.
8. The Board approves the Warrant List at the Board Meeting

F. Pricing Requirements

The Village's policy is to obtain the most cost effective price available for purchases through competitive pricing. Pricing should generally be obtained from at least three vendors except as noted in the following guidelines or as otherwise required by law. The following guidelines will determine the level of pricing required for purchases.

1. Purchase total less than \$2,500 – One verbal quote is sufficient. If the nature of the purchase is repetitive (i.e. monthly), pricing does not need to be obtained every time, but should be reviewed annually. Employees are encouraged to seek additional pricing when possible.
2. Purchase total \$2,500 - \$4,999 – Three verbal quotes required.
3. Purchase total \$5,000 - \$9,999 – Three written quotes required.
4. Purchase total \$10,000 - \$19,999 - Authorization required by purchase order which must be approved by the Village Administrator. Written price quotes are required. Purchase Orders are discussed further in Section G.
5. Purchases \$20,000 or more - Must be authorized by the Village Board prior to Purchase Order approval. Formal bid or RFP process required.

Exceptions to the pricing requirements include single source vendors, repetitive purchases, requirements by State statute or local ordinance, purchases thru the State of Illinois Joint Purchasing program or other state cooperatives, financially advantageous joint purchases with other units of government, emergency purchases, contractual obligations, professional associations, professional services for legal, engineering, architect, insurance, medical, accounting, auditing, technology, surveying or any other unusual purchasing situation.

G. Purchase Orders

The policy intends to limit the use of purchase orders. Departments will be required to file purchase orders only if one of the following criteria is met:

1. Purchase is for \$10,000 or more.
2. Vendor requires a purchase order in order to deliver the good or service and invoice for the item at a later date.
3. A significant time period is anticipated between the ordering of an item and the payment of such item. Examples include capital projects which take place over several months, commodities used over several months (e.g. road salt) and items ordered well in advance of delivery (e.g. fire engine).

In order to expedite purchasing throughout the year, blanket purchase orders may also be prepared on a fiscal year basis if authorized by the Village Administrator. Blanket purchase orders are for vendors that require a purchase order amount for small item or per unit purchases.

H. Budget Amendments

If a department determines that a significant individual purchase will cause a budgeted account number to go over budget, the department should submit a budget amendment request. Approval of a budget amendment request is as follows:

1. If the amount is less than \$10,000 and can be transferred from another account where a positive budget variance is anticipated, the Village Treasurer has the authority to approve the request.
2. If the amount is \$10,000 or greater and can be covered by another account, the Village Administrator has the authority to approve the request.
3. If the amount cannot be offset by a reduction in spending from another account, then the budget amendment request will be presented to the Board for approval. The preferred method of presentation to the Board is for the Department Head to include the preparation of a budget amendment request along with an agenda item. However, the Department Head can also prepare a written memorandum to the Village Administrator requesting inclusion of an amendment on the board agenda should the purchase itself (e.g. contract approval) not require prior Board approval. Such inclusion must be approved by the Village Administrator.

I. Emergency Purchases

Emergencies are defined as events that could not have been foreseen where immediate action is necessary to safeguard the public's health and safety. In the event of an emergency affecting the public health and safety, the Public Works Director shall have additional authority up to \$10,000 for emergency purchases for the following items:

- Services/maintenance to maintain vehicles.
- Services/materials to maintain wells.
- Services/materials to maintain streets.
- Services/materials to maintain sewer system.
- Services/materials to maintain water system.

Documentation of the emergency and the need for immediate action shall be presented to the Village Board, together with an itemized account of all expenditures. Reporting to the Board would be handled through the first warrant list process immediately following the emergency expenditure.

J. Payroll

The Mayor and Board of Trustees authorize the Village Treasurer on a fiscal year basis to pay wages and salaries of Village employees in accordance with the rates of compensation established by the Board along with the payment of all payroll taxes, pension contributions, and such other obligations according to Federal, State, local, or pension fund requirements.

K. Manual Checks

Occasionally, a need will arise for a check to be prepared manually outside of the normal claims list process. These manual checks are needed when a check has to be remitted prior to the next Board Meeting warrant list process. The Village's policy is to keep requests for manual checks at a minimum. Common items for which manual checks can be prepared include 1) Payroll related checks; 2) Late notification of seminar registrations or late decisions to attend; 3) Unavoidable cash on delivery transactions; 4) Board approved contractual obligations requiring check; 5) Emergency purchases, 6) Agreed to arrangements pre-approved by the Village Administrator with vendors, 7) Situations which will significantly impair the Village financially if a check is not prepared; and 8) Situations which would significantly impair the Village's operations if a check is not prepared.

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Adopted: May xx, 2011

The Finance Department will process manual checks no more frequently than weekly. The Finance Director may authorize a non-emergency related check between weekly cycles in situations where immediate issuance of the check is needed to prevent an adverse impact on the Village. The Department Head must submit a written request for a manual check to the Village Treasurer. All manual checks are to be approved by the Department Head and Village Treasurer. In the Village Treasurer's absence either the Assistant Village Administrator may approve manual checks. Departments will have to demonstrate that a manual check fits one of the above criteria.

Once a check is prepared, reporting to the Board including invoice approval, will take place through the first following warrant list process which corresponds to the manual check date.

L. Petty Cash

The Village Board has approved three petty cash funds within the Village as follows: Village Hall Cashier-\$500; Public Works Coordinator-\$400; Police Chief Secretary- \$500. Responsibility for custody and safeguarding of each fund and for all fund disbursements rests with the appropriate Department Head. The Department Head may designate an employee in their department as custodian of the petty cash fund.

Petty cash is to be used to reimburse employees for Village expenses which the employee incurs up front and for small purchases which are handled most efficiently by utilizing petty cash. The following restrictions apply:

1. Individual petty cash purchases are limited to a maximum of \$75.00.
2. Employee must prepare a petty cash voucher which is approved by the Department Head.
3. Receipts documenting the expense must be attached to the petty cash voucher.

Disbursements from petty cash funds cannot be ultimately approved without receipts. If cash is provided in advance of the purchase, the employee must return the unused cash along with the receipt. If an employee cannot provide a receipt, alternative verification approved by the Department Head must be attached.

Each department is responsible for balancing and reconciling its own petty cash fund. Departments replenish petty cash funds by submitting a request to the Finance Department. The request is then processed through the Warrant List procedure. The request for replenishment must be supported by petty cash vouchers/receipts which agree to the amount of the request. The fund must be at least 50% depleted for the Finance Department to process a check to replenish. The fund must be replenished at fiscal year-end for all expenses at that point in time.

Departments can request an increase to their petty cash fund amount through the regular warrant list process. Approval of such a request by the Village Board will also constitute approval of amending this policy to reflect the increased amount.

M. Village Purchase Card

The Village purchase card is administered under a separate Purchase Card Policy. See that policy for applicable guidelines.

N. On-Line Purchasing

The Internet may be utilized for on-line purchasing as a tool for obtaining favorable pricing, preferred products/services and securing expedited procurement.

On-line purchasing is subject to all requirements of this policy and is not to be used for means other than allowed by this policy. On-line purchasing shall be subject to the pricing requirements of purchasing procedures Section F.

On-line purchases are to be made preferably utilizing a Village issued purchase card which is subject to the procedures as discussed in the Village Purchase Card Policy. Situations when an employee utilizes their own credit card to make a purchase on behalf of the Village are subject to pre-approval of the employee's Department Head. Such pre-approved purchases will be reimbursed directly to the employee through the Village's regular warrant list process. The employee must obtain a receipt or other form of documentation substantiating the on-line purchase. Should an employee make an on-line purchase without pre-approval, reimbursement of that purchase can be denied by the Village.

O. Mileage & Toll Reimbursement

Reimbursement for the mileage for non-overnight travel when driving a personal vehicle for Village business and for related tolls incurred shall be made to employees on a monthly basis. Employees shall complete the Monthly Mileage & Toll Reimbursement form and submit the form for payment thru the Village's regular claims list process. The form is attached as Exhibit B. It is the Village's policy to reimburse employees for every business mile driven with a personal vehicle at the Internal Revenue Service (IRS) standard mileage rate. The form will be modified by the Finance Department each time the IRS adjusts the rate; typically on a calendar year basis. Employees will be reimbursed for actual toll expenses. Employees using personal vehicles on Village business must have adequate automobile insurance coverage.

P. Signing of Contracts

All contracts in excess of \$10,000 must be signed by the Village Administrator. Additionally, all contracts or documents requiring the signature of the Mayor and/or Village Administrator, and/or any other person designated by the Village Board must be executed accordingly.

Q. Overnight Travel

Occasionally it will be advantageous to the Village for employees to incur overnight travel when conducting Village business. Overnight travel is most typically utilized for educational events such as conferences. Overnight travel is basically a two part process: 1) approval of the travel in advance; and 2) expense reporting of the trip.

1. Authorization

All travel requiring an overnight stay must be approved in advance by both the employee's Department Head and the Village Administrator. Requests for travel authorization must be made utilizing the Travel Authorization and Expense form; which is attached along with its instructions as Exhibit D.

2. Travel Arrangements

Employees should make travel arrangements which seek to facilitate efficient and timely travel while maintaining reasonable costs. Employees are encouraged to utilize the travel arrangements and rates generally secured by the sponsor of the conference or seminar. Employees are also encouraged to seek government discounts when available. Employees should arrive at the destination in a timely enough manner which allows the employee to attend all activities that are the subject of the trip. Generally, events which begin early in the morning will necessitate the employee arriving the night before. At the conclusion of the business purpose of the trip, expenses will be paid for the employee to travel home, but not for additional nights unless such is beyond the employee's control, or is approved by the Village Administrator.

3. Air Fare

Employees are encouraged to seek flights which generally facilitate the efficient and timely attendance for the business purpose of the travel. All airfare at Village expense will be limited to coach/economy class. Upgrades above coach/economy class will be paid by the employee. Travel by train or another form of mass transportation may be substituted in lieu of air travel provided such cost does not exceed that of air fare

4. Ground Transportation

Employees should utilize one of four forms of ground transportation: taxi, hotel transportation, airport transportation, or personal or Village owned vehicle. If a rental automobile is necessary, such rental must be pre-approved by the Department Head and Village Administrator with such approval noted on the Travel Authorization and Expense form. Employees utilizing personal vehicles to travel to the destination shall be reimbursed at the standard IRS mileage rate. When utilizing a personal vehicle, expenses for tolls and parking will also be paid by the Village. Expenses will also be paid for ground transportation that is necessary for business purposes during the travel while at the destination.

5. Lodging

Employees may obtain comfortable lodging at reasonable prices. When available, employees should utilize lodging and rates generally secured by the sponsor of the conference or seminars. Should an employee secure lodging other than that offered by the sponsor, reimbursement will not be made for costs in excess of what is available thru the sponsor. Employees are also encouraged to seek government discounts when available.

6. Meals

Employees engaged in travel which requires an overnight stay will receive a per diem amount up to a maximum of \$46 per day including tax and tip (as of April 1, 2011). The per diem amount shall be adjusted May 1 of each year using the U. S. General Services Administration (GSA) CONUS rate. Any costs exceeding the per diem amount are the responsibility of the employee.

7. Accompaniment on Trip

The Village will not pay for any travel expenses of any non-employee (e.g. family members) accompanying the employee on a trip. Only those expenses related to the employee's business travel will be paid

8. Non-Allowable Expenses

The Village shall not pay for any expenses which are considered to be personal in nature including, but not limited to, the following:

- Personal entertainment
- Personal phone calls except to report schedule changes to family members
- Laundry expenses
- Grooming expenses (e.g., beautician, barber)
- Traffic violations and court costs
- Membership fees for airline or hotel clubs
- Books and magazines unless work related

9. Advances

Employees are encouraged to request an advance to cover out of pocket costs for their trip related to items 4 (ground transportation) and 6 (meals). The purpose of such advance is to provide the employee cash for the trip and minimize the employee's need to utilize a personal charge

10. Requesting Payments and Reporting Expenses

Each time a payment is to be made related to the trip; the employee is to submit the Travel Authorization and Expense form and should follow all instructions accompanying the form. At the conclusion of the trip, a final accounting is to be made by utilizing the form and the employee will either receive a reimbursement or will remit any unused advance back to the Village. Receipts or similar supporting documentation must be submitted with the form to support all expenses. If a receipt is not submitted for a certain expense, a written explanation must be provided as to why a receipt was not submitted. The Village may deny any request submitted by an employee for payment of undocumented expenses.

R. Year-End Accrual Calculations and Procedures

The Village shall calculate all year-end accruals with a goal of preparing complete, fully-adjusted trial balances at April 30 each year reflecting all purchase related accruals. Each year in March, the Treasurer shall issue a memorandum to the Village's department directors detailing the year end accrual calculations and procedures. The memorandum should include, but not be limited to items such as the year end accounts payable accrual, unbilled goods or services at year end, year-end purchase order procedures and the manual check cut-off date.

April 29, 2011

Mr. Ben Wehmeier
Mr. George Shafer
Village of Lemont
Lemont, IL 60439

We have reviewed the current procedures for the Village purchase (credit) card program and developed the attached Purchasing Card Policy and Procedures document to be used in connection with the current provider, Chase Bank. We have identified and/or incorporated the following enhancements to the current Chase Bank program:

Obtain online access to credit card accounts.

