

MINUTES

VILLAGE BOARD MEETING October 25, 2010

The regular meeting of the Lemont Village Board was held on Monday, October 25, 2010 at 7:00 p.m., President Brian Reaves presiding. Roll call: Blatzer, Chialdikas, Miklos, Sniegowski, Stapleton, Virgilio; present.

III. CONSENT AGENDA

Motion by Chialdikas, seconded by Blatzer, to approve the following items on the consent agenda by omnibus vote:

- A. Minutes
- B. Approval of Disbursements

Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

IV. MAYOR'S REPORT

Motion by Blatzer, seconded by Stapleton, to approve a Proclamation for the Retirement of Village Treasurer Jean Nona. Voice vote: 6 ayes. Motion passed.

Motion by Chialdikas, seconded by Blatzer, to approve a Proclamation for the 30th Anniversary of John Paul II Polish School. Voice vote: 6 ayes. Motion passed.

Motion by Stapleton, seconded by Sniegowski, to open a Public Hearing on the Annexation Agreement for an approximately 8.7 Acre Parcel at the SW Corner of McCarthy Road & Bell Road. James Brown gave some background on this proposed annexation agreement. There is no site plan included at this time.

Jim Blue, 25 Sunhill Lane, stated he doesn't know which municipality he'd be better off annexing to. The Mayor assured him Lemont is not looking to force annex other properties.

Pat Browne, 2841 Artesian Street, asked what is meant by a drive-thru. A partner of the development company said the plan was to have a mixed use office site with low density. Ms. Browne asked if the Village would get water & sewer to them which we would.

Ray Turano, Equestrian Estates, said the Palos Park Board had asked for his trust. He's like to see more planning first by either municipality. Whatever goes up first will determine the rest of the development in the area.

Ed Boschwinski, property owner adjacent to the property in question, doesn't see how the Village can approve zoning before we have a plan. He asked why this is different.

Deborah Bechtloff, 26 Sunhill, said the development will be in her backyard. She feels it will devalue her property.

Charles Englund, 20 W. 115th Street, feels this annexation is premature even with the pressure of Palos Park.

Jeanette Daubaras, Derby Road, asked if municipalities can go through forest preserves to annex. The Village Attorney, Dan Blondin, said it is possible to do that but certain conditions must be met. He will look into this to make sure those conditions have been met. Mrs. Daubaras also said the annexation agreement is not complete since there is no plat of annexation, survey, etc. She feels we should not change the zoning before annexing, leaving it R-1.

Debbie McClough has a house that backs up to Bell Road and asked about the Cook County Highway Department widening that road to 5 lanes.

Patty Wintercorn, said she thinks the Village should go slow with this annexation.

Trustee Blatzer said she doesn't believe in doing things this way, but we have to trust our ordinances under these circumstances.

Trustee Chialdikas wants to block the Palos Park annexation and protect our community.

There being no further comment, a motion was made Stapleton, seconded by Sniegowski, to close the public hearing. Voice vote: 6 ayes. Motion passed.

Motion by Blatzer, seconded by Miklos, to open a Public Hearing on the Annexation Agreement for an approximately 22.67 Acre parcel located at the Northwest Corner of McCarthy & Bell Roads. Voice vote: 6 ayes. Motion passed. James Brown provided the background on this proposed annexation.

Tom Shark asked about how many homes would be proposed for the residential part of the property. The developer responded about 30.

Tom Ludwig, Porter Street, said his deceased relatives would not like their former property to become part of Palos Park.

Jeanette Daubaras asked if there are wetlands in that property, and was told about one acre.

Charles Englund mentioned the taxing entities would be affected by an annexation by Palos Park.

There being no further comment, a motion was made by Stapleton, seconded by Sniegowski to close the Public Hearing at 8:30 p.m. Voice vote: 6 ayes. Motion passed.

