VILLAGE OF NORTH RIVERSIDE
BOARD OF TRUSTEES MEETING, JULY 29, 2013
COUNCIL ROOM, 7:30 PM

Mayor Hermanek called the meeting to order at 7:30pm with a Pledge of Allegiance and a Roll Call. In attendance were Trustee Bianco, Trustee Czajka, Trustee Decosola, Trustee Demopoulos, Trustee Mengoni, and Trustee Wilt.

Others in attendance were Administrator Belmonte, Attorney Hayes, Treasurer Scarpiniti, Fire Chief Basek, Police Chief Niemann, Recreation Director Frampton, Public Works Foreman Durec, Village Engineer Fitzgerald, and Civil Service Commissioner Mathias.

APPROVAL OF AGENDA

Trustee Demopoulos moved, seconded by Trustee Bianco to approve the agenda for this meeting as presented with additional piece of correspondence. Roll Call Vote:

AYES: Trustee Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None. Motion Carried.

BIDS- None

CASH RECIEPT REPORT

Trustee Wilt moved seconded by Trustee Mengoni to accept the Cash Receipts Report for the month of May, 2013 in the amount of $1,777,188.34. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None. Motion Carried.

APPROVAL OF MINUTES

Trustee Demopoulos moved, seconded by Trustee Wilt to approve the minutes of the June 17, 2013 Village Board Meeting as presented. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None. Motion Carried.

Report of Trustees

Trustee Bianco (Streets Alleys, Sidewalks & Refuse)

Trustee Bianco Read the following report:

Report of Trustees (continued)

Village Engineer Fitzgerald has prepared all the documents for this year's MFT project to be submitted to IDOT. The Village's projected cost for this project is $200,000, the streets to be resurfaced are Keystone Avenue from 26th Street to 25th Street; 2nd Avenue from 24th Street to 23rd Street; 8th Avenue from 25th Street to 23rd Street and Forestview Drive from 14th Avenue to 13th Avenue. These by far are the worst streets in the Village as determined by staff. A resolution will be discussed later in the meeting, once passed Village Engineer Fitzgerald will deliver the paperwork to IDOT for their approval. The Village is anticipating this project to start in late September.

Trustee Bianco also called for a meeting on August 5th starting at 6:00 PM.

Trustee Czajka (Buildings, Grounds, Lights, Public Services & Transportation)

Trustee Czajka called for a Buildings and Grounds meeting on August 5th starting at 6:30PM.

Trustee Decosola (Judiciary, Ordinances, Recreation)

Report from Recreation Department:

1. Commonweath Edison held their ComCare seminar on June 27th. Ten resident families were able to apply for the grants that they offered.
2. 4th of July events started off with Little League parade to the Veterans Park. At the park we had inflatables for the children, games t-ball classic and a home-run derby. We also had our Stars and Stripes, & Sluggers 16' inch softball tournament. Team America took the cup. Thank you to Trustee Decosola who volunteered to enter the dunk tank. It was a nice celebration for the 4th and would like to thank the Little League for all the hard work as well as all the departments for making the day possible.
3. Tomorrow the band 5 Guys Named Mo will be performing at the Village at 7:30pm under the gazebo. Concessions will be served as well as beer.
4. Tuesday we will also be having our Outdoor Craft Fair from 7pm-9pm in the parking lot. 20 vendors are participating this year.
5. August 6th we will have our annual Cruise Night at the Commons. Come vote for your favorite car. The Fairlanes Band will be performing hits from the 50's- 80's.