Currently, the Finance Department does not have online access to the Chase account. We observed the receipt of the monthly statement with the following timing:

- Billing period date: 2/2 – 3/1
- Statement received by Village date: 3/7
- Payment due date 3/21 (to be processed by 3/9 to allow for board approval).

This allowed only two days to process the payment for inclusion at the next board meeting for approval and payment before the due date. If the Village has online access, Village personnel would be able to process the credit card payments in a more timely manner

Designate Village Program Administrator and Provide Appropriate Access

The Village Finance Department is currently responsible for processing the credit card payments. However, the Account Analyst does not have inquiry access with the credit card company. The Village should consider designating the Account Analyst as the Program Administrator for the purchasing (credit) card and provide appropriate access with Chase Bank. Further designation of the Program Administrator as the central contact with the credit card company would allow for coordination of new card issuance, card cancellation, and resolution of disputes.

Investigate Additional Features of Chase Business Card Account

We reviewed the current credit card billing statement and noted that Chase Bank offers several reporting features for business cardholders. Our inquiries noted these are currently not utilized by the Village. In addition, we noted no evidence of spending limits by employee or category; features that may be available but just not currently utilized by the Village. We recommend the Village contact a Chase Bank representative for additional options that may be available with the current credit card program.

Purchase Card Profiles

There are currently no established guidelines for types of purchases and purchase limits, offered to different types of cardholders. We recommend the Village consider implementing the use of Purchase Card Profiles when issuing purchase cards. These profiles can be established for different employees which will establish the category type of purchases and purchase limits. This can be an effective tool in monitoring the use of purchase cards. We have included purchase card profile examples as part of the suggested policy.

Monthly Transaction Logs

When employees make a purchase using a credit card, they complete a Village Credit Card Authorization form indicating the account coding and department head approval. To streamline processing, we recommend the Village consider replacing this with the use of a monthly Transaction Log (see example in attached policy).

We recommend you review this policy and consider implementation in the near future. Once approved, please distribute this to current authorized cardholders and request their signed acknowledgement of receipt.

While implementation of this policy will enhance controls over the use of Village purchase cards, we ultimately recommend the Village investigate alternative purchase card vendors as there are many additional features of purchase card programs available, including:

- Rebates on purchases
- Spending limits by cardholder
- Spending limits by category
- Spending limits by merchant
- Reporting by department

We have sample policies and procedures related to these types of purchase card programs available for your review. Please contact us if we can provide additional assistance.

Sincerely,

Lynn McCammon
Debbie Crabtree
Sikich LLP
998 Corporate Blvd.
Aurora, IL 60502-9102

Village of Lemont
Purchase Card Policy and Procedures
Adopted: May xx, 2011

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A. Introduction

The Purchase (Credit) Card Program is intended to streamline and simplify purchasing and payment procedures by consolidating supplier invoices and eliminating form processing. The Payment Settlement Entity (PSE) is selected by Village personnel to process vendor payments on the Village's behalf. The Purchase Card Program is not intended to avoid or bypass appropriate procurement or payment procedures. Rather, the Program complements the existing processes available. The Purchase Card also gives personnel an opportunity to make practical decisions in obtaining products or services for which they are knowledgeable and reduces administrative burdens. Management information reports are available, enabling the Department Heads to improve management control and decision-making.

This Policy provides information about the process, the types of purchases that can and cannot be made, records that must be maintained and reconciled for each cycle, and a variety of other Program information.

The cardholder needs to remember that he/she is committing Village funds each time the purchasing card is used. This is a responsibility that should not be taken lightly. The cardholder is the person responsible for all charges made to the card. Intentional misuse or fraudulent abuse may result in disciplinary action up to and including dismissal and recovery of all unauthorized purchases.

The card has no impact on the cardholder's personal credit. Although the card lists an individual's name, the card is actually issued to the Village of Lemont.

The Assistant Village Administrator is responsible for implementing the Purchase Card Program within the Village. The Treasurer (Program Administrator) is the Village's primary representative to the purchasing card vendor. This individual is responsible for card issuance, card cancellation and communicating to the purchasing card vendor, who, within the Village, receives the cards, monthly billings, additional statements and management reports.

Outline of Purchase Card Procedures:

1. Cardholder orders product or service directly from supplier.
2. Supplier processes the order.
3. The PSE checks for compliance with applicable limits.
4. The supplier delivers the product or service.
5. The PSE arranges payment to the supplier in as few as three business days.
6. The PSE issues individual monthly statements to the Cardholders and a master statement to the Program Administrator to verify purchases.
7. The Village sends a single payment to the PSE.
8. The Village uses various management information reports to review and analyze spending.

B. Policy

The current small purchases limit is \$999 per transaction. Any purchase of \$1,000 and over, requires a purchase order along with competitive quotes and/or bids. **The Village of Lemont is liable for authorized charges made using the card.** Purchase cards shall be used for **official** Village of Lemont purchases only. Use of the card for personal items is not permitted. Efforts should be made to use vendors who accept the purchasing card where appropriate in order to maximize administrative cost savings. If the employee has questions on the appropriate use of the Purchasing Card, the employee should contact the Assistant Village Administrator.

C. Procedures

1. Card Issuance

Purchasing Cards will be issued to individuals who have a need as determined by their Department Head and approved by the Assistant Village Administrator. Examples of individuals requiring a Purchasing Card are:

- Anyone with authority to order supplies and materials.
- Anyone who reconciles and resolves procurement problems.
- Anyone who has a demonstrable need for the card to avoid spending personal funds on Village business and later being reimbursed by the Village.
- Anyone who needs to make frequent purchases while away from their usual work location.

The ideal Cardholder will meet all four criteria. Former employees, non-employees such as contractors, are not eligible to obtain purchasing cards.

To obtain a Purchasing Card:

1. Obtain an Application/Acknowledgement Form from the Purchasing Card Program Administrator. See Appendix A-1 for a sample Application/Acknowledgement Form.
2. The employee must complete the application including the Department Head's signature.
3. Send the completed application with original signatures to the Assistant Village Administrator. **The application should be accompanied with a memorandum from the Department Head recommending the appropriate Card Profile to be applied.**
4. Attend a training orientation and receive the Purchasing Card. The Purchasing Cards are issued with the name of the Cardholder and the Village of Lemont names embossed on the front.

2. Card Profiles

The Village has established a list of profiles for which each employee will be appropriately placed by the Department Heads. These profiles will be maintained by the Finance Department. The Finance Department will monitor limits and restrictions and make changes when appropriate. The following profiles have been established:

- Profile A:
 - Maximum dollar limit per transaction = \$999
 - Maximum dollar limit per month = \$2,500
 - Merchant Restriction: authorized list of approved vendors
 - Travel/Entertainment Restriction: no travel or entertainment charges allowed. (Employee)

- Profile B:
 - Maximum dollar limit per transaction = \$999
 - Maximum dollar limit per month = \$5,000
 - Merchant restriction: none
 - Travel/Entertainment Restriction: no travel or entertainment charges allowed. (Employee)

- Profile C:
 - Maximum dollar limit per transaction = \$999
 - Maximum dollar limit per month = \$5,000
 - Merchant restriction: none
 - Travel/Entertainment Restrictions: travel and entertainment charges permitted. (Supervisor)

Department Heads may elect Cardholder restrictions from the following available options:

1. **Dollar limits per transaction:** This limit allows Department Heads to designate the maximum dollar amount for Cardholders to spend on each purchase or transaction. At the point-of-sale, the PSE verifies that the purchase amount falls within the approval transaction limit. If the amount requested for authorization exceeds the limit, the authorization is denied.

2. **Dollar limits per Cardholder:** This limit allows Department Heads to designate the total amount an employee can spend during the monthly billing cycle. A running balance is maintained by the PSE that increases with each authorized charge until the Cardholder reaches the assigned monthly limit. If the limit is reached before the end of the billing cycle, new attempts for authorization are denied.

3. Cancellation of Card

- Cardholders must return the Purchase Card to the Village Program Administrator immediately upon request or upon termination of employment.
- It shall be the responsibility of the Department Heads to ensure all cancelled cards are collected from the employee prior to the employee leaving and forwarded to the Program Administrator to be destroyed.
- It is imperative the Cancellation Form Appendix A-4 (obtained from Program Administrator) be processed in an expedited manner.

4. Changes

The Village Program Administrator must be contacted when changes need to be made to existing purchasing cards. If a new purchasing card needs to be issued, the Cardholder should receive the replacement card in 7-10 business days. The old card, unless it is lost, must be turned in to the Program Administrator before the replacement card will be issued. The Department Head should utilize the Program Maintenance Worksheet (located at Appendix A-2) to:

- Make name changes,
- Change mailing address,
- Increase or decrease spending limit/restrictions,
- Card replacement, or
- Change accounting information contained on the card's magnetic tape.

The Program Maintenance Worksheet should be provided to the Village Program Administrator to effect the changes. The approximate time to complete a change is 3 to 5 business days after receipt by the PSE. Requests can be faxed to the PSE at (800) xxx-xxxx or emailed to www.chase.com/businesscards by the Village Program Administrator.

5. Purchasing Card Security

Authorized use of the Purchasing Card is limited to the person whose name appears on the face of the card. The Purchasing Card must not be loaned to another person; however, the Card may be used to make purchases for an employee in the department.

The Purchasing Card, or any document containing the card account number, should be kept in an accessible but secure location. The account number on the purchasing card should not be posted or left in a conspicuous place. **The account number must not be faxed to vendors.**

The Village of Lemont
Chase Purchase Card Policy & Procedures
Adopted: May xx, 2011

If the Purchasing Card is lost or stolen, the Cardholder must immediately notify the Village's Program Administrator **and** the PSE at (800) 346-5538.

The Village is liable for the use of the Purchasing Card by authorized users, provided that the use is within the single per transaction dollar limit. The Village of Lemont does not accept liability for the following:

- Unauthorized use of the Purchasing Card.
- Account numbers that are fraudulently used.
- Purchases made with stolen or lost cards that are beyond the maximum limit of \$50, and after discovery and reporting to the PSE of card loss or theft.
Exception: If the PSE investigation finds the employee used the card for personal gain the Village becomes liable.

6. General Requirements for Card Use

Department Heads shall require Cardholders to maintain a Transaction Log Worksheet (Appendix A-3) of the purchases to allow monitoring of spending limits and reconciliation of purchasing activity to the monthly purchase and statement. A new Transaction Log Worksheet should be established at the beginning of each new billing cycle. To use the Purchasing Card, the Cardholder should take the following steps:

- 1) Identify a vendor that sells the goods and services needed.
- 2) Call, go on-line, or go to the vendor's place of business and place the order.

7. Ordering Procedures

- Information to provide a supplier:
 - Provide the vendor with Cardholder name and card number.
 - Expiration date of the Card.
 - Remind the supplier that the Village is exempt from Sales Tax. The vendor will verify the account number with the PSE. The spending limit will be checked electronically for compliance with applicable limits.
 - Business ship-to address.
 - Preferred methods of shipment, i.e., FOB Destination, freight prepaid and allowed.
 - **Please Note: The purchasing card number should not appear anywhere on the exterior of the package. This number is CONFIDENTIAL!**
 - Record order on Transaction Log Worksheet for reconciliation when receiving the goods and matching to the charge card statement.

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Chase Purchase Card Policy & Procedures
Adopted: May xx, 2011

- Information to obtain from supplier:
 - Order confirmation or tracking number.
 - Base cost of purchase.
 - Anticipated delivery date.
 - Freight cost, if available.

- Retain all documentation pertaining to the purchase. When the vendor delivers the order, or the order is picked up, documentation of the purchase (such as sales receipt or packing slip) should accompany the order. The documentation must be kept on file by the Cardholder for reconciliation to the charge card statement.

- Enter the purchase information in the Cardholder's purchasing log worksheet. The Purchasing Log Worksheet should be designed to meet the needs of the department. The Purchase Log Worksheet should contain, but not be limited to, the following information.
 - Department name
 - Cardholder name
 - Account number of purchasing card
 - Date of purchase
 - Vendor name
 - Description of purchase
 - Amount of purchase
 - Account number to charge

- Returns, Credits and Disputed Items

In most cases, disputes can be resolved directly **between the Cardholder and the vendor** that provides the goods and services. The Cardholder must use the following guidelines when returning an item or for other disputed items such as sales tax charged:

- If an item needs to be returned for any reason, the Cardholder should send the item back to the vendor in the manner agreed upon.
- Returns of material to suppliers must be handled as credits and treated as separate transactions.
- Returns are not to be handled as exchanges or combined with other purchases.
- A separate transaction must be placed to re-order the correct material.
- **Cash refunds are not allowed under any circumstances!!**

The Village of Lemont
Chase Purchase Card Policy & Procedures
Adopted: May xx, 2011

- Call the supplier as soon as possible. Promptness is important.
- Obtain supplier's Return Authorization Number, i.e. approval to return.
 - Information to give to supplier:
 - Card Number
 - Name
 - Phone number
 - Confirmation number/packing slip number
- The vendor should issue a credit for items that are returned or for sales tax inadvertently charged. This credit will appear on a subsequent charge card statement.
 - Confirm that the supplier will issue the credit to the purchase card. This should be an outstanding item on the Transaction Log Workseet until the credit appears on the monthly charge card statement.
- If the cardholder and the vendor cannot resolve an issue, the Cardholder should dispute the charge in writing to the PSE by faxing a completed dispute form (Appendix A-5) with a copy to the Finance Department. The PSE will process and investigate the dispute on the Cardholder's behalf and assist in the resolution. A temporary credit will be issued pending final resolution.
- If there is still a problem, contact the department head or the Finance Department.

