



Village of Hanover Park Administration

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VILLAGE CLERK
EIRA CORRAL

TRUSTEES
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JAMES KEMPER
JENNI KONSTANZER
JON KUNKEL
RICK ROBERTS
EDWARD J. ZIMEL, JR.

VILLAGE MANAGER
JULIANA A. MALLER

VILLAGE OF HANOVER PARK

VILLAGE BOARD REGULAR WORKSHOP MEETING

Municipal Building: 2121 W. Lake Street
Hanover Park, IL 60133

Thursday, November 15, 2012
6:00 p.m.

AGENDA

1. CALL TO ORDER-ROLL CALL
2. ACCEPTANCE OF AGENDA
3. REGULAR BOARD MEETING AGENDA ITEM REVIEW
4. DISCUSSION ITEMS
 - a. Liquor Code Modifications
 - b. Proposed 2012 Corporate Property Tax Levy
 - c. ICC Rulemaking on Municipal Aggregation
5. STAFF UPDATES
 - a. Comprehensive Annual Financial Report for FY'12
 - b. Hanover Square Update
 - c. Paper and Toner Update
6. NEW BUSINESS
7. ADJOURNMENT

Workshop Meeting 11/15/12



TO: Village President and Board of Trustees

FROM: Juliana Maller, Village Manager

SUBJECT: Liquor Code Modifications

ACTION

REQUESTED: Approval Concurrence Discussion Information

MEETING DATE: November 15, 2012 – Board Workshop

Executive Summary

Modifications are proposed to the Liquor Code to allow for a grocery store greater than 18,500 square feet to have special displays of beer and wine in conjunction with the sale of a food product throughout the store for promotional purposes. An additional modification is proposed to increase the fine for a liquor code violation from up to \$1,000 to up to \$5,000.

Discussion

Tony's Finer Foods is in the process of opening a new store in Hanover Park. They have requested a modification to the Village's Liquor Code regarding display of alcohol to meet their business plan. Attached is an ordinance that reflects these changes.

Also included in the ordinance is a request by the Liquor Commissioner to increase the fine for a violation from \$1,000 to \$5,000.

Recommended Action

Move approval of ordinance modifying to the Liquor Code.

Attachments: Draft Ordinance

Budgeted Item:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<u>NA</u>
Budgeted Amount:	\$ <u>NA</u>		
Actual Cost:	\$		
Account Number:			

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ORDINANCE NO. O-12-

AN ORDINANCE INCREASING THE FINE AND BROADENING THE PENALTY WITH RESPECT TO LOCAL LIQUOR LICENSEE VIOLATIONS AND ESTABLISHING SPECIAL DISPLAY EXCEPTIONS FOR CERTAIN HOLDERS OF CLASS B AND F LICENSES

WHEREAS, the Village of Hanover Park is a home rule unit by virtue of the provisions of the 1970 Constitution of the State of Illinois and may exercise and perform any function pertaining to its government and affairs including adoption of this Ordinance; now, therefore,

BE IT ORDAINED by the President and Board of Trustees of the Village of Hanover Park, Cook and DuPage Counties, Illinois, as follows:

SECTION 1: That (1) of (c) of Section 10-2 of Chapter 10 of the Municipal Code of Hanover Park, as amended, be and is hereby amended to read as follows:

Sec. 10-2. Local liquor commissioner.

* * * * *

(c) *Powers and duties.* The local liquor control commissioner shall have the following powers and duties with respect to local liquor licenses:

(1) To grant and/or suspend for not more than 30 days or revoke for cause all local liquor licenses issued to persons or entitles for premises within the village. In addition to suspension or revocation, the local liquor control commissioner may levy a fine which shall not exceed \$5,000.00 for each violation and each day a violation continues shall constitute a separate violation.

* * * * *

SECTION 2: That (13) of Section 10-7 of Chapter 10 of the Municipal Code of Hanover Park, as amended, be and is hereby amended to read as follows:

Sec. 10-7. Classification of licenses.

There shall be the following classes of licenses:

* * * * *

(13) *Display areas.* License holders of a class B or F license shall on their application designate the retail display areas for packaged alcoholic liquor which shall be reviewed and approved as to

location by the liquor control commissioner. The display area shall be a single contiguous area with no display, including special promotions, to be more than 15 feet from the approved area.