Trustee Demopoulos (Water, Sewers, Drainage & Zoning)

Trustee Demopoulos filed the Water Commission Meeting Minutes with the Clerk Ranieri.
Trustee Demopoulos also read the Findings and Recommendations report from the Zoning Board of Appeals and Plan Commission relative to a request for a variance to allow Chick-Fil-A to construct a new building at 7201 W. Cermak Road within the required front yard set back and additional signage. **(See Exhibit A)**

Trustee Demopoulos moved, seconded by Trustee Wilt, to concur with the Findings and Recommendations of the Zoning Board of Appeals and Plan Commission in the matter of Chick-Fil-A to allow for the construction of a building within the front yard setbacks requested and sign variances

Report of Trustees(continued)

requested and for the Village Attorney to prepare the proper ordinances for passage at a future meeting. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None. Motion carried

Trustee Demopoulos read the Findings and Recommendations report from the Zoning Board of Appeals relative to a requested variance Chapter 12.24 to allow for an increase in maximum sign surface area and location for signs to be displayed at 7515 W. Cermak Road. **(see exhibit B)**

Trustee Demopoulos moved, seconded by Trustee Mengoni , to concur with the Findings and Recommendations of the Zoning Board of Appeals and Plan Commission in the matter of Red Lobster to allow signage to exceed the maximum square footage allowed in Chapter 12.24 on the North Riverside Municipal Code at 7515 W. Cermak Road and for the Village Attorney to prepare the proper ordinance for passage at a future meeting. Roll Cal Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None. Motion carried

Trustee Demopoulos read the Findings and Recommendations Report from the Zoning Board of Appeals relative to a requested variance Section 10.06K.4 to waive the required number of parking spaces at 8320-8340 W. Cermak Road. **(see exhibit C)**

Trustee Demopoulos moved, seconded by Trustee Wilt, to concur with the Findings and Recommendations of the Zoning Board of Appeals in the Matter of Sam Panjwani to grant the petitioner's request to amend the Section 10.06.K4 of the North Riverside Zoning Ordinance regarding the number of parking spaces required at 8320-8340 W. Cermak Road and for the Village Attorney to prepare the proper ordinance for passage at a future meeting. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None. Motion carried

Trustee Mengoni (Police, Fire & License)

Trustee Mengoni filed the minutes of the Police and Fire Committee Meeting with Clerk Ranieri. Trustee Mengoni also announced a Certificate of Appreciation presented to Police Officers Kyle Pinelli, Terri McCarthy and Corporal Christopher Devine in Recognition Of Commendable DUI Enforcement. Officer Eck and Officer Pinelli were also acknowledged for their work on another case.

Trustee Wilt (Finance, Health & Appropriations)

Trustee Wilt read the report from the Finance Health & Appropriations Committee meeting on July 1. 2013. **(See exhibit D)**

Report of Trustees (continued)
Trustee Wilt moved, seconded by Trustee Mengoni, to concur with all the motions and recommendations passed by the Finance Committee and agreed upon by the Mayor and all Trustees From the July 1st and July 2nd 2013 committee/budget meetings except for the water increase, and move for the Village Attorney to prepare the proper ordinances for passage as needed. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None. Motion carried

MAYORAL REPORT

Mayor Hermanek thanked the Little League Organization for their participation in the July 4th parade and activities at Veterans Park. Mayor Hermanek also read the following Economic Development Updates Report.

1. **Costco-** Construction for the new Costco Warehouse commenced on July 22.2013. A pre-construction meeting was held on July 16th with Pat Moriarity, General Superintendent for Novak Construction. Mr. Moriarity was not able to confirm the date for the Costco opening, but did indicate that the project is not behind schedule as construction was not planned to start until the end of July. He advised that 110 "actual" days are required for completion of the construction; however, the schedule allows 135 days to account for variables that may arise during the course of the construction.

   The Village's plumbing inspector is currently performing inspections every Tuesday during installation of the sewer and storm systems. There is also an inspector from MWRD that informed the Village that he will be preforming daily inspections for all work covered under their authority and permit. At the request of Craig Chapman, architect for Costco, an on site meeting is scheduled for July 31st with all the Village inspectors. At that time, Mr. Chapman will be requested to display banners on the construction fence along Harlem Avenue and 26th Street, advertising the new Costco under development.