AUDIENCE PARTICIPATION - AGENDA ITEMS

V. CLERK'S REPORT

Clerk Smollen reported that the Mayor, Trustee Stapleton, and the Clerk attended the Will County Governmental meeting on October 14. Several legislative updates were given along with explanations of the League's position on the legislation.

ORDINANCES

Ordinance O-73-10 - Ordinance Authorizing Execution of Annexation Agreement for 8.7 Acre Parcel at SW Corner of McCarthy & Bell Road. Motion by Stapleton, seconded by Miklos, to adopt said Ordinance. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

Ordinance O-74-10 - Ordinance Annexing 8.7 Acres at SW Corner of McCarthy & Bell Roads. Motion by Stapleton, seconded by Miklos, to adopt said Ordinance. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

Ordinance O-75-10 - Ordinance Rezoning Property at SW Corner of McCarthy & Bell Road from Cook County R-1 to Lemont B-3. Motion by Stapleton, seconded by Miklos, to adopt said ordinance. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

Ordinance O-76-10 - Ordinance Granting Special Use for Two Drive-Throughs at the SW Corner of McCarthy & Bell Roads. Motion by Stapleton, seconded by Miklos, to adopt said Ordinance. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

Ordinance O-77-10 - Ordinance Authorizing Execution of Annexation Agreement for 22.67 Acres at the NW Corner of McCarthy & Bell Roads. Motion by Miklos, seconded by Blatzer, to adopt said Ordinance. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

Ordinance O-78-10 - Ordinance Annexing 22.67 Acres at NW Corner of McCarthy & Bell Roads. Motion by Miklos, seconded by Blatzer, to adopt said Ordinance. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

Ordinance O-79-10 - Ordinance Rezoning Property at NW Corner of McCarthy & Bell from Cook County R-1 to Lemont R-4 (20.9 acres) and Lemont B-3 (1.7 Acres). Motion by Miklos, seconded by Blatzer, to adopt said Ordinance. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

Ordinance O-80-10 - Ordinance Disconnecting Maksimovic Parcel. Motion by Stapleton, seconded by Miklos, to adopt said Ordinance. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

Ordinance O-81-10 - Ordinance Approving Amendment to Redevelopment Agreement - 230 River Street. Motion by Blatzer, seconded by Miklos, to adopt said Ordinance. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

Ordinance O-82-10 - Ordinance Approving A Downtown Facade, Sign and Site Improvement Grant for 115 Stephen Street. Motion by Stapleton, seconded by Chialdikas, to adopt said Ordinance. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

Ordinance O-83-10 - Ordinance Approving a Downtown Facade, Sign and Site Improvement Grant for 221 Main Street. Motion by Blatzer, seconded by Stapleton, to adopt said Ordinance. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

RESOLUTIONS

Resolution R-58-10 -Resolution Appointing IMRF Authorized Agent. Motion by Sniegowski, seconded by Miklos, to adopt said Resolution. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

Resolution R-59-10 - Resolution Accepting a Temporary Construction Easement from Archdiocese of Chicago Motion by Blatzer, seconded by Miklos, to adopt said Resolution. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

Resolution R-60-10 - Resolution Granting Plat of Easement for Proposed Drainage & Detention (Aggreko Rental and Casey Equipment). Motion by Blatzer, seconded by Miklos, to adopt said Resolution. Roll call: Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski, Stapleton; ayes. Motion passed.

R-61-10 - Resolution Granting Plat of Easement for Proposed Drainage & Detention (Casey Equipment). Motion by Blatzer, seconded by Stapleton, to adopt said Resolution. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

R-62-10 - Resolution Accepting Plat of Easement for Singer Landing. Motion by Miklos, seconded by Blatzer, to adopt said Resolution. Roll call: Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski, Stapleton; ayes. Motion passed.

R-63-10 - Resolution Accepting Plat of Easement for Lot 69 in Glens of Connemara. Motion by Blatzer, seconded by Stapleton, to adopt said Resolution. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski; ayes. Motion passed.