8. Charge Card Statement Reconciliation

- Department Procedures

1. Overview:

- The Purchasing Charge Card billing cycle is approximately 30 days in length.
- The PSE mails Cardholders statements approximately three to four days after the cut-off date. Given mail cycles, the statement can be received as late as the 7th of the month.

The Village of Lemont
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- Cardholders record transactions and attach appropriate receipts to the Transaction Log Worksheet. The Department Head signs the Worksheet to document review and approval. The Village President or Finance Trustee signs the Transaction Log Sheet of the Village Administrator. (note, if the president gets a purchasing card the Finance Trustee should review and approve the presidents log).
- Department Head forwards the Worksheet and supporting documentation to Finance Department. **No later than the 5th of the month following the end of the billing cycle.**

2. Reconciliation Procedures:

The department is responsible for retaining documentation of purchases and returns and reconciling them to the monthly Transaction Log Worksheet. The following guidelines are recommended for reconciliation:

- The Cardholder shall be required to retain a receipt, invoice or other appropriate supporting documentation for each and every purchase made on the credit card.
- The Cardholder will match and attach all such receipts to the Transaction Log Worksheet in the same order as the transactions appear on the statement and sign and date the statement, and notate on the report, "okay to pay."
- The department head will review the cardholder's Transaction Log Worksheet, make the appropriate changes (account numbers), initial with authorized signature and forward all information to the Finance **Department by the 5^h of each month.** Continued delinquencies in forwarding statements to the Finance Department **shall** result in the loss of credit card privileges.
 - The Cardholder's Transaction Log Worksheet must be signed by the Cardholder; reviewed, approved and signed by the Department Head.
- If at any point a Cardholder, Department Head or Finance Department employee identifies an issue that would otherwise cause the Village to be paying the wrong amount to the PSE, it is imperative that communication be initiated to all appropriate personnel involved in the process.

The Village of Lemont
Chase Purchase Card Policy & Procedures
Adopted: May xx, 2011

- All supporting documentation pertaining to the purchases and returns on the statement should be kept on file with the Purchasing Log Worksheet until disposition in accordance with Village policies.

3. Discrepancies

- Discrepancies should be noted on the Purchasing Log Worksheet for subsequent resolution. It is the Cardholder's responsibility to first work with the applicable vendor, then directly with the PSE in order to resolve the issue with temporary credits issued during pending investigation by the PSE.
 - All unresolved issues should be brought to the attention of the Department Head and if necessary, then to the Finance Department.

9. Charge Card Statement Payment Guidelines

- **Finance Procedures**

The Finance Department is responsible for processing payments to the PSE. The following guidelines must be observed when processing payments:

- Upon receipt of the monthly invoice from the PSE the Finance Department will reconcile all of the Transaction Log Worksheets to the master statement received from the PSE.
- Upon receipt of supporting documentation and reconciliation to the invoice (completeness, accuracy), the supporting documentation will be attached to the invoice and filed accordingly.
- Such supporting documentation should be received by the 5th of the month the statement is received. For those departments that do not meet such timelines, appropriate follow-up should be conducted by the Program Administrator with continued delinquencies of the department resulting in the loss of credit card privileges.
- An annual analysis will be performed by the Program Administrator that will compile the following information using the PSE reports as appropriate detail.
 - Total volume of transactions and dollar amount of transactions for which a credit card was used.

- Top vendors by volume of transactions report generated (to be used to identify vendors that may be subject to credit card purchases).
 - Comparison of credit card purchases to non-credit card purchases analysis by volume of transactions and by dollar of transactions with trend analysis performed in subsequent years.
- The payment due date is established by the terms of the contract with the PSE. The due date will be based upon the cycle date selected by the Village. **The PSE must receive payment within 21 days after the statement cycle date.** Do not adjust due date for holidays or weekends. Example: If the charge card billing cutoff date is 3/01/11 the due date is 3/21/11.

D. Management Information

Management Information Reports

The PSE provides Departments detailed management information reports that enable the Village to monitor Cardholder usage, policy compliance, and frequency of vendor usage. Over 30 reports are available. Some of the Management information reports currently available include:

Account Spending Analysis Detail	Account Statement
Account Spending Analysis	Cost Allocation Detail
Card Program Analysis	Account Status
Merchant Category Monthly Summary	Line Item Detail
Merchant Detail	Merchant Exception
Merchant Supplier Summary	Account Activity Exception

- **1099 Reporting**

Payments made to vendors using the purchasing cards may be subject to 1099 reporting. The Finance Department is responsible for adding 1099 reportable payments to individual vendor payment totals for proper 1099 reporting.

- **Internal Controls**

Department Heads must develop and document internal control procedures to ensure that all approved monthly statements are turned into Finance by the 5th of each month. The department procedures must:

- Ensure the Transaction Log Worksheets have been reviewed and approved by the Cardholder's supervisor and that the appropriate expense accounts have been charged.
- Ensure unacceptable materials and incomplete services are documented on the Purchasing Log Worksheet and the purchaser took the appropriate corrective action with the vendor, and
- Ensure the original payment processing documents are sent to the Finance Department and a copy is maintained in a department file for audit purposes.
- The Finance Department will perform "spot" post-audits of charge card transaction activity to ensure compliance with the procedures contained herein

- **Records Retention**

Records should be maintained for a period of seven years after final payment.

**Chase Bank/Village of Lemont
APPLICATION/ACKNOWLEDGEMENT FORM**

Your use of the Chase Bank Village Purchasing Card issued to you is subject to the following terms and conditions. You must comply with the terms and conditions as part of the terms and conditions of your employment.

1. You are being entrusted with a valuable tool – a Village purchase card – and will be making financial commitments on behalf of the Village. You should strive to obtain the best value for the Village by using existing Village and State Contract suppliers where possible.
2. You understand the Village is liable to Chase Bank for all charges made on the purchase card.
3. You must use this purchase card for approved purchases only and must not charge personal purchases. The Village will audit the use of this purchase card and report and take appropriate action on any discrepancies.
4. You must follow the policy and procedures in the Village Purchase Card Policy and Procedures document established by the Village for the use of the purchase card. Failure to do so may result in either revocation of your use privileges or other disciplinary action, including termination of employment.
5. You will be given a copy of the Village Purchase Card Policy and Procedures document. You are required to read and follow the requirements of the purchasing card use.
6. You must return the purchase card immediately upon request or upon termination of employment (including retirement). Should there be any organizational change which causes your cost center to change, you must return the purchase card and arrange for a new one, if appropriate.
7. If the purchase card is lost or stolen, you must notify the Village Purchasing Card Program Administrator and Chase Bank at 1-800-346-5538 immediately.
8. The Village or Chase Bank may change the purchase card terms and conditions or its policy and procedures concerning the use of the purchase card and you must comply with those changes. Any changes will be accomplished by Addendum to the Village Purchase Card Policy and Procedures document.

As the employee being issued the purchase card, I have read and understand the terms and conditions stated above.

Employee name:

Department name:

Employee signature (print and sign)

Date

Phone:

As the employee's Department Head, I acknowledge that I am responsible to ensure that the employee abides by the above conditions. I am responsible for taking appropriate action in situations involving misuse of the purchase card. I am responsible for notifying the Village Purchasing Card Program Administrator to cancel the purchase card if the Cardmember is terminated for any reason, or if the Cardmember transfers to another Department within the Village. I am also responsible for making certain that any reports I receive are checked for accuracy.

Cardmember Department Head name _____

Cardmember Department Head Signature (signature required) _____

The Village of Lemont
Chase Purchase Card Policy & Procedures
Adopted: May xx, 2011

A-2

Chase Bank Corporate Purchasing Care PROGRAM MAINTENANCE WORKSHEET

Prepared by: _____ Date: _____

Signature: _____ Control Account #: _____

Part I: CARDMEMBER INFORMATION (complete all information in this section)

Date: _____ Name of Company: _____

Cardmember Account #: _____ Business Mailing Address: _____

Name of Cardmember _____ City: _____ State: _____ Zip _____

Part II: MAINTENANCE

Name Change

Cardmember name as it appears: _____ Cardmember name as it should appear: _____

Address Change

Current Business Mailing Address: _____

New Business Mailing Address: _____

Employee ID/Cost Center/Universal Changes

Employee ID (maximum 10 characters): _____

Cost Center (maximum 10 characters): _____

Universal (maximum 25 characters): _____

Social Security Number: _____

Permanent Limit/Restriction Changes

Type of limit	Increase	Decrease	Amount
Type of limit	Increase	Decrease	Amount

Temporary Limit/Restriction Changes

Type of limit	Increase	Decrease	Amount
Type of limit	Increase	Decrease	Amount

Add or delete: _____ Dates from: _____ To: _____

Type of restriction: _____ Type of restriction: _____

Card Replacement

Lost	Stolen	Not Received
Embossing Error		Mutilated

Cancellation Reinstatement

Cancellation	Reinstatement
Other	Reason:

Comments: _____

Account Transfer

From: _____ To: _____

Account Number: _____ Account Number: _____

Cardmember Name: _____ Cardmember Name: _____

The undersigned hereby requests a name change be effected and a Corporate Purchasing Card be issued as indicated herein and renewed and replaced until the undersigned gives notice to cease. By requesting the name change, the undersigned understands that Chase Bank will cancel any outstanding Corporate Purchasing Cards issued under the former name. Undersigned further agrees to destroy such Cards issued under the former name.

Send to:
Village of Lemont Finance Department
(630) 243-2708

Signature: _____

**Chase Bank/Village of Lemont
Purchasing Card Cancellation Form**

Cardholder Name: _____

Account Number: _____

Requestor's Name: _____
(if different than cardholder)

Reason for cancellation:

_____ Termination of employment

_____ Loss of purchasing card privileges

_____ Other: _____

Please submit completed form to the Program Administrator.

Approved: _____ Date: _____
Program Administrator

E-mail completed form to: **tfriedly@lemont.il.us**. Print a copy of the sent file and retain with cardholder file.

**Village Board
Agenda Memorandum**

Item #

to: Mayor & Village Board

from: Ben Wehmeier, Village Administrator
George Schafer, Assistant Village Administrator
Kevin Shaughnessy, Chief of Police
Jeff Stein, Village Attorney

Subject: Discussion of Police Agency Agreement with Singer Landings- Enforcing Authority on Private Property

date: May 11, 2011

BACKGROUND/HISTORY

In order to enforce parking and other violations on private party, the Village requires an agency agreement to be entered into between the two parties.

Attached is an agreement between Singers Landing Homeowner's Association who owns and operates Singers Landing Condominiums and the Village of Lemont for the regulation of vehicles, traffic and parking.

PROS/CONS/ALTERNATIVES (IF APPLICABLE)

The attached agreement allows for the Police Department to enforce traffic and parking regulations on the subject property.

RECOMMENDATION

ATTACHMENTS (IF APPLICABLE)

1. Agreement pertaining to Regulation of Vehicles, Traffic and Parking at Singers Landing Condominiums

SPECIFIC VILLAGE BOARD ACTION REQUIRED

Discussion only. If acceptable ordinance and agreement will be presented at future board meeting.

AGREEMENT PERTAINING TO REGULATION OF VEHICLES, TRAFFIC AND PARKING

This Agreement is made and entered into, by and between the Village of Lemont, located in Cook, DuPage and Will Counties, Illinois, (hereinafter referred to as the "Village,") and Singers Landing Homeowners Association, (hereinafter referred to as "the Association").

WITNESSETH:

WHEREAS, the Village may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare and to license pursuant to the Illinois Constitution of 1970; and

WHEREAS, the Association operates and represents a residential subdivision within the corporate limits of the Village, to wit: (i) Singers Landing Condominiums (hereinafter referred to as the "Property") of which is legally described on Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the Property consists of ten or more single family residences, and which has located thereon private streets, roads, driveways, parkways, parking areas or other private property open to or used by vehicular traffic; and

WHEREAS, the Association has filed a written request pursuant to Section 5/11-209.1 of Chapter 625 of the Illinois Compiled Statutes (625 ILCS 5/11-209.1), requesting that the Village and its police department establish traffic regulations and regulate traffic and access to the Property and enforce the provisions of the Illinois Vehicle Code and Village ordinances thereon; and

WHEREAS, the Village desires to enforce traffic, vehicular and parking regulations on the Property pursuant to the powers and authority vested in it as a unit of government, in the Illinois Compiled Statutes, and the Lemont Village Code.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE FOLLOWING COVENANTS AND AGREEMENTS, IT IS AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. The foregoing recitals are hereby incorporated herein and made a part hereof.
2. The Village is hereby empowered to establish regulations for the parking and movement of automobile traffic on the Property and further empowered to enforce said regulations. The Village, in order to further accomplish the purpose of this Agreement may, and not by way of limitation, do any or all of the following on the Property:
 - (a) Enforce the Lemont Village Code and applicable Village ordinances; and

(b) Enforce traffic regulations as set forth in the Illinois Vehicle Code (625 ILCS 5/1-100 et seq.).

3. The Association does hereby grant to the Village, its employees and agents the right of access to the Property for the purposes of enforcing the terms of this Agreement

4. That the term of this Agreement shall be for five (5) years from the date of the approval of this Agreement by the Corporate Authorities of the Village and be automatically renewable for three (3) additional five year terms unless canceled by either party, in writing, at least three (3) months prior to the end of any term. Notwithstanding the foregoing, this Agreement may not be cancelled within twelve (12) months after the date of the original written request by the Association. Any valid cancellation shall take effect the following January 1st.