2. **Chick-Fil-A** - Tower Real Estate demolished the old Pearl Vision building and has received a permit for exterior site work the must be completed prior to Chick-Fil-A commencing construction of the new building. A meeting was held with Village inspectors and Eric Uebelhor, Woolpert Engineering and Troy Thurlwell, Chipman Design Architecture Inc., for the purpose of confirming code requirements prior to submittal of the drawings. Chick-Fil-A intends to make application for the construction and sign permits within the next 14 days, with construction on schedule to commence in September. Mr. Uebelhor believes Chick-Fil-A is looking to open the restaurant sometime during the winter of 2014.
3. **Red Lobster**- The Community Development Department has reviewed and approved the drawings for the proposed Red Lobster that will be located on the out lot west of Olive Garden. The lot currently has a vacant one-story building located on it. Staff understands Red Lobster will be handling demolition of the structure, but as of yet has not received the required permit application for the demolition.
4. **Monroe Partners**- The Village has not received any recent exploratory inquiries for the four (4) out lots owned by Monroe Partners LLC. Previous inquiries during the spring included a Miller's Ale House, a Red Robin restaurant, and a Smashburger.

Report of Trustees (continued)

5. North **Riverside Park Mall**- The mall owners have obtained a demolition and interior renovation permit in preparation for Windsor, an apparel and accessory company for junior and contemporary woman customers. Established in 1950, Windsor is a family-owned business that currently has stores in several states and continues to expand at a national level. Windsor is scheduled to open this summer.

CORRESPONDENCE

A thank you letter was received from Cook County Commissioner Jeff Tobolski , thanking the Village for their support and dedication and for contributing to the Kick Off Campaign.

Thank you note from Susan Casey and the Miller Meadow dog park, thanking the Village Board for letting her speak at the June 17th Village Board Meeting.

Thank you note from the Scarpiniti family for the flowers sent on behalf of the Village Board.

A letter to Sue Frampton from Alice Kenan, thanking the recreation department for their work on the July 10th Party in the USA.

A thank you letter from Jason Bianco and the residents on 9th Avenue, thanking Chief Basek and the fire department for attending their block party on July 20th.

A request from the Girl Scouts was received, asking permission to go door to door for cookie sales during the month of October 2013.

A request from Rev. Louis Tylka and the parishioners of Mater Christi Church, requesting permission to hold their annual parish block party on August 18, 2013.

Block party request from Maria Wozniak and the 2400 block of 7th Avenue for August 3, 2013.

Block party request from Jim Copp and the 2400 block of 4th Avenue for September 21, 2013.

Block party request from Terri Schaefer and the 2500 block of 5th Avenue for August 10, 2013.

Block party request from Nancy Roudebush and 22nd Place residents (between 13th and 14th Avenue) for August 17, 2013.

Block party request from Joanne Fenton and the 2200 block for September 7, 2013.

Trustee Czajka moved, seconded by Trustee Bianco, to grant permission to the above seven (7) requests. Motion carried unanimously.

APPROVAL OF BILLS

Trustee Wilt moved, seconded by Trustee Demopoulos, to approve the list of bills submitted for this meeting totaling $571,909.58 and to have these bills paid out of proper funds when such funds are available. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None. Motion Carried

ORDINANCES AND RESOLUTIONS

Trustee Decosola moved, seconded by Trustee Bianco, to pass an Ordinance Adopting the Prevailing Wage Standard in the Village of North Riverside **(13-O-17)** and to waive the reading. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None. Motion carried

Trustee Demopoulos moved, seconded by Trustee Decosola, to pass an Ordinance Amending the Municipal Code Relating to Fences **(13-O-18)** and to waive the reading. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None. Motion carried

Trustee Wilt moved, seconded by Trustee Czajka, to pass Ordinance **(13-O-19)** Annual Appropriation (2013-2014) for the Village of North Riverside. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None Motion carried

Trustee Mengoni moved, seconded by Trustee Demopoulos, to pass an Ordinance Amending Title 1, Chapter 1.18 of the Municipal Code Relating to Vehicle Immobilization. **(13-O-20)** Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None. Motion carried

Trustee Bianco moved, seconded by Trustee Wilt, to pass Resolution for Improvements by Municipality Under the Illinois Highway Code. **(13-R-05)** Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt
NAYS: None. Motion carried

UNFINISHED BUSINESS – None

NEW BUSINESS

Mayor Hermanek congratulated and Clerk Ranieri swore in Probationary Police Officers Scott Voulo and Jon Walley. Officers David Kopka and Christopher Boenzi were promoted to Police Sergeants and Christian Ehrenberg was promoted to Police Commander.