Special Display exception to the above separate requirement for license holders with more than 18,500 square feet of floor area. Special Displays of beer or wine only may be established throughout the store subject to the following:

- i. A Special Display may be established only in conjunction with the sale of a food product. No Special Display may be established only for the promotion or sale of alcoholic beverage being displayed.
- ii. Any combination of up to six wine or beer Special Displays may be ongoing at any one time. Each Special Display must be in a different aisle or be separated from any other Special Display by at least twenty (20) feet.
- iii. A Special Display for beer may be established only for the purpose of a temporary special promotion by the licensee or a particular food manufacturer. No single Special Display for beer may last for more than twenty-one (21) days.
- iv. A Special Display for wine may be established on a permanent basis but only in conjunction with the sale of meat, poultry, cheese or seafood.
- v. No Special Display shall contain more than forty-eight (48) bottles of wine or more than forty-eight (48) cases of beer.

Each Special Display shall be under constant (24 hours / 7 days a week) camera surveillance with a video recording of such surveillance that must be preserved for at least forty-eight (48) hours following midnight of the day of recording, unless within said forty-eight (48) hours the local liquor commissioner or a police officer of the village requests further retention, in which case it shall be retained by the licensee or turned over to the police or the local liquor commissioner until released by the local liquor commissioner.

* * * * *

SECTION 3: That each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof, other than the part affected by such decision.

SECTION 4: That except as to the amendments heretofore mentioned, all chapters and sections and sub-sections of the Municipal Code of Hanover Park shall remain in full force and effect.

SECTION 5: That this Ordinance shall, by authority of the Village Board of the Village of Hanover Park, be published in pamphlet form. From and after ten days after said publication, this Ordinance shall be in full force and effect.

ADOPTED this _____ day of _____, 2012, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

ABSTENTION:

Approved: _____
Rodney S. Craig
Village President

ATTESTED, filed in my office, and published in pamphlet form this _____ day of _____, 2012.

Eira Corral, Village Clerk


Village of Hanover Park
AGENDA MEMORANDUM

TO: Village President and Board of Trustees

FROM: Juliana Maller, Village Manager
Rebekah Flakus, Finance Department

SUBJECT: Proposed 2012 Corporate Property Tax Levy

ACTION

REQUESTED: Approval Concurrence Discussion Information

MEETING DATE: November 15 - Board Workshop

Executive Summary

Staff is requesting the Village Board approve the Finance Committee's recommended Corporate Tax Levy increase and proceed with creating the proposed Ordinances Authorizing the Levy and Assessment of Property Taxes for the Corporate and Municipal Purposes of the Village of Hanover Park, a Home Rule Municipality, located in Cook and DuPage Counties, Illinois, for the fiscal year beginning May 1, 2012 and ending April 30, 2013.

Discussion

On Monday, November 5, 2012 Staff and the Finance Committee met to discuss the 2012 General Corporate property tax levy and potential increase options. The Finance Committee is recommending a 4.99% increase in the 2012 General Corporate property tax levy over the 2011 extended levy. The 4.99% or \$486,261 increase is needed to reduce a significant projected Fiscal Year 2014 budget deficits. Staff will be reviewing all revenues and expenditures throughout the budget process.

Village of Hanover Park			
<u>2012 Extended Property Tax Levy</u>			
<u>April 30, 2013</u>			
	2011 Approved Tax Levy	2010 2011 Extended Tax Levy	2011 2012 Proposed Tax Levy
Corporate Levy	\$ 9,553,253	\$ 9,744,711	\$ 10,230,972

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Staff is requesting direction to proceed with the Finance Committee's recommendation of a 4.99% increase in the 2012 General Corporate Property Tax Levy over the 2011 extended levy. If so directed, Staff will bring forward to the December 6, 2012 Village Board meeting all necessary ordinances to levy and assess taxes for the Village, including ordinances for the Special Service Areas. Staff will also prepare the necessary ordinances to abate a portion of the General Obligation Bonds Series 2010, 2010A.

Recommended Action

Move to approve the Finance Committee's recommended Corporate Tax Levy increase of 4.99% and proceed with creating the proposed Ordinances Authorizing the Levy and Assessment of Property Taxes for the Corporate and Municipal Purposes of the Village of Hanover Park, a Home Rule Municipality, located in Cook and DuPage Counties, Illinois, for the fiscal year beginning May 1, 2012 and ending April 30, 2013.