R-64-10 - Resolution Accepting Plat of Easement for Lot 70 in Glens of Connemara. Motion by Blatzer, seconded by Miklos, to adopt said resolution. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniogowski; ayes. Motion passed.

VI. VILLAGE ATTORNEY REPORT

VII. VILLAGE ADMINISTRATOR REPORT

Village Administrator Ben Wehmeier presented the 2010 Property Tax Levy Estimate (see attached).

VIII. BOARD REPORTS

Virgilio Downtown Development. Halloween Hoedown will be held on Saturday, October 30, 1:00 - 4:00 p.m.; Fright Night is October 26 at the Historical Society. On Saturday, October 30, from 7:00 - 11:00 p.m., a costume party and scavenger hunt will be held downtown. Official Trick or Treat hours are on Sunday, October 31, from 3:00 - 6:30 p.m.

IX. STAFF REPORTS

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

XII. EXECUTIVE SESSION

Motion by Blatzer, seconded by Sniogowski, to move into Executive Session for the purpose of discussing personnel. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniogowski; ayes. Motion passed.

Motion by Blatzer, seconded by Stapleton, to move into Executive Session for the purpose of discussing pending litigation. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniogowski; ayes. Motion passed.

XIII. ACTION ON CLOSED SESSION ITEMS

Motion by Sniogowski, , seconded by Blatzer to approve recognition requirements by footnote for 12 months of state income tax. Voice vote: 6 ayes. Motion passed.

Motion by Sniogowski, seconded by Stapleton to appoint George Schafer as Temporary Treasurer, and to authorize the Village Administrator to enter a service contract for a process evaluation with Sikich not to exceed \$7,500. Roll call: Stapleton, Virgilio, Blatzer, Chialdikas, Miklos, Sniogowski; ayes. Motion passed.

There being no further business, a motion was made by Blatzer, seconded by Stapleton, to adjourn the meeting at 9:55 p.m. Voice vote: 6 ayes. Motion passed.

Recognition requirements

GASBS33, Par. 21

21. Providers should recognize liabilities (or a decrease in assets) and expenses from government-mandated or voluntary nonexchange transactions, and recipients should recognize receivables (or a decrease in liabilities) and revenues (net of estimated uncollectible amounts), when all applicable eligibility requirements, including time requirements, are met. Resources transmitted before the eligibility requirements are met should be reported as advances by the provider and as deferred revenues by recipients, 10 except as indicated in paragraph 22 for recipients of certain resources transmitted in advance.

This guidance requires an asset (receivable) to be recorded as of the voucher month. Revenue was generally based on the same as the state would remit the vouchered amount during that month to the local government. Recently, the state began slowing down these payments due to cash flow issues that the State and were remitting the amounts one to two months later. These would still be recognized as revenue at your fiscal year end under the availability criteria (if you have chosen 60 days as this criteria). With the state now being 4-5 months behind the question became do we uphold the rigid 60 day rule (if adopted) or let consistency prevail (consistently recognize 12 months of income tax revenue each year).

David R. Bean, Director of Research at GASB clarified this in 2009 as well as the rest of the industry at the ICPAS Government conference by noting that NCGA Statement No 1, paragraph 62 notes the following:

62. Revenue Recognition. Revenues and other governmental fund financial resource increments (e.g., bond issue proceeds) are recognized in the accounting period in which they become susceptible to accrual—that is, when they become both measurable and available to finance expenditures of the fiscal period. "Available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period.¹² Application of the "susceptibility to accrual" criteria requires judgment, consideration of the materiality of the item in question, and due regard for the practicality of accrual, **as well as consistency in application.**

This is further clarified by the GFOA Blue book, page 72 on the discussion of availability which notes that "it would not be appropriate to apply the availability criteria in so rigid a manor as to artificially distort normal revenue patterns.

Therefore it has been consistently recognized 12 months of income tax revenues in the income statement on both the modified accrual and full accrual basis of accounting and modified the disclosure in the notes to the financial statements to disclose a temporary suspension of the 60 day rule as it applies to income tax revenues received from the state.