AUDIENCE

A resident was inquiring about who she needs to contact for tree removal. Mayor Hermanek directed her question to Public Works Foreman Ed Durec.

ADJOURNMENT

Trustee Bianco moved, seconded by Trustee Czajka, for adjournment at 8:53 PM. Motion carried unanimously.

Respectfully submitted by,

Kathy Ranieri
VILLAGE CLERK

(exhibit A)

ZONING BOARD OF APPEALS AND
PLAN COMMISSION
VILLAGE OF NORTH RIVERSIDE
2401 South Desplaines Avenue
North Riverside, IL 60546

July 25, 2013

FINDINGS AND RECOMMENDATIONS

Mayor Hermanek and Board of Trustees
Village of North Riverside, Illinois

Re: Chick-Fil-A

Mayor/Board:

The Zoning Board of Appeals ("ZBA") and Plan Commission ("PC") of the Village of North Riverside hereby provide their joint findings and recommendations relative to a requested amendment to a PD Planned Development and a request for variance to allow Chick-Fil-A ("Applicant") to construct a new building at 7201 W. Cermak Road within the required front yard set back and additional signage. Relative hereto, please note the following:

A. Application and Procedural History

On or about May 20, 2013, the Applicant filed an Application for a Variation or Amendment ("Application") with the Village. In the Application, the Applicant seeks an amendment to PD Planned Development, Ordinance 96-0-4, to allow for reduction to the required front yard set back on the north side of the parcel and a variance to Chapter 12.24 to allow signs to be displayed on the south and west elevations.

On June 27, 2013 a joint public hearing was held before the ZBA and PC pursuant to notice regarding the amendment to the PD Planned Development and the ZBA for the variance to the sign code. The Applicant as well as residents were given the opportunity to speak at the hearing. After the hearing pertinent to the amendment, the ZBA and PC made a motion to grant the amendment to Ordinance 96-0-4 and the ZBA made the motion to grant the variance to the sign code.

B. Notice

Notice of the June 27, 2013 hearing was published in the Landmark Newspaper.

C. Members Present

Members of the ZBA who were present at the June 27, 2013 public hearing: 7

Members of the PC who were present at the June 27, 2013 public hearing: 5

D. Description of Adjoining Properties

Subject property is located at the southwest corner of Cermak Road and Harlem Avenue, on the property of North Riverside Plaza. The property is part of a PD Planned Development, with a B-2 zoning. It is boarded to the north by property zoned B-3 that is developed as retail shopping; on the east by property located in the City of Berwyn that is developed as retail shopping center; on the south and west by commercial businesses located on the property of North Riverside Plaza.

F. Description of Public Hearing

The ZBA and PC conducted the joint haring, which began on June 27, 2013 at approximately 7:10 p.m. in the Village Commons at 2401 S. Desplaines Avenue, North Riverside, Illinois. The following individuals presented testimony on behalf of Applicant:

- Eric Uebelhor, Woolpert Engineering.

No members from the audience gave testimony. Karyn Byrne, the Village's Code Enforcement Officer testified on behalf of the Village.

H. Summary of Applicant's Evidence

Chick-Fil-A is looking to develop the parcel on the southwest corner of Harlem and Cermak where the Pearl Vision is now. We have been working with the landlord for quite awhile to get environmental permits, MWRD, IDOT, retention requirements, and engineering. I have a Plat of Survey that indicates an opening along Cermak Road that will direct incoming traffic southbound on the property to parking or drive-thru lanes. Traffic will also enter from Harlem Avenue and proceed northbound around the front of the building, turning southbound to enter the drive-thru lanes. Traffic will not be permitted to travel southbound on the east side of the property, allowing then for only one-way traffic on the north side of the property. Placing the structure further into the north set back allows for two-way traffic flow on the south side of the property. The property has been designed to allow for proper turning radius and stacking of motor vehicles on the south side during peak business hours. If the parcel was not part of a PD Planned Development, there would not be a front yard set back requirement. Further, the set back of the proposed Chick-Fil-A is eight feet (8') farther back than the Chili's located directly to the west of this structure. The display of wall signs on the west and south side of the building walls will assist Chick-Fil-A in attracting motorist traveling northbound on Harlem Avenue and eastbound on Cermak Road. The area of Harlem

Avenue and Cermak Road is saturated with national chain retail food establishments and the more outside signage permitted the better for a motorist to choose a North Riverside business.