Attachments: N/A

Budgeted Item:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Budgeted Amount:	\$			
Actual Cost:	\$			
Account Number:				



TO: Village President and Board of Trustees

FROM: Juliana Maller, Village Manager

SUBJECT: ICC Rulemaking on Municipal Aggregation

ACTION

REQUESTED: Approval Concurrence Discussion Information

MEETING DATE: November 15, 2012 - Board Workshop

Executive Summary

At the October Metropolitan Mayors Caucus' quarterly meeting, Karen Darch, President of the Village of Barrington and Vice Chair of the Mayors Caucus Executive Board, reported on a rulemaking the Illinois Commerce Commission has initiated which will significantly affect how municipalities will implement and manage their current and future municipal aggregation programs. President Darch also indicated that she would report back to everyone with a recommendation on how we can join forces to ensure that municipal interests are represented in the rulemaking.

Discussion

The purpose of this item is to inform you the Metropolitan Mayors Caucus recommends that municipalities protect their interests and join forces through the Metropolitan Mayors Caucus to participate in the rulemaking and challenge the ICC's jurisdiction to regulate municipal aggregation programs. They further recommend that the Caucus engage the law firm of Holland & Knight LLP to represent the Caucus and, thus, a coalition of interested municipalities in these proceedings. The cost to participate is \$350 per municipality.

Attached for your information is a memo which lays out the issues involved in the rulemaking and the challenge to the ICC's authority. With nearly 200 towns in the region either currently offering municipal electric aggregation programs or seeking approval from their residents via referenda in November to implement them, most municipalities in the region are or will soon be directly impacted by the ICC rulemaking. Their Officers strongly believe that by joining forces through the Mayors Caucus, the region's municipalities will be able to coordinate efforts to help frame municipal aggregation policies and regulations.

The Caucus would like to file an initial brief on behalf of all municipal participants to challenging the ICC's rulemaking authority.

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Recommended Action

Provide staff direction on whether the Village wishes to participate in the coalition.

Attachment: Metropolitan Mayors Caucus Memo

Budgeted Item:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Budgeted Amount:	\$0	
Actual Cost:	\$350	
Account Number:	To be determined	



Edward J. Zabrocki
Mayor, Village of Tinley Park
Executive Board Chairman

Karen Darch
President, Village of Barrington
Executive Board Vice Chair

Thomas Weisner
Mayor, City of Aurora
Executive Board Secretary

Rahm Emanuel
Mayor, City of Chicago
Founding Member City

TO: Mayors and Presidents of the Chicago Region

FROM: Dave Bennett, Executive Director

DATE: October 19, 2012

RE: Illinois Commerce Commission Municipal Electric Aggregation Rulemaking
Docket No. 12-0456

Issue: The Illinois Commerce Commission (ICC) has initiated a rulemaking proceeding to regulate current and future municipal aggregation programs. This is being done despite the fact that the ICC has not been granted the explicit authority to do so by the General Assembly.

While there has been significant representation from utilities, electric suppliers and brokers, municipalities have generally been unrepresented in the early phases of the rulemaking proceeding. This is significant because municipalities have the most at stake given the authority they have been granted by the State of Illinois to implement electric aggregation programs on behalf of their residents.

Recommendation: In order to protect your interests as implementers of local electric aggregation programs, the Officers of the Metropolitan Mayors Caucus recommend that municipalities in the Chicago region band together through the Caucus to participate in the ICC rulemaking proceeding. The Officers also recommend that the Caucus challenge the ICC's authority to promulgate rules regarding implementation at the appropriate time. They further recommend that the Mayors Caucus engage the law firm of Holland & Knight LLP to represent the Caucus in the proceeding. The cost to participate is \$350 per municipality.

Background: The ICC staff published a report in July 2012 noting that there are several issues related to municipal electric aggregation which are not clear under the authorizing statute and, therefore, in staff's view, require additional rulemaking. The staff has identified the following six main topic areas it believes need to be addressed:

1. Whether Section 11-115(A) of the Illinois Public Utilities Act and Section 2EE of the Consumer Fraud and Deceptive Business Practices Act applies to the switching of municipal aggregation customers, such that municipalities will be required to disclose pricing information prior to switching;
2. Whether competitive bids may be required, including whether winning bidders must show how the bidding process was conducted;
3. Whether municipalities should be involved in any aggregation efforts after a first contract with a supplier expires;
4. The obligations for electric utilities under opt-in for first-time and future aggregations;

City of Chicago · DuPage Mayors and Managers Conference · Lake County Municipal League · McHenry County Council of Governments
Metro West Council of Governments · Northwest Municipal Conference · South Suburban Mayors and Managers Association
Southwest Conference of Mayors · West Central Municipal Conference · Will County Governmental League

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Electric Aggregation Recommendation

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5. Required guidelines for the mailing of opt-out and opt-in notices for first-time and future aggregations; and
6. What notifications, if any, should be provided to the ICC?