5. Any such cancellation must be provided to the Chief of Police, sent certified mail to the Lemont Police Department.

6. That this Agreement shall be effective upon its execution by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused the foregoing Agreement to be witnessed by their respective duly authorized officers.

Date: _____, 2011

VILLAGE OF LEMONT

By: _____

Title: _____

Date: _____, 2011

SINGERS LANDING HOMEOWNERS ASSOCIATION

By: _____

Title: _____

Village Board
Agenda Memorandum

Item #

to: Mayor & Village Board

from: Ben Wehmeier, Village Administrator
George Schafer, Assistant Village Administrator
Kevin Shaughnessy, Chief of Police
Jeff Stein, Village Attorney

Subject: Discussion of Contract with NCIC- In-Mate Telephone Service Provider

date: May 11, 2011

BACKGROUND/HISTORY

Staff has been in negotiation with NCIC to provide for phones in the lock-up area of the police facility to provide collect call service for the in-mates. The Village Attorney had an issue with the contract and is now working with the vendor to correct the issue. The contract will be available at time of meeting, along with related discussion.

PROS/CONS/ALTERNATIVES (IF APPLICABLE)

The installation and maintenance of the system will be at no cost to the Village. The Village will receive a portion of the collect call costs.

RECOMMENDATION

ATTACHMENTS (IF APPLICABLE)

None. Contract will be available at meeting

SPECIFIC VILLAGE BOARD ACTION REQUIRED

Discussion

**Village Board
Agenda Memorandum**

Item #

to: Mayor & Village Board
from: Ben Wehmeier, Village Administrator
George Schafer, Assistant Village Administrator
Dan Blondin, Village Attorney
Jeff Stein, Village Attorney
Subject: Review of Identity Protection Act Ordinance
date: May 10, 2011

BACKGROUND/HISTORY

The Illinois Identity Protection Act requires each local and State government agency to draft, approve, and implement an Identity-Protection Policy to ensure the confidentiality and integrity of Social Security Numbers the Village may collect. The Village Attorney has drafted a policy modeled after the Attorney General's sample policy. The policy must be adopted and implemented by June 1.

PROS/CONS/ALTERNATIVES (IF APPLICABLE)

RECOMMENDATION

Staff recommends the approval of the policy

ATTACHMENTS (IF APPLICABLE)

- 1) A Resolution Adopting an Identity Protection Policy
- 2) Draft Identity Protection Policy
- 3) Identity Protection Act

SPECIFIC VILLAGE BOARD ACTION REQUIRED

Discussion

A RESOLUTION ADOPTING AN IDENTITY PROTECTION POLICY

WHEREAS, the Village of Lemont desires to adopt an Identity Protection Policy pursuant to the Illinois Identity Protection Act (5 ILCS 179/1, *et. seq.*); and

WHEREAS, the President and Board of Trustees find that adopting the attached Village of Lemont Identity Protection Policy is in the interest of the public health, safety and welfare of the residents of Lemont;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES as follows:

SECTION 1: That the Village of Lemont Identity Protection Policy, attached as Exhibit A hereto is hereby adopted.

SECTION 2: This Resolution shall be in full force and effect from and after its passage as provided by law.

SECTION 3: The Village Clerk of the Village of Lemont shall certify to the adoption of this Resolution and cause the same to be published in pamphlet form.

PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL AND DUPAGE, ILLINOIS on this _____ day of _____, 2011.

PRESIDENT AND VILLAGE BOARD MEMBERS:

	AYES:	NAYS:	ABSENT:	ABSTAIN
Debby Blatzer	_____	_____	_____	_____
Paul Chialdikas	_____	_____	_____	_____
Clifford Miklos	_____	_____	_____	_____
Ron Stapleton	_____	_____	_____	_____
Rick Sniegowski	_____	_____	_____	_____
Jeanette Virgilio	_____	_____	_____	_____

BRIAN K. REAVES
President

ATTEST:

CHARLENE M. SMOLLEN
Village Clerk

VILLAGE OF LEMONT
IDENTITY-PROTECTION POLICY

The Village of Lemont adopts this Identity-Protection Policy pursuant to the Identity Protection Act. 5 ILCS 179/1 *et seq.* The Identity Protection Act requires each local and State government agency to draft, approve, and implement an Identity-Protection Policy to ensure the confidentiality and integrity of Social Security numbers agencies collect, maintain, and use. It is important to safeguard Social Security numbers (SSNs) against unauthorized access because SSNs can be used to facilitate identity theft. One way to better protect SSNs is to limit the widespread dissemination of those numbers. The Identity Protection Act was passed in part to require local and State government agencies to assess their personal information collection practices, and make necessary changes to those practices to ensure confidentiality.

Social Security Number Protections Pursuant to Law

Whenever an individual is asked to provide this Office with a SSN, Village of Lemont shall provide that individual with a statement of the purpose or purposes for which the Village of Lemont is collecting and using the Social Security number. The Village of Lemont shall also provide the statement of purpose upon request. That Statement of Purpose is attached to this Policy.

The Village of Lemont shall not:

- 1) Publicly post or publicly display in any manner an individual's Social Security number. "Publicly post" or "publicly display" means to intentionally communicate or otherwise intentionally make available to the general public.
- 2) Print an individual's Social Security number on any card required for the individual to access products or services provided by the person or entity.
- 3) Require an individual to transmit a Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted.
- 4) Print an individual's Social Security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the Social Security number to be on the document to be mailed. SSNs may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the Social Security number. A Social Security number that is permissibly mailed will not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.

In addition, the Village of Lemont shall not¹:

- 1) Collect, use, or disclose a Social Security number from an individual, unless:
 - i. required to do so under State or federal law, rules, or regulations, or the collection, use, or disclosure of the Social Security number is otherwise necessary for the performance of the Village of Lemont's duties and responsibilities;
 - ii. the need and purpose for the Social Security number is documented before collection of the Social Security number; and
 - iii. the Social Security number collected is relevant to the documented need and purpose.
- 2) Require an individual to use his or her Social Security number to access an Internet website.
- 3) Use the Social Security number for any purpose other than the purpose for which it was collected.

Requirement to Redact Social Security Numbers

The Village of Lemont shall comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's Social Security number. The Village of Lemont shall redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents.

When collecting Social Security numbers, the Village of Lemont shall request each SSN in a manner that makes the SSN easily redacted if required to be released as part of a public records request. "Redact" means to alter or truncate data so that no more than five sequential digits of a Social Security number are accessible as part of personal information.

¹ These prohibitions do not apply in the following circumstances:

- (1) The disclosure of Social Security numbers to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the governmental entity must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under this Act on a governmental entity to protect an individual's Social Security number will be achieved.
- (2) The disclosure of Social Security numbers pursuant to a court order, warrant, or subpoena.
- (3) The collection, use, or disclosure of Social Security numbers in order to ensure the safety of: State and local government employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a State or local government agency facility.
- (4) The collection, use, or disclosure of Social Security numbers for internal verification or administrative purposes.
- (5) The disclosure of Social Security numbers by a State agency to any entity for the collection of delinquent child support or of any State debt or to a governmental agency to assist with an investigation or the prevention of fraud.
- (6) The collection or use of Social Security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

Employee Access to Social Security Numbers

Only employees who are required to use or handle information or documents that contain SSNs will have access. All employees who have access to SSNs shall be trained to protect the confidentiality of SSNs.

What does the Village of Lemont do with your Social Security Number?

Statement of Purpose for Collection of Social Security Numbers Identity-Protection Policy

The Identity Protection Act, 5 ILCS 179/1 *et seq.*, requires each local and State government agency to draft, approve, and implement an Identity-Protection Policy that includes a statement of the purpose or purposes for which the agency is collecting and using an individual's Social Security number (SSN). This statement of purpose is being provided to you because you have been asked by the **Village of Lemont** to provide your SSN or because you requested a copy of this statement.

Why do we collect your Social Security number?

You are being asked for your SSN for one or more of the following reasons:

- Complaint mediation or investigation;
- Crime victim compensation;
- Vendor services, such as executing contracts and/or billing;
- Law enforcement investigation;
- Child support collection;
- Internal verification;
- Administrative services; and/or
- Other: _____

What do we do with your Social Security number?

- We will only use your SSN for the purpose for which it was collected.
- We will not:
 - Sell, lease, loan, trade, or rent your SSN to a third party for any purpose;
 - Publicly post or publicly display your SSN;
 - Print your SSN on any card required for you to access our services;
 - Require you to transmit your SSN over the Internet, unless the connection is secure or your SSN is encrypted; or
 - Print your SSN on any materials that are mailed to you, unless State or Federal law requires that number to be on documents mailed to you, or unless we are confirming the accuracy of your SSN.

Questions or Complaints about this Statement of Purpose

Write to the **Village of Lemont**:

[CONTACT INFORMATION]

West's Smith-Hurd Illinois Compiled Statutes Annotated Currentness
Chapter 5. General Provisions
Records
→ Act 179. Identity Protection Act
→ **179/1. Short title**

§ 1. Short title. This Act may be cited as the Identity Protection Act.

179/5. Definitions

§ 5. Definitions. In this Act:

“Identity-protection policy” means any policy created to protect social security numbers from unauthorized disclosure.

“Local government agency” means that term as it is defined in Section 1-8 of the Illinois State Auditing Act.

“Person” means any individual in the employ of a State agency or local government agency.

“Publicly post” or “publicly display” means to intentionally communicate or otherwise intentionally make available to the general public.

“State agency” means that term as it is defined in Section 1-7 of the Illinois State Auditing Act.

179/10. Prohibited Activities

§ 10. Prohibited Activities.

(a) Beginning July 1, 2010, no person or State or local government agency may do any of the following:

(1) Publicly post or publicly display in any manner an individual's social security number.

(2) Print an individual's social security number on any card required for the individual to access products or services provided by the person or entity.

(3) Require an individual to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted.

(4) Print an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision in this Section to the contrary, social security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as

part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the social security number. A social security number that may permissibly be mailed under this Section may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.

(b) Except as otherwise provided in this Act, beginning July 1, 2010, no person or State or local government agency may do any of the following:

(1) Collect, use, or disclose a social security number from an individual, unless (i) required to do so under State or federal law, rules, or regulations, or the collection, use, or disclosure of the social security number is otherwise necessary for the performance of that agency's duties and responsibilities; (ii) the need and purpose for the social security number is documented before collection of the social security number; and (iii) the social security number collected is relevant to the documented need and purpose.

(2) Require an individual to use his or her social security number to access an Internet website.

(3) Use the social security number for any purpose other than the purpose for which it was collected.

(c) The prohibitions in subsection (b) do not apply in the following circumstances:

(1) The disclosure of social security numbers to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the governmental entity must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under this Act on a governmental entity to protect an individual's social security number will be achieved.

(2) The disclosure of social security numbers pursuant to a court order, warrant, or subpoena.

(3) The collection, use, or disclosure of social security numbers in order to ensure the safety of: State and local government employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a State or local government agency facility.

(4) The collection, use, or disclosure of social security numbers for internal verification or administrative purposes.

(5) The disclosure of social security numbers by a State agency to any entity for the collection of delinquent child support or of any State debt or to a governmental agency to assist with an investigation or the prevention of fraud.

(6) The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

(d) If any State or local government agency has adopted standards for the collection, use, or disclosure of social security numbers that are stricter than the standards under this Act with respect to the protection of those social security numbers, then, in the event of any conflict with the provisions of this Act, the stricter standards adopted by

the State or local government agency shall control.

179/15. Public inspection and copying of documents

§ 15. Public inspection and copying of documents. Notwithstanding any other provision of this Act to the contrary, a person or State or local government agency must comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's social security number. A person or State or local government agency must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents.

179/20. Applicability

§ 20. Applicability.

(a) This Act does not apply to the collection, use, or disclosure of a social security number as required by State or federal law, rule, or regulation.

(b) This Act does not apply to documents that are recorded with a county recorder or required to be open to the public under any State or federal law, rule, or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois. Notwithstanding this Section, county recorders must comply with Section 35 of this Act.

179/25. Compliance with federal law

§ 25. Compliance with federal law. If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, any State or local government agency that complies with the federal law shall be deemed to be in compliance with this Act.

179/30. Embedded social security numbers

§ 30. Embedded social security numbers. Beginning December 31, 2009, no person or State or local government agency may encode or embed a social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this Act.

179/35. Identity-protection policy; local government

§ 35. Identity-protection policy; local government.

(a) Each local government agency must draft and approve an identity-protection policy within 12 months after the effective date of this Act. The policy must do all of the following:

(1) Identify this Act.

(2) Require all employees of the local government agency identified as having access to social security numbers in the course of performing their duties to be trained to protect the confidentiality of social security numbers. Training should include instructions on the proper handling of information that contains social security numbers from the time of collection through the destruction of the information.