I. Staff Comments

The petitioner is a nationally recognized restaurant and as such, relies on specific logos, symbols and lettering as part of their presentation and exterior advertising. The location of this parcel at one of the busiest intersections in the State of Illinois creates an opportunity for the petitioner to attract a high number of customers traveling the roadways. The display of signs on the west and south elevation of the structure will assist in attracting motorists to locate or "choose" the establishment over other national chain restaurants outside the corporate limits of the Village that serve as competition to the petitioner.

Motor vehicles will enter the property at the southeast corner from Harlem Avenue, the northwest corner from Cermak Road and flowing southbound, or at the traffic signal on Cermak Road leading into North Riverside Plaza. The placement of the structure at 37.4 feet from the north property line allows for two-way traffic flow to the south of the building and one-way traffic on the north side. Chick-Fil-A has designed the building to have double drive-up lanes on the east side of the building, which during peak business hours will require open access to the south for stacking of motor vehicles waiting to place an order. Further, the placement of the structure is designed to allow a proper turning radius for motor vehicles entering from Harlem Avenue and proceeding northbound to a parking space or the drive-up lanes.

The regulations of the PD Planned Development District are intended to allow greater design flexibility than is permitted by other district regulations except for set back requirements. If this parcel was not part of a PD Planned Development District, no front yard set back would be required under current B-2 zoning restrictions. An inventory along Cermak Road confirms numerous two-story mixed-use and multi-family structures built five feet or less to the north property line. Further, in 2006 members of the Zoning Board of Appeals and the Plan Commission granted set back relief to Chili's restaurant, located just west of the subject parcel. The zoning relief permitted Chili's to reduce the required set back from 54' to 29.29', which sets the building eight (8') in front of the proposed set back proposed by Chick-Fil-A. The location of Chili's in proximity to Cermak Road has not altered the essential character of the locality.

Staff recommends granting approval of a variance to Chick-Fil-A for the purpose of displaying signs on the south and west sides of the property; and, a minor amendment to reduce the north set back line from 48' to 37.4', in harmony with surrounding properties and businesses.

J. Findings and Recommendation

The ZBA and PC unanimously recommend that Applicant be granted an amendment to PD Planned Development, Ordinance 96-0-4, to allow for construction of a building within the front yard setbacks. The ZBA unanimously recommend to grant the petition of application as presented for the sign variance.

(exhibit B)

ZONING BOARD OF APPEALS
VILLAGE OF NORTH RIVERSIDE
2401 South Desplaines Avenue
North Riverside, IL 60546

July 25, 2013

FINDINGS AND RECOMMENDATIONS

Mayor Hermanek and Board of Trustees
Village of North Riverside, Illinois

Re: Red Lobster

Mayor/Board:

The Zoning Board of Appeals ("ZBA") of the Village of North Riverside hereby provide their findings and recommendations relative to a requested variance Chapter 12.24 to allow for an increase in maximum sign surface area and location for signs to be displayed at 7515 W. Cermak Road. Relative hereto, please note the following:

A. Application and Procedural History

On or about June 14, 2013, the Applicant filed an Application for a Variation or Amendment ("Application") with the Village. In the Application, the Applicant seeks a variance to Chapter 12.24 for relief to the maximum and locations of signs on the property.

On June 27, 2013 a public hearing was held before the ZBA pursuant to notice the variance to the sign code. The Applicant as well as residents were given the opportunity to speak at the hearing. After the hearing the ZBA made the motion to grant the variance to the sign code.

B. Notice

Notice of the June 27, 2013 hearing was published in the Landmark Newspaper.