It is clear through the early phases of the aggregation rulemaking that ICC staff has some definite positions on the above issues. For example, it believes that as the contracts for initial aggregations expire and municipalities consider new ones, the supplier chosen for the first contract must provide the information that allows the government authority to distinguish between an existing aggregation customer and an existing ARES customer who switched outside of an aggregation program. ICC staff has noted that the rulemaking should address the exact process for this type of information transfer and the roles of the municipality, the previous supplier and the utility in such a process.

ICC staff has raised the issue of whether customers who opted-out of an initial aggregation (thereby remaining on utility default service) should be included in subsequent aggregation pools (where they would be given another opportunity to opt-out). It also believes that rules are needed to specify what procedures should be used to enroll customers who move into the aggregation community after the initial opt-out or opt-in notices have been sent. Municipalities will be significantly affected in both of these situations and should be at the table to represent their perspective through the Caucus.

In addition, several parties who have filed appearances in the rulemaking are proposing rules which will directly impact municipalities. For example, the Citizens Utility Board (CUB) has suggested that the ICC should propose rules which provide guidelines for suppliers marketing to customers in communities with opt-out aggregation programs. These rules would affect the supplier selected by a municipality as well as suppliers who falsely claim they are the selected supplier.

CUB has also suggested that a rule is needed to clarify whether a municipality can collect a payment from an ARES, and if so, what the appropriate disclosure should be for these payments. CUB would further like to cap or eliminate cancellation fees in municipal aggregation contracts for customers who wish to cancel their participation in an aggregation contract. Municipalities should be at the table when rules governing these issues are being written.

Timeline: The ICC has scheduled an initial hearing on November 5 at which an initial draft of staff's proposed rules will be presented and the rulemaking process will be formalized. It is estimated that this process, which will include hearings before an administrative law judge, submittal of testimony in the proceeding and the filing of pleadings to advocate positions will run from November through spring 2013.

Governing Structure: As with past collaborative efforts, the Mayors Caucus will establish a steering committee of three representatives from each of the suburban councils of governments (COGs) to provide general direction to Holland & Knight as the firm presents the position of the Mayors Caucus and the interests of its members in the rulemaking proceeding. The steering committee will seek input from all participating communities when significant decisions regarding the proceeding need to be made.



TO: Village President and Board of Trustees

FROM: Juliana Maller, Village Manager
Rebekah Flakus, Finance Director

SUBJECT: Comprehensive Annual Financial Report for the Fiscal Year Ended April 30, 2012

ACTION

REQUESTED: Approval Concurrence Discussion Information

MEETING DATE: November 15, 2012 - Board Workshop

Executive Summary

Comprehensive Annual Financial Report for the Fiscal Year Ended April 30, 2012

Discussion

Staff is pleased to present the Village of Hanover Park's annual audit for the fiscal year ended April 30, 2012. The Comprehensive Annual Financial Report (CAFR) format used for the annual audit provides financial information and disclosures to aid the reader in understanding the results of the financial operations of the Village.

The Village's Fiscal Year 2012 CAFR incorporates all the required reporting standards and disclosures promulgated and required by the Governmental Accounting Standards Board (GASB), the standard-setting body for governmental units. Staff believes that this document meets all the criteria, including the unqualified (clean) opinion by the independent auditors, for receiving the Government Finance Officers Association's Certificate of Achievement in Financial Reporting. The Village has received this annual award on 26 previous occasions and the last 21 consecutive fiscal years.

Letter of Transmittal

The primary function of the Letter of Transmittal, located in the Introductory Section of the CAFR, is to introduce the Comprehensive Annual Financial Report to the reader. The Letter of Transmittal is the formal transmittal of the CAFR which presents the profile of the Village, as well as information on the local economy and major initiatives during the fiscal year. A section on awards and acknowledgements is also provided.

Management Discussion and Analysis (MD&A)

The MD&A includes financial highlights, an overview of the financial statements, a financial analysis of the Village's entity-wide and fund financial statements, and information on capital assets and debt administration. I encourage you to read the MD&A which provides an overview of the Village's financial activity during the fiscal year and displays the Village's financial position as of the end of the fiscal year.

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Recommended Action

No action is required.

Attachments: N/A - The 2012 Comprehensive Annual Financial Report was distributed via email prior to this memo, due to length of document

Budgeted Item:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	N/A
Budgeted Amount:	N/A				
Actual Cost:	N/A				
Account Number:					