- (3) Direct that only employees who are required to use or handle information or documents that contain social security numbers have access to such information or documents.
- (4) Require that social security numbers requested from an individual be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request.
- (5) Require that, when collecting a social security number or upon request by the individual, a statement of the purpose or purposes for which the agency is collecting and using the social security number be provided.
- (b) Each local government agency must file a written copy of its privacy policy with the governing board of the unit of local government within 30 days after approval of the policy. Each local government agency must advise its employees of the existence of the policy and make a copy of the policy available to each of its employees, and must also make its privacy policy available to any member of the public, upon request. If a local government agency amends its privacy policy, then that agency must file a written copy of the amended policy with the appropriate entity and must also advise its employees of the existence of the amended policy and make a copy of the amended policy available to each of its employees.
- (c) Each local government agency must implement the components of its identity-protection policy that are necessary to meet the requirements of this Act within 12 months after the date the identity-protection policy is approved. This subsection (c) shall not affect the requirements of Section 10 of this Act.

179/37. Identity-protection policy; State

§ 37. Identity-protection policy; State.

- (a) Each State agency must draft and approve an identity-protection policy within 12 months after the effective date of this Act. The policy must do all of the following:
- (1) Identify this Act.
 - (2) Require all employees of the State agency identified as having access to social security numbers in the course of performing their duties to be trained to protect the confidentiality of social security numbers. Training should include instructions on proper handling of information that contains social security numbers from the time of collection through the destruction of the information.
 - (3) Direct that only employees who are required to use or handle information or documents that contain social security numbers have access to such information or documents.
 - (4) Require that social security numbers requested from an individual be placed in a manner that makes the social security number easily redacted if required to be released as part of a public records request.
 - (5) Require that, when collecting a social security number or upon request by the individual, a statement of the purpose or purposes for which the agency is collecting and using the social security number be provided.
- (b) Each State agency must provide a copy of its identity-protection policy to the Social Security Number Protection Task Force within 30 days after the approval of the policy.
- (c) Each State agency must implement the components of its identity-protection policy that are necessary to meet the

requirements of this Act within 12 months after the date the identity-protection policy is approved. This subsection (c) shall not affect the requirements of Section 10 of this Act.

179/40. Judicial branch and clerks of courts

§ 40. Judicial branch and clerks of courts. The judicial branch and clerks of the circuit court are not subject to the provisions of this Act, except that the Supreme Court shall, under its rulemaking authority or by administrative order, adopt requirements applicable to the judicial branch, including clerks of the circuit court, regulating the disclosure of social security numbers consistent with the intent of this Act and the unique circumstances relevant in the judicial process.

179/45. Violation

§ 45. Violation. Any person who intentionally violates the prohibitions in Section 10 of this Act is guilty of a Class B misdemeanor.

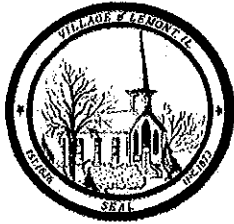
179/50. Home rule

§ 50. Home rule. A home rule unit of local government, any non-home rule municipality, or any non-home rule county may regulate the use of social security numbers, but that regulation must be no less restrictive than this Act. This Act is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

179/55. Superseding other law

§ 55. This Act does not supersede any more restrictive law, rule, or regulation regarding the collection, use, or disclosure of social security numbers.

END OF DOCUMENT



Village of Lemont
Planning & Economic Development Department

418 Main Street · Lemont, Illinois 60439
phone 630-257-1595 · fax 630-257-1598

TO: Mayor Brian K. Reaves
Committee of the Whole

#037-11

FROM: James A. Brown, Planning & Economic Development Director

THRU
SUBJECT: Case 11-01 – 703 Porter Garage Variation

DATE: 11 May 2011

SUMMARY

Keith Michalek, owner of the subject property, has requested a variation to the Village's side yard setback requirements in order to construct a replacement unattached garage at his residence, 703 Porter Street. The PZC recommends approval of the request.



The subject property at 703 Porter is within the R-4A zoning district (thick lines) and a little over one block from the historic district (thin lines). Note that the lot at 703 Porter is similar in size to nearby lots.

PROPOSAL INFORMATION

Case No. 11.01
Project Name 703 Porter Garage Variation

General Information	
Applicant	Keith Michalek
Status of Applicant	owner of the subject property
Requested Actions:	Variation from side yard setback in order to construct a garage within three feet of the property line
Site Location	703 Porter Street
Existing Zoning	Lemont R-4A Single-Family Preservation and Infill District
Size	92.59ft x 50 ft = 4,629.5 sq ft
Existing Land Use	Single-family residential
Surrounding Land Use/Zoning	Single-family residential and R-4A zoning on all sides
Comprehensive Plan 2002	N/A
Zoning History	N/A
Special Information	
Public Utilities	N/A
Transportation	N/A
Physical Characteristics	Ground slopes from front of lot (south) to rear.

ZONING REQUIREMENTS AND THE APPLICATION

Section 17.07.020.F governs the size and placement of garages in the R-4A zoning district. Detached garages must be accessed from an alley whenever possible, and the garages must be five feet from both the rear and side lot lines. In this instance, there is no alley; the detached garage at 703 Porter is accessed from the street. The existing garage is located almost on the rear lot line and approximately 1.75 feet from the side lot line. A variation is therefore sought to replace the existing garage with one of similar dimensions on the same location, i.e. less than five feet from the lot lines.

STANDARDS FOR VARIATIONS

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

Analysis. The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to this variation request. The variation request is generally consistent with the remaining four components.

- *Promoting and protecting the general health, safety and welfare.* The variation request will not injure the public health, safety and general welfare.

- *Ensuring adequate natural light, air, privacy, and access to property.* The applicant requested the variation in order to replace an existing garage that is not in compliance with zoning regulations. The existing garage does not adversely affect the natural light, air, privacy, or access to the property; the new garage will not either.
 - *Protecting the character of established residential neighborhoods.* The subject site is in an established residential area. It is located within the R-4A zoning district, which generally contains Lemont's oldest residential developments and smallest lot sizes, where nonconforming structures exist with perhaps greater frequency than elsewhere in the Village. The replacement of the existing garage with a one of similar dimensions will not adversely affect the character of this established residential neighborhood.
 - *Conserving the value of land and buildings throughout the Village.* The proposed height variation will not have an impact on the value of land and buildings throughout the Village.
2. The plight of the owner is due to unique circumstances and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

Analysis. The applicant suggests that the unique circumstance in this case is that the lot is small and slopes to the rear of the lot. Many lots in the R-4A are indeed small, and this particular lot is smaller than most: only 69 out of 1091 lots in the R-4A are less than 5,000 square feet. Lot depth—only 92 feet—creates a problem with moving the garage away from the rear lot line. While the lot width (50 ft) is not too restrictive, access to the garage is provided by a driveway that runs from the curb on Porter Street and then along the house to the garage. Placing the garage away from the lot line and more toward the center of the lot would inhibit easy vehicular access to the garage.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

Analysis. The requested variation will have no impact on the essential character of Lemont. See analysis above for the proposed variations' impact on the adjacent properties.

Engineering Comments. The Village Engineer had no objections to the requested variation.

Fire District Comments. The Fire Marshal had no objections or concerns to the requested variation.

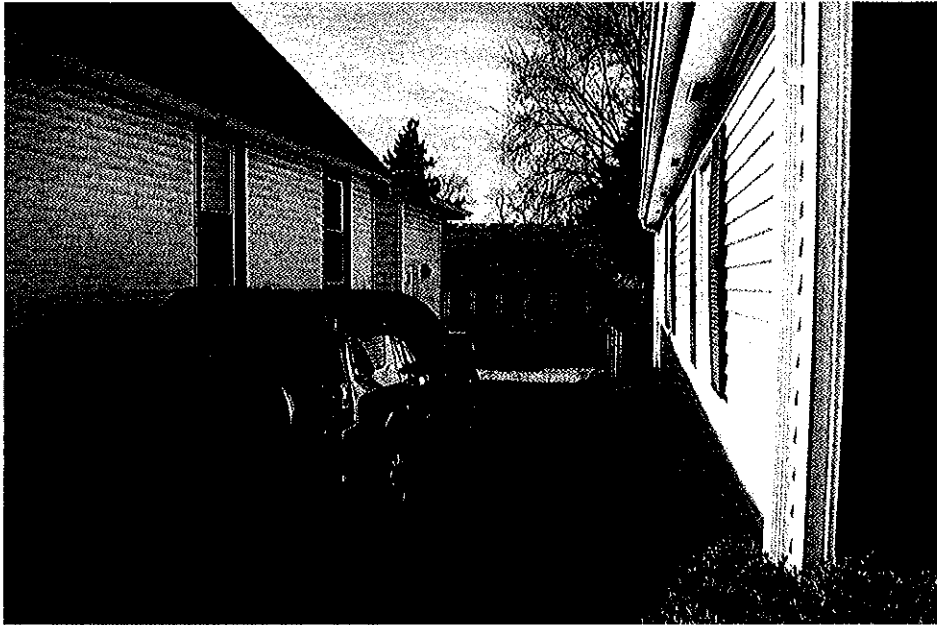
PUBLIC HEARING

The Planning & Zoning Commission conducted a public hearing on the request on 20 April 2011. There was no public comment, and the PZC concurred with my recommendation for approval. The PZC's findings of fact and recommendation statement is attached.

ATTACHMENTS

1. Site Photos
2. PZC Findings of Fact, Case 11-01

SITE PHOTOS – CASE 11-01 / 703 PORTER STREET GARAGE VARIATION

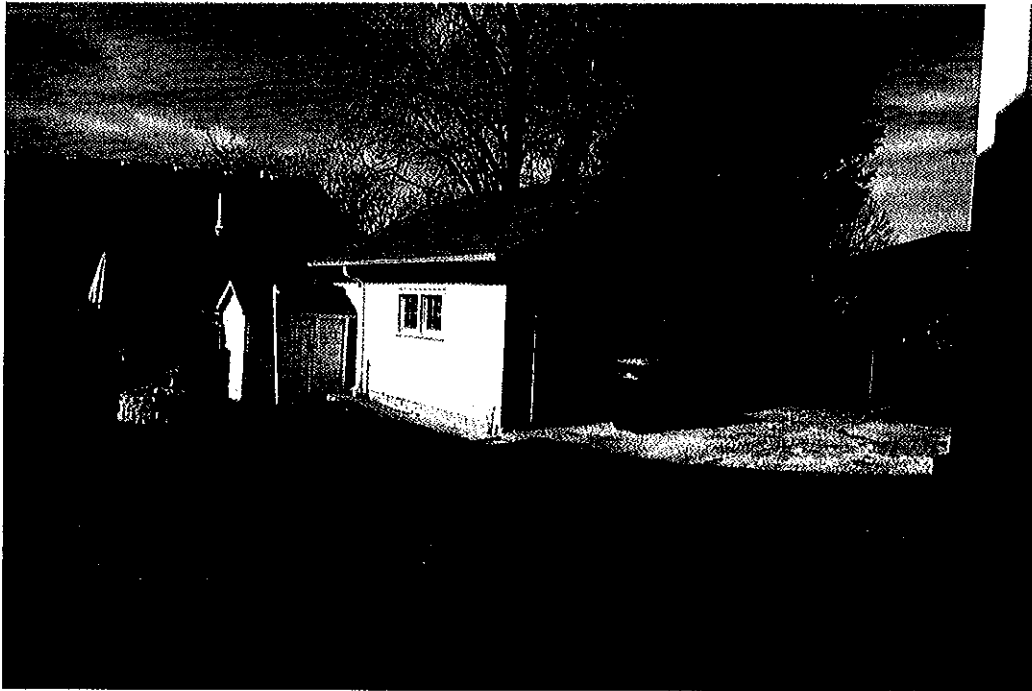


View of east side of house looking toward rear of lot and garage

View of existing garage



View of back yard and garage



FINDINGS OF FACT AND RECOMMENDATIONS SHEET
CASE # 11-01 703 Porter

FINDINGS. Based upon the evidence and testimony presented in the public hearing, the Planning & Zoning Commission finds the following:


1. The requested variation will have no impact to the Village as a whole and the impact to the adjacent properties will be negligible, since the new garage will be of similar dimensions and placement as an existing garage.
2. The variation request will not injure the public health, safety and general welfare.
3. The unusually small size of the lot and placement of the house and driveway on the lot make it impractical to place a new garage within conformance of the setback requirements for garages in the R-4A zoning district.

RECOMMENDATION. For the reasons set forth above, the Planning & Zoning Commission recommends the following to the Lemont Village Board of Trustees:

6-0 Approval of the requested variation

 Denial of the requested variation

CONDITIONS. The foregoing recommendation is made subject to the following conditions:


CHAIRMAN 4-20-11
DATE
LEMONT PLANNING & ZONING COMMISSION

*Planning & Economic Development Department
Form 213
20 Apr 10*



Village of Lemont
Planning & Economic Development Department

418 Main Street · Lemont, Illinois 60439
phone 630-257-1595 · fax 630-257-1598

TO: Planning & Zoning Commission #039-11

FROM: Charity Jones, Village Planner,
James A. Brown, Planning & Economic Development Director

THRU

SUBJECT: Case 11-02 – 10985 S. Archer Avenue

DATE: 11 May 2011

SUMMARY

Gus Tingos, owner of the subject property, has requested annexation to the Village, rezoning to the B-3, Arterial Commercial zoning district, and a special use for a drive-through. The PZC voted 6-0 to recommend approval.



PROPOSAL INFORMATION

Case No. 11.02
 Project Name 10985 Archer Ave.