C. Members Present

Members of the ZBA who were present at the June 27, 2013 public hearing: 7

D. Description of Adjoining Properties

Subject outlot is located on the north side of North Riverside Park Mall that is a PD Planned Development, with a B-3 zoning. It is boarded to the north by property zoned CEM that is developed as a cemetery; on the south and west of the outlot is an open parking lot servicing the retail shopping mall; on the east by Olive Garden restaurant that is owned by the parent company of the petitioner and is part of the retail shopping mall.

F. Description of Public Hearing

The ZBA conducted the joint hearing, which began on June 27, 2013 at approximately 7:10 p.m. in the Village Commons at 2401 S. Desplaines Avenue, North Riverside, Illinois. The following individuals presented testimony on behalf of Applicant:

- Charley Schalliol, Site Enhancement Services.

No members from the audience gave testimony. Karyn Byrne, the Village's Code Enforcement Officer testified on behalf of the Village.

H. Summary of Applicant's Evidence

Red Lobster is requesting the variance to allow visibility to motorists navigating to this location and through the surrounding corridor. The property is unique in the fact that we are located at the entry point to the mall but the only access to our site will come via the rear parking field. Due to these site conditions the proposed signage is critical for motorists to identify the location. Red Lobster is not requesting an excessive amount of signage but the size required to provide adequate way- finding devices as well as an aesthetically balanced design for this location. If the request is denied motorists traveling this new development will not have proper way-finding devices and may make improper traffic decisions resulting in confused and frustrated individuals. Restaurants are typically impulse locations that need to be readily identifiable to those not from the immediate area in order to prevent taxable dollars from leaving the community. Studies show that 10% of the population is in transition, which means they are either moving in, moving out, or through the area. This is why signage is not only important to this location, but also provides the necessary means to properly guide traffic to and from desired destinations.

I. Staff Comments

The petitioner is a nationally recognized restaurant and as such, relies on specific logos, symbols and lettering as part of their presentation and exterior advertising. The business will be located in a single-use structure located on the property of North Riverside Park Mall, with frontage along Cermak Road. The total amount of sign surface area permitted under the sign code is 90 square feet, which would allow for one wall sign on the north elevation and a ground sign. The total amount of sign surface area being proposed by the petitioner is 157.65 square feet.

Approval of a variance to allow for increase amount of sign surface area will not alter the essential character of the locality and will be consistent with sign variances granted to Olive Garden and Chili's. The additional signage will assist the petitioner is attracting customers traveling through the busy intersection at Cermak Road and Harlem Avenue that may not be aware that the restaurant is in the area or need assistance identifying the location. Staff feels the additional signs and increased amount of sign surface area are in harmony with the surrounding properties and businesses and recommends the petitioner be granted a variation to Chapter 12.24 of the North Riverside Municipal Code

J. Findings and Recommendation

The ZBA unanimously recommend to approve the petitioner's application to allow signage to exceed the maximum square footage allowed in Chapter 12. 24 of the North Riverside Municipal Code at 7515 W. Cermak Road.

(exhibit C)

ZONING BOARD OF APPEALS
VILLAGE OF NORTH RIVERSIDE
2401 South Desplaines Avenue
North Riverside, IL 60546

July 25, 2013

FINDINGS AND RECOMMENDATIONS

Mayor Hermanek and Board of Trustees
Village of North Riverside, Illinois

Re: Sam Panjwani

Mayor/Board:

The Zoning Board of Appeals ("ZBA") of the Village of North Riverside hereby provide their findings and recommendations relative to a requested variance Section 10.06.K.4 to waive the required number of parking spaces at 8320-8240 W. Cermak Road. Relative hereto, please note the following:

A. Application and Procedural History

On or about June 3, 2013, the Applicant filed an Application for a Variation or Amendment ("Application") with the Village. In the Application, the Applicant seeks a variance to Section 10.06.K.4 to the required number of parking spaces required.

On June 27, 2013 a public hearing was held before the ZBA pursuant to notice the variance to the off-street parking ordinance. The Applicant as well as residents were given the opportunity to speak at the hearing. After the hearing the ZBA made the motion to grant the variance to Section 10.06.K.4.