General Information	
Applicant	Gus Tingos
Status of Applicant	owner of the subject property
Requested Actions:	Annexation
Requested Actions:	Rezoning from R-1 to B-3
Requested Actions:	Special Use to allow a drive through.
Site Location	Intersection of Bell Road (old Archer Avenue) and Archer Avenue (IL State Route 83) PIN 22-13-302-009.
Existing Zoning	Cook County, C-3 General Service District
Size	26,424 sf; approx. 0 .61 acres
Existing Land Use	Vacant
Surrounding Land Use/Zoning	North: Open Space/Recreation, Cook Co. P-1 Public Land District South: Commercial, Cook Co. C-4 General Commercial District East: Open Space/Recreation, Cook Co. P-1 Public Land District West: Light Industrial, Cook Co. C-8 Intensive Commercial District & Cook Co. C-3 General Service District.
Comprehensive Plan 2002	The Comp Plan does not designate a future land use for this parcel.
Zoning History	N/A
Special Information	
Public Utilities	Water is available through a 12" main along Main Street. Gravity Sewer is located approximately 1,500 ft away along Main Street; a 3" force main to service Camp Sagawau is located approximately 300 ft south of the subject site along Main Street.
Transportation	Traffic impact study not required.
Physical Characteristics	The site is largely paved over and is vacant. It was formerly occupied by an Amoco gas station.

GENERAL ANALYSIS

Land Use/Compliance with Comprehensive Plan. The proposed zoning is consistent with the Comprehensive Plan and the Gateway TIF Redevelopment Plan. The 2002 Comprehensive Plan Map does not specifically address this parcel. However, the text of the Comprehensive Plan supports the annexation of this site. The Lemont Comprehensive Plan of 2002 recommends as a long-range goal to "annex, to the extent that is practical, legally defensible, and cost-effective, the remainder of the territory in Lemont Township" (p.18). The Plan also states that the future eastern boundary of the Village should extend to Will-Cook Road, "excepting the portion of Lemont Township already occupied by Willow Springs" (p.18).

The parcels on the west side of Bell Road (Old Archer Avenue) are addressed on the Comprehensive Plan Map and are designated to be ORI – Office, Research, & Light Industrial. The ORI future land use district is defined as "land uses characterized by

professional office and high technology industry, which typically generates minimal emissions into air, water, and land and is compatible with hotels, day care centers, restaurants, and banks." The Village used to have an ORI zoning district, but with the adoption of the Unified Development Ordinance in 2008 the ORI zoning district was eliminated. The two parcels in the Village that were zoned ORI at that time were rezoned to M-1.

Although the Comprehensive Plan Map specifies light industrial uses for this area, the text of the Comprehensive Plan supports some retail development in this area as well. The Comprehensive Plan states that the Village should "redevelop the S.R. 83 area, including the industrial district north of Main Street, west of S.R. 83 and the junkyards in the vicinity of S.R. 83, Archer Avenue, and Grant Road, as improved light industrial or office-research-industry sites, with some commercial development" (p.11).

The requested B-3 zoning district is consistent with the Arterial Commercial¹ future land use category. The site is well situated for Arterial Commercial use by the Comprehensive Plan's standards. The Arterial Commercial future land use category is defined as "areas of existing or planned commercial development of an intensity typical of arterial highways and their intersections" (p.23). The subject site is located along an arterial road, as identified by the Comprehensive Plan (p.33).

The subject site is adjacent to the Gateway TIF District, established in 2008. Like the 2002 Comprehensive Plan, the Gateway TIF Redevelopment Plan plans for a range of uses including not just industrial, but also commercial uses in the TIF district.

Compatibility with Existing Land Uses. The proposed zoning is compatible with the surrounding land uses. The surrounding properties are primarily a mixture of light industrial, commercial uses, and forest preserve. Several properties are marginally maintained and in general do not match the high aesthetic standard found elsewhere in the Village. Single-family residential uses are located south of Main Street, approximately 400 feet from the subject site.

Aesthetic and Environmental. No environmental concerns appear evident at this time. At the time of development of the subject site, the applicant will be required to follow all requirements of the Lemont Unified Development Ordinance to address site design, aesthetic, and environmental concerns.

Storm Water Management/Engineering Comments. The Village Engineer has no objections to the proposed annexation, rezoning and special use. As noted in the attached letter, a minor correction is needed to the plat of annexation.

Fire Department Comments. The Fire Marshal had no comments regarding the requested approvals of annexation, rezoning and special use.

¹ The Comprehensive Plan map calls this land use category "Arterial Commercial" while the text of the Comprehensive Plan refers to it as "Arterial Business." Although the titles are slightly different, they are the same future land use category.

STANDARDS FOR SPECIAL USE

The applicant has requested a special use for a drive through. UDO Section 17.04.150.C states that special use requests must be consistent with the following six standards to be recommended by the PZC for approval:

1. The special use is deemed necessary for the public convenience at that location.

Analysis. The requested special use could provide convenient services for the public at the subject site. However, because the applicant is not seeking any specific use or site plan approval at this time, it is unknown exactly what services would be provided by the drive through. The site's location is well suited for a drive through in that it is located along a major arterial roadway with high traffic volume.

2. The special use is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected.

Analysis. No specific plans have been submitted at this time. However, the requirements of the UDO (see #5 below) would ensure that pedestrian and traffic safety would be addressed during plan review and approval.

3. The special use will not cause substantial injury to the value of other property in the neighborhood in which it is located.

Analysis. As noted, the other incorporated parcels in this area are within the Gateway TIF district. The 2008 TIF Redevelopment Plan states that properties in the TIF area exhibit several blighted factors, including "deteriorated buildings and parking lots" (p.22). Redevelopment of the subject site under current Village standards would have a positive impact to the value of other nearby property.

4. The special use shall not create excessive demands on Village service or impair the ability of the Village to maintain the peace and provide adequate protection for its citizens.

Analysis. Drive-throughs, if properly designed, do not create excessive demands on Village services, nor impair the ability of the Village to maintain the peace and provide adequate protection for the citizens.

5. The special use is consistent with standards enumerated elsewhere in this ordinance for the specific use, including planned unit developments.

Analysis. UDO §17.04.140C requires that all drive-throughs meet the following requirements:

- Each drive-through facility shall be designed so that the drive-through window is not on a side of a building facing a public street.
- The queue area shall not interfere with other on-site circulation and parking arrangements.

- All pedestrian walkways for a drive-through development shall be clearly marked and enhanced with special paving or markings when they intersect the drive-through aisles.

No site plan is being approved at this time, so the exact location and configuration of the proposed drive-through is currently unknown. When the development is reviewed for PUD or site development permit approval, the proposed drive-through should be designed to comply with these requirements of the UDO. Given the odd shape of the subject site, the proposed location of the drive-through shown on the conceptual site plan is likely the least visible from a public street.

6. The special use meets, as applicable, the standards for planned unit developments found in Chapter 17.08 of this ordinance.

Analysis. Not applicable.

STAFF CONCLUSIONS & RECOMMENDATIONS

The requested annexation is consistent with the Comprehensive Plan, and will provide the Village an opportunity ensure that the redevelopment of this site is consistent with Lemont's high development standards. The requested B-3 zoning is appropriate; the site is appropriately situated for arterial commercial use by the standards of the Comprehensive Plan and the site is far too small to support most industrial uses. Staff recommends approval of the annexation and rezoning to B-3.

Due to the blighted nature of the surrounding properties, the requested special use for a drive-through should not have any negative impact on surrounding property values. If properly designed, the drive-through should not create excessive demands or safety hazards. Since no particular use or site plan is being approved at this time, it is difficult to say whether the drive-through is necessary for the public convenience or if it is designed, located, and proposed to be operated in a way that protects the public health, safety, and welfare. Staff had recommended approval of the special use for a drive-through, with the following conditions:

- The drive-through must face the south property line to the greatest extent possible. In no case shall the drive-through be oriented any farther toward the east property line than as shown on the conceptual site plan.
- Prior to issuance of a full site development permit or a building permit, the drive-through design shall be reviewed and approved by the Planning & Economic Development Director, Chairman of the Planning & Zoning Commission, and President of the Board of Trustees to ensure compliance with UDO §17.04.140C.

PUBLIC HEARING AND PZC RECOMMENDATION

The Planning & Zoning Commission (PZC) conducted a public hearing on 20 April 2011. One neighboring property owner commented on the proposal; he was in favor of the proposed redevelopment of the subject site. By a vote of 6-0, the PZC recommended

approval. The PZC did not adopt the suggested conditions. The PZC's findings of fact and recommendation can be found on the attached sheet.

ATTACHMENTS

1. Village Engineer comments
2. Fire District comments
3. Site photos
4. Applicant submittals
5. PZC findings of fact and recommendation



Village of Lemont

418 Main Street • Lemont, Illinois 60439

Village of Faith

April 6, 2011

Mayor
Brian K. Reaves

Village Clerk
Charlene M. Smollen

Trustees
Debby Blatzer
Paul Chialdikas
Clifford Miklos
Rick Sniegowski
Ronald Stapleton
Jeanette Virgilio

Administrator
Benjamin P. Wehmeier

Administration
phone (630) 257-1590
fax (630) 243-0958

Building Department
phone (630) 257-1580
fax (630) 257-1598

**Planning & Economic
Development**
phone (630) 257-1595
fax (630) 257-1598

Engineering Department
phone (630) 257-2532
fax (630) 257-3068

Finance Department
phone (630) 257-1550
fax (630) 257-1598

Police Department
14600 127th Street
phone (630) 257-2229
fax (630) 257-5087

Public Works
16680 New Avenue
phone (630) 257-2532
fax (630) 257-3068

www.lemont.il.us

Ms. Charity Jones
Planner
Village of Lemont
418 Main Street
Lemont, Illinois 60439

Re: Case 11-02
10985 Archer Avenue

Dear Charity:

I have reviewed the Land Use Application submitted for Case 11-02, and have the following comments:

- 1) Since the Case does not involve a site plan approval, no detailed engineering review has been made. (We reviewed a similar plan back on November 25, 2009, and the comments are attached.) The new plan indicates an 8" water main extension to service the property. Since there is well over 110 psi of static pressure in the main at this location, water supply to the site should not be an issue of negative consideration.
- 2) Upon annexation of the area, the Village limits should extend to the far west right-of-way line of old Archer Avenue.

Please call if you have any questions, or if I can be of further assistance.

Sincerely,

VILLAGE OF LEMONT


James L. Cainkar, P.E., P.L.S.
Acting Village Engineer

JLC/kes
Enclosure

cc: Mr. Ben Wehmeier, Administrator, w/Encl.
Mr. James Brown, Planning & Economic Dev. Dir., w/Encl.
File No. 09373



Village of Lemont

418 Main Street • Lemont, Illinois 60439

Village of Faith

November 25, 2009

Mayor
Brian K. Reaves

Village Clerk
Charlene M. Smollen

Trustees
Debby Blatzer
Paul Chialdikas
Clifford Miklos
Rick Sniegowski
Ronald Stapleton
Jeanette Virgiliio

Administrator
Gary C. Holmes

Ms. Charity Jones
Planner
Village of Lemont
418 Main Street
Lemont, Illinois 60439

Re: **Slyck Weiner Hot Dogs**
10985 Archer Avenue
Preliminary Plan Review

Dear Charity:

I have reviewed the preliminary submittals for the above-captioned proposed restaurant, and have the following comments.

- 1) The site would need to be annexed into the Village of Lemont via the Forest Preserve District and Meno Stone.
- 2) The plan indicates a 295-foot extension of 8-inch ductile iron water main connecting to the recently installed 12-inch water main by Cook County that services the Camp Sagawau Learning Center. Prior to this connection occurring, the water main on Main Street needs to be deeded to the Village of Lemont by the County. Also, the water main should be extended further north to the north of the proposed driveway, in order to facilitate future extension by other parties. Finally, the Village Board would need to establish a policy for possible recapture of water main costs, to defray SSA#1 bond levies, since this property was not included in the Special Service Area..
- 3) Sanitary service is provided with a cavitet and sand filter, since there is no gravity sewer within 1,200 feet of the site. A Permit from the Cook County Health Department would be required for this system.
- 4) An IDOT Permit will be required for both the Old Archer Road entrance and IL Route 83 entrance removal and modification work. It is noted that one of the existing entrances on IL Route 83 is to be removed, and the other to be re-aligned.

Administration
phone (630) 257-1590
fax (630) 243-0958

Building Department
phone (630) 257-1580
fax (630) 257-1598

Community Development
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fax (630) 257-1598

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phone (630) 257-2229
fax (630) 257-5087

Public Works
16680 New Avenue
phone (630) 257-2532
fax (630) 257-3068

www.lemont.il.us

09313

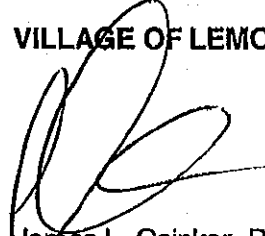
Ms. Charity Jones
Planner
Village of Lemont
Page Two

- 5) Stormwater detention is required by the Village of Lemont, and probably by IDOT, for connection to their drainage system. The current plan indicates sheet flow out to Old Archer Road, which is not acceptable without a couple of restricted drainage structures located at the west driveway, on private property, at the property line. These may need to be connect to an underground detention system. Logical point of discharge is to the catch basin on Old Archer Road to the north of the driveway, in the curb line. For basin capacity purposes, since this is a redevelopment project, the net increase in imperious area should be determined, in order to determine what is a fair amount of detention to provide (exclusive of what IDOT may require).
- 6) No sidewalks are shown to be installed; this will be a Village Board/Staff decision due to the property's location.
- 7) There are other minor plan details that need minor revisions, but nothing of significance at this point.
- 8) It is assumed that all environmental issues will have been cleared related to site clean-up.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

VILLAGE OF LEMONT



James L. Cainkar, P.E., P.L.S.
Acting Village Engineer

JLC/debi

cc: Mr. Gary C. Holmes, Administrator
Mr. Ben Wehmeier, Asst. Village Manager
Mr. Dan Fielding, Director of Public Works
Mr. James Brown, Community Development Director
File No. 09373



LEMONT FIRE PROTECTION DISTRICT



BUREAU OF FIRE PREVENTION

15900 New Avenue
Lemont, IL 60439
Business: (630) 257-0191
Fax: (630) 257-5318
lemontfire.com

April 01, 2011

To: Ms. Charity Jones
Village Planner
Village of Lemont

From: John F. Rutkowski
Fire Marshal

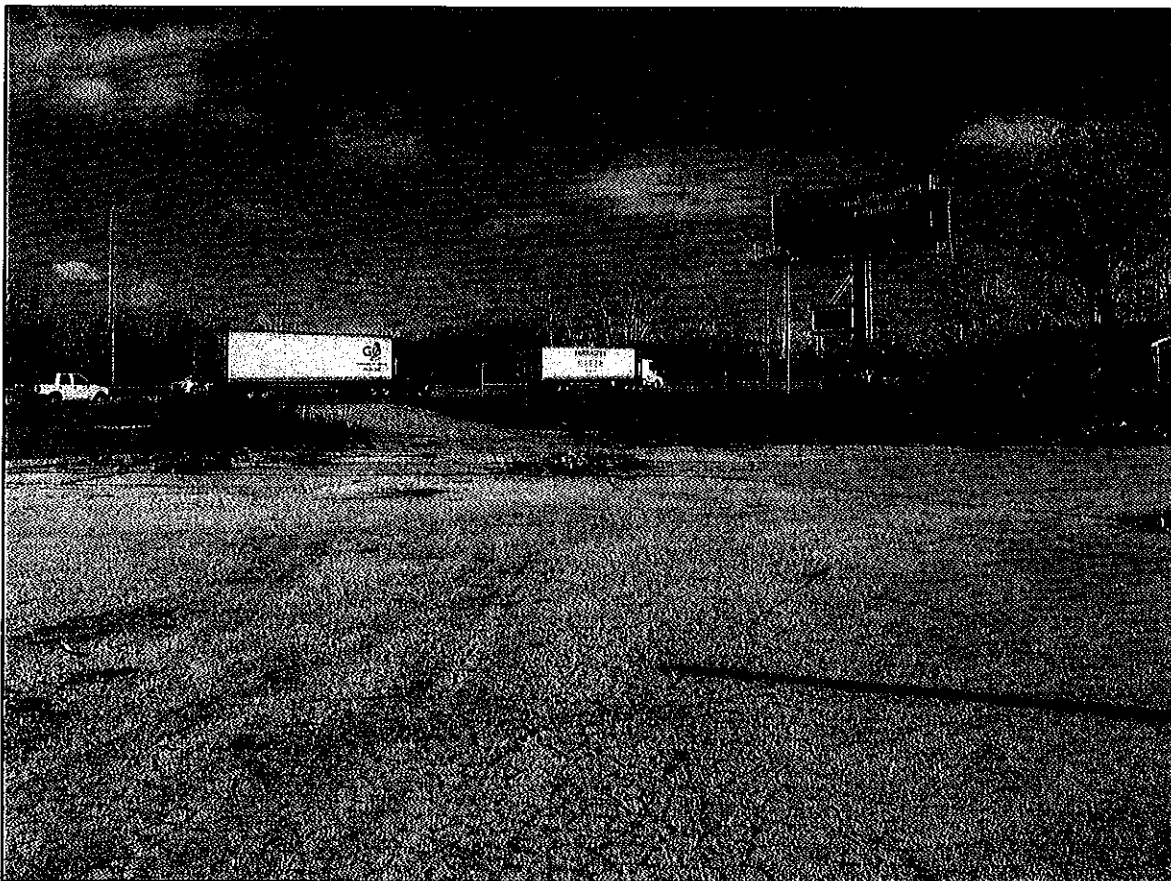
Subject: Land Use Application for 10985 Archer Avenue. Case 11-02.

Dear Ms. Jones:

This Department is in receipt of the submitted documents for the proposed project listed above. This application request is for annexation and rezoning and a special use. After reviewing this information, this office has no objections to this request at this time.

Thank you for allowing us the opportunity to offer our input in this project. In the interest of Life Safety and Property preservation from fire.

cc: file



Subject Site



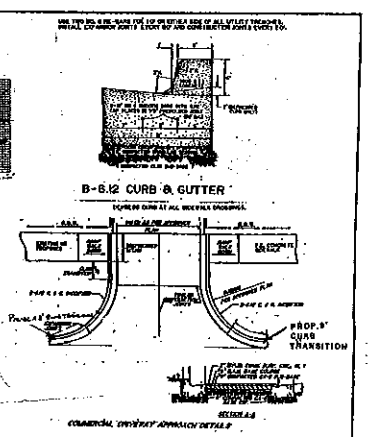
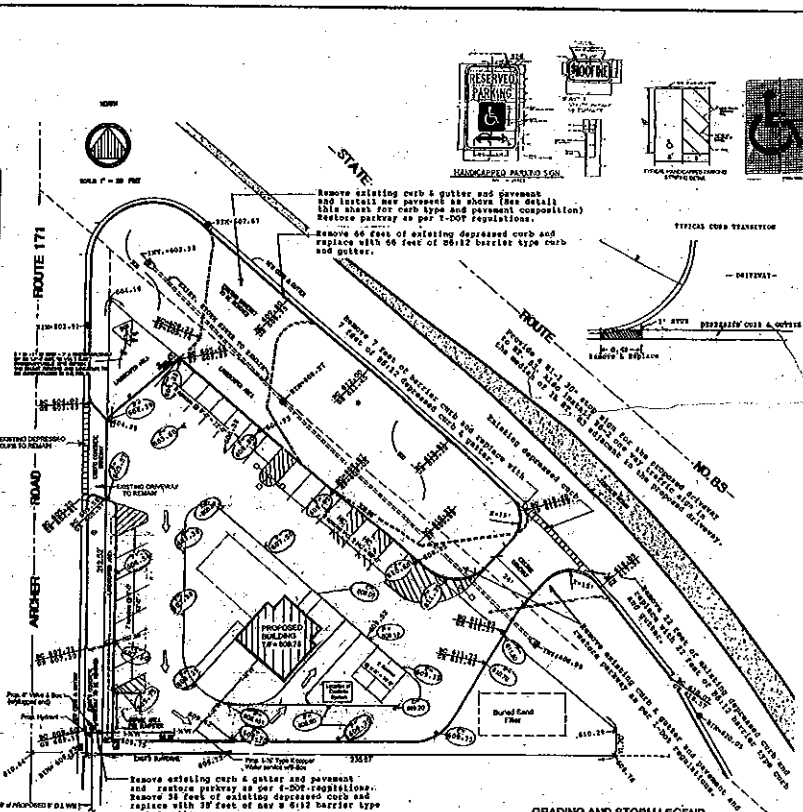
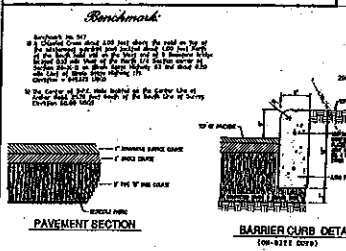
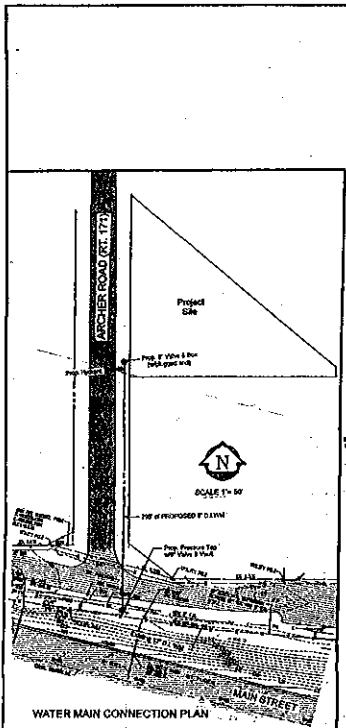
East of Subject Site (Forest Preserve)



South of Subject Site



West of Subject Site



SECTION 12 - COMMERCIAL EXCAVATION

This subsection applies to excavations having other than those specified in Subsection 12.01, and to street curbs, alley curbs, and excavation inlets.

- 1. Minimum Excavation**
The earth shall be excavated to a minimum depth of 24 inches (2 feet) starting at the top of the highway pavement base for the full width of the excavation. The minimum depth shall be 36 inches (3 feet) for base course and 48 inches (4 feet) for subgrade.
- 2. FC Excavation**
The earth shall be excavated to a minimum depth of 36 inches (3 feet), starting at the top of the highway pavement base for the full width of the excavation. The minimum depth shall be 48 inches (4 feet) for base course and 60 inches (5 feet) for subgrade. The excavation shall be backfilled with the same material as was removed, or with a material of equal or better quality, and compacted to the same density as the original material.
- 3. Minimum Surfaced FC Excavation**
The earth shall be excavated to a minimum depth of 36 inches (3 feet), starting at the top of the highway pavement base for the full width of the excavation. The minimum depth shall be 48 inches (4 feet) for base course and 60 inches (5 feet) for subgrade. The excavation shall be backfilled with a minimum concrete surface finish.

DESIGN ENGINEERS' NOTES

1. THE CONTRACTOR SHALL VERIFY THE PROPOSED GRADES SHOWN ON THIS PLAN AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY UPON DISCOVERY.
2. BEFORE CONSTRUCTION OF PROPOSED IMPROVEMENTS, THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
3. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.
4. PROPOSED CURB SHALL BE 12 INCHES HIGH.
5. EXISTING CURB SHALL BE 12 INCHES HIGH.
6. EXISTING CURB SHALL BE 12 INCHES HIGH.

GRADING PLAN
SCALE 1"=20'

GRADING AND STORM LEGEND

	EXISTING	PROPOSED
CURB BASH	○	●
STORM MANHOLE	○	●
STORM SEWER	—	—
SPOT ELEVATIONS	○	●
EDGE OF PAVEMENT	○	●
PROPOSED	○	●
TOP OF CURB	○	●
TOP OF BASE	○	●
STORM BASH	○	●
DIRECTION OF FLOW	→	→

UTILITY NOTE:
VISUAL INDICATIONS OF ALL UTILITIES ARE AS SHOWN. THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON SHOULD BE VERIFIED IN THE FIELD AT THE TIME OF CONSTRUCTION. FOR ACTUAL FIELD LOCATIONS OF UNDERGROUND UTILITIES, CALL 1-800-999-6242, 48 HOURS BEFORE YOU DIG.

PROPOSED RESTAURANT
SEC OF ROUTE B3 AND ROUTE 171
LEHOMT, ILLINOIS

RAYMOND E. DORBAS & ASSOCIATES
1124 N. ...
CHICAGO, ILLINOIS

PROJECT: ...
SCALE: AS SHOWN ON THIS DRAWING
DATE: ...
BY: ...
CHECKED BY: ...
APPROVED BY: ...

SHEET 1 OF 1

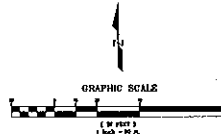
PLAT OF ANNEXATION

LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 24 NORTH, RANGE 14 EAST OF THE 2ND PRINCIPAL MERIDIAN, AS SHOWN AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SOUTHWEST 1/4 AND THE SOUTH LINE OF A ONE (1) ACRES LOT OF LOT 3 BY LANDS THROUGHLY SURVEYED IN THE SAID SOUTHWEST 1/4 SAID SOUTH LINE BEING 660.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 89° 00' 00" WEST ALONG SAID SOUTH LINE 174.00 FEET TO THE SOUTHWEST CORNER OF SAID ONE (1) ACRES LOT; THENCE SOUTH 89° 00' 00" WEST ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID ONE (1) ACRES LOT; THENCE SOUTH 89° 00' 00" WEST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS, BEING THE WEST ALONG SAID SOUTH LINE OF THE 1/4 ACRES LOT; THENCE WEST ALONG SAID SOUTH LINE OF THE 1/4 ACRES LOT TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS, BEING THE WEST ALONG SAID SOUTH LINE AND ALSO EXCEPTING THEREFROM THAT PORTION FALLING WITHIN ROUTE 88 IN COOK COUNTY, ILLINOIS.