B. Notice

Notice of the June 27, 2013 hearing was published in the Landmark Newspaper.

C. Members Present

Members of the ZBA who were present at the June 27, 2013 public hearing: 7

D. Description of Adjoining Properties

Subject property is zoned B-2 and is located in close proximity to the northeast corner of 1st Avenue and Cermak Road. It is boarded on the north and east by active railroad tracks; to the south by Riverside Golf Course; and to the west by a property zoned B-2 and developed with a single commercial building utilized as a bank.

F. Description of Public Hearing

The ZBA conducted the joint hearing, which began on June 27, 2013 at approximately 7:10 p.m. in the Village Commons at 2401 S. Desplaines Avenue, North Riverside, Illinois. The following individuals presented testimony on behalf of Applicant:

- Amit Panjwani, son of the petitioner and North Riverside Properties, LLC

No members from the audience gave testimony. Karyn Byrne, the Village's Code Enforcement Officer testified on behalf of the Village.

H. Summary of Applicant's Evidence

We are looking to put a Cardinal Liquor Store in tenant spaces that are currently vacant. Cardinal Liquors has a chain of franchised stores throughout the Chicagoland area. The store will be open Monday through Sunday from 10:00 a.m. to 10:00 p.m.

I. Staff Comments

The petitioner is requesting a variance to Section 10.06.K.4 of the North Riverside Zoning Ordinance, which sets forth the minimum number of parking spaces required for designated uses. The current uses on the commercial parcel include two restaurants, one nail salon and one cellular telephone retail business. The petitioner is seeking to combine three (3) currently vacant tenant spaces for the purpose of opening a retail establishment, selling alcoholic beverages and food products. The parcel contains a total of 31 patron/employee parking spaces, along with two (2) handicapped parking spaces, located on the west side of the building in close proximity to Dunkin Donuts. The total number of spaces ***required*** for the current uses operating at the parcel based on Section 10.06.K.4 is 54. The proposed retail establishment requires an additional 15 spaces to be available on the site. This number does not include parking spaces required for the maximum number of employees on duty.

The original design of this dense commercial space did not take into consideration the parking requirements for the permitted uses in a B-2 Zoning District. Dunkin Donuts appears to be the most active of the current uses, with a majority of the patrons utilizing the drive-thru facility. The remaining businesses do not appear to generate a large customer base, allowing for ample parking on the parcel throughout the day.

The absence of sufficient parking on the parcel prohibits the owner(s) the ability to lease out or utilize the vacant tenant spaces; and, therefore, not yield a reasonable return on their investment. If granted, the variation will not alter the essential character of the locality nor create an absence of parking for patrons of the businesses currently operating on the parcel. Should the variation not be granted the tenant spaces will remain vacant, creating blight to the area and a loss of revenue to the Village of North Riverside.

Staff recommends the Zoning Board of Appeals grant the variance to Section 10.06.K.4 for the parking restrictions applicable to this commercial parcel, recognizing the plight to the owner due to the unique circumstances, acknowledging that such relief will not alter the essential character of the locality.

J. Findings and Recommendation

The ZBA unanimously recommend to grant the petitioner's request to amend Section 10.06.K.4 of the North Riverside Zoning Ordinance regarding the number of parking spaces required at 8320-8340 W. Cermak Road.

Village of North Riverside

(exhibit D)

Finance, Health & Appropriations Committee

Meeting Dates: July 1st & 2nd, 2013

Trustee Wilt, Chairman
Trustee Demopoulos
Trustee Mengoni

Others in attendance were, Mayor Hermanek, Trustees Bianco, Czajka, Decosola, Administrator Belmonte, Finance Director Scarpiniti, Chief Niemann, Deputy Chief Garcia, Chief Basek, Director Kutt, Director Frampton and Karyn Byrne, Code Enforcement Officer.

Meeting was called to order at 6:00 pm. on Monday, July 1, 2013 and recessed at 10:10 p.m. then reconvened at 6:00 p.m. on Tuesday, July 2, 2013; the following is a summary of the meetings.