LEGEND

- N NORTH
- S SOUTH
- E EAST
- W WEST
- LINE OF ANNEXATION
- EXISTING RIGHT-OF-WAY LINE
- SECTION LINE
- ▨ CORRELATIVE LOTS



ANNEXATION AREA DATA

GRASS AREA: 126,349 SQUARE FEET OF 2.878 ACRES
 PARCEL DATA: 26,424 SQUARE FEET
 DEPICTED THEREON ABOVE
 RIGHT OF WAY DATA: 95,925 SQUARE FEET (ILL. RT. 83)

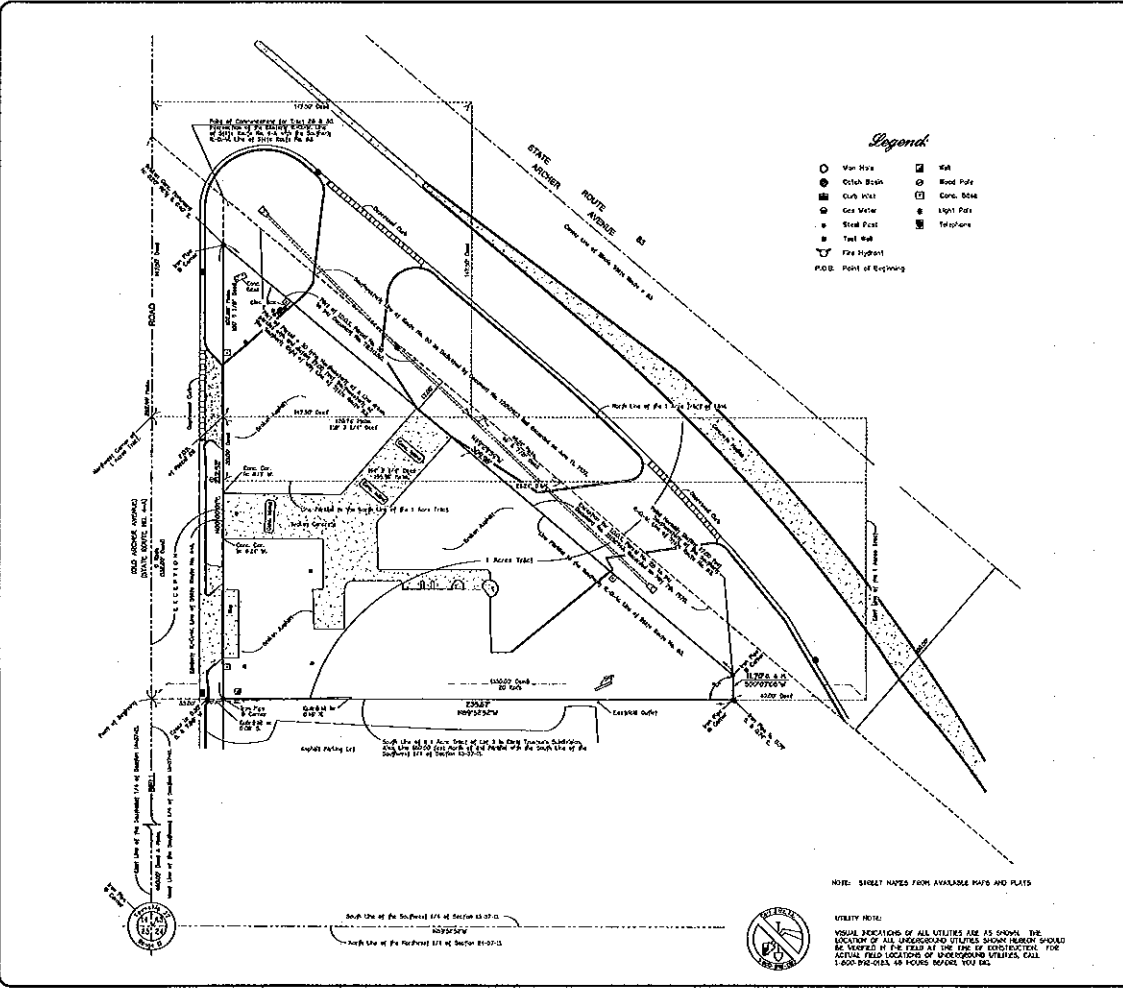
HEREBY ANNEXED TO THE VILLAGE OF LEMONT

STATE OF ILLINOIS } 65
 COUNTY OF WILL }

THIS IS TO STATE THAT I, STEVEN A. LANGE, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE PREPARED THE PLAT OF ANNEXATION OF THE ABOVE DESCRIBED PROPERTY FROM THE OFFICIAL RECORDS AND AN ACRUAL SURVEY AND THAT THE PLAT HEREON DRAWN WAS PREPARED AT AND UNDER MY DIRECTION.

DATE: JUNE 8, 2011
 STEVEN A. LANGE
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 33-3165
 MY LICENSE RENEWS ON NOV. 30, 2012
 DESIGNER SURVEYING, LLC REG. FIRM #122

CLIENT	
GWS TRUCKS 722 LYONS LYONS, IL	
PROPERTY ADDRESS	
10000 S. LAMAR AVENUE LYONS, IL	
PARCEL IDENTIFICATION NUMBER	
32-13-203-009-0000	
BASIS OF BEARING	
AS SHOWN	
DTS	
DESIGNER TRUSTEES SURVEYING & CONSULTING, INC. 1000 N. WILSON ROAD LYONS, ILLINOIS 60465 (630) 421-1247 ILL. PROFESSIONAL NO. 121-050193	
TOWNSHIP	
TOWNSHIP 24 NORTH	
RANGE	
RANGE 14 EAST	
PLAT OF ANNEXATION	
BY: STEVEN A. LANGE, ILL. PS 33-3165 COOK COUNTY, ILLINOIS	
DRAWN BY	PROJECT NO.
SA	10-05553
DATE	SHEET
05/26/11	1
SCALE	OF
1" = 30'	1



PLAT OF SURVEY

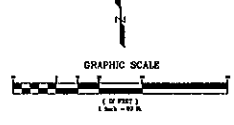
LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 23 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, LOCATED AS FOLLOWS, BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SOUTHWEST 1/4 AND THE SOUTH LINE OF A ONE (1) ACRE TRACT OF LOT 2 IN CANAL TRUSTEES' SUBDIVISION IN THE SAID SOUTHWEST 1/4 SAID NORTH THE SAID SECTION 33, THAT NORTH AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4, THENCE NORTH ALONG SAID WEST LINE OF SAID SECTION 33 TO THE SOUTHWEST CORNER OF SAID ONE (1) ACRE TRACT BY MEASURE 100 FEET AND BEARING 0° 00' 00" N 100.00 FEET TO THE POINT OF BEGINNING IN COCK COUNTY, MISSOURI, BEARING THE WEST 33.00 FEET THEREOF AND ALSO BEARING THEREAFTER THAT NORTH PARALLEL WITH SAID SOUTH LINE OF SAID SECTION 33.

Legend:

- Van Hole
- Catch Basin
- Curb Inlet
- Gas Valve
- Steel Post
- Tall Wall
- ⊕ Fire Hydrant
- POB Point of Beginning
- ⊗ Well
- ⊙ Road Pole
- ⊠ Curb, Stone
- ⊕ Light Pole
- ⊞ Telephone

GRAPHIC SCALE



GENERAL NOTES

1. LOCATE ALL POINTS BY FIELD WORK, BY ANY CONSTRUCTION AND REPORT ANY DISCREPANCIES TO BUREAU AT ONCE.
2. FOR BEARING MEASUREMENTS AS INDICATED BY LOCAL ADJUSTMENTS NOT SHOWN HEREON, CORRECT FOR LOCAL MAGNETIC VARIATION.
3. DO NOT SCALE DIMENSIONS FROM THIS PLAT.
4. THAT PARTS OF THIS SURVEY WITH AN ADJACENT SURVEY SHALL BE PROVED BY THE SAME METHOD AND MEASUREMENTS AS SHOWN ON THE ADJACENT SURVEY.
5. ALL UTILITIES ARE LOCATED BY FIELD LOCATION OF ALL UNDERGROUND UTILITIES FROM THE SURFACE OF CONSTRUCTION.
6. A SURVEY OF THIS PROPERTY WAS NOT PROVIDED FOR BUREAU'S USE AT THE TIME OF PRODUCTION OF THIS PLAT.
7. THE OWNER SHALL OBTAIN THE RECORDS OF THIS PLAT IN HIS OR HER OWN INTEREST, IN ALL PLACES AND IN ALL STATES OF ANY DIFFERENCE.
8. POINTS OR MEASUREMENTS ARE IN ALL CORRECTIONS CORRECTED ON THE FACE OF THIS PLAT.
9. THIS INSTRUMENT, BEING CONFORMING TO THE CURRENT MISSOURI STATUTES FOR A BOUNDARY SURVEY.

STATE OF MISSOURI }
 COUNTY OF COCK }
 I, JAMES H. BROWN, Surveyor, do hereby certify that the above is a true and correct copy of the original plat as recorded in my office, and that the same is a true and correct copy of the original plat as recorded in my office, and that the same is a true and correct copy of the original plat as recorded in my office.

WITNESSED my hand and the seal of my office this 23rd day of March, 2009.

James H. Brown, Surveyor

CLIENT	ONE THREE SEVEN EIGHT SEVEN ROAD, LEONARD, IL
PARCEL IDENTIFICATION NUMBER	22-13-302-000-0000
PROPERTY ADDRESS	1337 E. ARCHER AVENUE, LEONARD, IL
BASIS OF BEARING	ASSUMED
SITE DATA	AREA: 0.424 SQUARE FEET OR 0.007 ACRES
DRAWN BY	SA
DATE	03/23/09
CHECKED BY	PROJECT NO. 10-03003
DATE	03/23/09
SHEET	1 OF 1

NOTE: STREET NAMES FROM AVAILABLE MAPS AND PLATS

UTILITY NOTE:
 VISUAL INDICATIONS OF ALL UTILITIES ARE AS SHOWN. THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON SHOULD BE VERIFIED BY THE USER AT THE TIME OF CONSTRUCTION. FOR ACTUAL FIELD LOCATIONS OF UNDERGROUND UTILITIES, CALL 1-800-368-6868 OR YOUR LOCAL UTILITY DEPT.

Special Use Criteria Worksheet

Unified Development Ordinance (UDO) Section 17.04.140.C establishes the criteria for approval of special use requests; no special use will be recommended by the Planning & Zoning Commission unless it meets the following criteria.

Please describe below how your variation request meets the criteria of UDO Section 17.04.140.C. Attach additional sheets if necessary.

UDO Section 17.04.140.C.1

The special use is deemed necessary for the public convenience at that location:

Absolutely. The drive thru will allow the public to conveniently access food. This will also help Remont in general, because it will bring an additional choice for meals, and beautify the gateway to the town.

UDO Section 17.04.140.C.2

The special use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected:

The drive thru will be operated in a way that will keep drivers safe and also help maintain public health and welfare.

UDO Section 17.04.140.C.3

The special use will not cause substantial injury to the value of other property in the neighborhood in which it is located:

If anything the drive thru will increase value of the other property as it will increase interest to the area. The gateway will be substantially more valuable as more people are drawn to the area.

UDO Section 17.04.140.C.4

The special use shall not create excessive demands on Village service or impair the ability of the Village to maintain the peace and provide adequate protection for its citizens:

The operation is designed for families. Drive thru's allow families to get food easier & will allow for ease of movement. The establishment is one that will close early and again be centered around families.

UDO Section 17.04.140.C.5

The special use is consistent with the standards enumerated elsewhere in the UDO for the specific use, including but not limited to, planned unit developments:

The special use is designed according to planned unit developments.

UDO Section 17.04.140.C.6

The special use meets, as applicable, the standards for planned unit developments found in Chapter 17.08 of the UDO:

Yes, the special use drive thru meets the standards for planned unit developments found in Chapter 17.08 of the UDO.

FINDINGS OF FACT AND RECOMMENDATIONS SHEET

CASE # 11-02 10985 S. Archer Ave.

FINDINGS. Based upon the evidence and testimony presented in the public hearing, the Planning & Zoning Commission finds the following:


1. The requested rezoning is consistent with the Comprehensive Plan in that it provides commercial space near industrial uses, in the vicinity of S.R. 83. The site is appropriately situated for arterial commercial use under the standards of the Comprehensive Plan.
2. Sufficient safeguards exist within conditions of the special use approval and the Unified Development Ordinance to ensure that the proposed special use will be designed so that it protects the public health, safety and welfare.
3. The requested special use will create minimal demands for Village services.

RECOMMENDATION. For the reasons set forth above, the Planning & Zoning Commission recommends the following to the Lemont Village Board of Trustees:

6-0 Approval of the requested rezoning and special use

_____ Denial of the requested rezoning and special use

CONDITIONS. The foregoing recommendation is made subject to the following conditions:



CHAIRMAN
LEMONT PLANNING & ZONING COMMISSION

4-20-11

DATE

**Village Board
Agenda Memorandum**

Item #

to: Mayor & Village Board
from: Ben Wehmeier, Village Administrator
George Schafer, Assistant Village Administrator
Kevin Shaughnessy, Chief of Police
Subject: Discussion of Leash Ordinance
date: May 11, 2011

BACKGROUND/HISTORY

There is a minor change to the municipal code staff is recommending be changed regarding the control of a dog. The definition of control of a dog from the municipal code lists the following:

Control of a dog, cat or pet means that the dog, cat or pet is:

(1)

On a leash not more than eight feet in length;

(2)

Under voice control in the presence of a competent person;

(3)

Within a private vehicle being driven or parked; or

(4)

On or in the property of their owner.

Staff is recommending that number 2 be eliminated from the code. Dogs should be on a leash at all times.

PROS/CONS/ALTERNATIVES (IF APPLICABLE)

RECOMMENDATION

Staff recommends number 2 be eliminated from code.

ATTACHMENTS (IF APPLICABLE)

None. Ordinance to follow at Board Meeting if acceptable

SPECIFIC VILLAGE BOARD ACTION REQUIRED

Discussion