Item #1: Discussion of Fiscal Year 2013-2014 Appropriation: Trustee Wilt called the meeting to order, Administrator Belmonte gave a brief account of what was to happen over the next two day in order to come up with a balanced budget for FY 2014. Finance Director Scarpiniti then gave a lengthy overview of all accounts noting there is a starting deficit of $1,471,000 in the General Fund and a $484,917 deficit in the Water Fund. Her power-point presentation gave the board a visual account of where revenues are derived from and expenditures allocated. Department heads also gave a brief overview of their departments' budgets along with some information on their staffing and why the capital items they were requesting in their respective budgets were needed. Director Scarpiniti informed the committee that included in the proposed budget was a 3% pay increase for fire union personnel and a 3.75% increase for tele-communicators per their respective collective bargaining agreements; as well as a 3% increase for non-union personnel. She also mentioned that we are undergoing negotiations with the police union whose contract expired on 4/30/13 and we will not know the exact amount of any pay increases until our negotiations have been completed. Additional costs in the proposed budget included a 5% increase in the PSI contract for paramedic services, a 5.5% increase in health insurance costs, and additional debt service expense due to the first annual repayment of the Costco Debt Certificates. Liability and WC insurance rates, however, decreased for the 2nd consecutive year and reflect a savings of approximately $26,000 or 5.6% when compared to FY13 expenses.

The meeting was recessed at 10:10 p.m. until July 2, 2013 at 6:00 p.m.

The meeting reconvened at 6:05 p.m. on July 2, 2013

Director Scarpiniti passed out a sheet with proposed additions, deletions and staff recommendations which brought our deficit down to $583,093 in the General Fund and $396,917

in the Water Fund. Added were: an ID Printer for the recreation department which Director Frampton said she needed; a $2,500 donation to a Veterans organization; pension contributions to police and fire of 40% respectively; and an additional $5,425 for the public works chipper. Director Kutt had informed the committee the night before of an increase in the purchase price of the chipper because the demo he was hoping to buy was sold. Taken out of the budget was $5,000 from the Administration Department for website design, $19,950 for various items from the Recreation Department that Director Frampton gave up for the ID Printer and $1,403,800 or 60% out of pension contributions for police and fire pensions. Staff also suggested an increase in vehicle stickers to $35 for residential stickers, $50 for non-resident stickers and one $10 sticker senior/disabled sticker per household. The committee discussed these items at length and the following motions where made and passed by the committee.

Trustee Mengoni moved and Trustee Demopoulos seconded to increase residential vehicle stickers to $35, non-resident vehicle stickers to $50 and senior/disabled sticker with a max of two per household at $10 each. Seniors/disabled residents with more than two vehicles in the household would pay $35 for additional stickers. Motion passed by the committee 3-0 and all other trustees and the Mayor agreed.

Trustee Mengoni moved and Trustee Demopoulos seconded to make a contribution of not less than 40% to the police pension ($847,100) and fire pension ($556,700) and that the committee revisits this in March 2014 to see if it would be possible to contribute more before the transfer is made in April 2014. Motion passed by committee with a 3-0 vote and the Mayor and all other Trustees agreed.

There was discussion of purchasing a Vehicle Registration List from the Illinois Secretary of State's office, which would allow the Village to compare our records against the State's for vehicles registered in North Riverside. This list has been purchased by other towns which allowed them to see which vehicles where registered in their towns that did not purchase local vehicle stickers, some towns even went back as far as five years to charge their residents for past stickers not purchased. The committee agreed with the purchase of the list but did not want to go back and charge residents, and will use this list going forward.

Trustee Demopoulos moved and Trustee Mengoni seconded to purchase the Vehicle Registration List from the Illinois Secretary of State's office and not to go back and charge residents for stickers not purchased. Motion passed by committee with a 3-0 vote and the Mayor and other Trustees agreed.

The committee discussed video gaming machine licenses, North Riverside charges $25 per machine to those establishments that have video gaming, currently there are only two establishments in North Riverside that have video gaming: Chef Shangri-La and the Sweet Spot. It was mentioned that some communities charge as much as $1,000 per machine but the committee felt that the places within North Riverside were more or less ma and pa places and they did not feel it should charge that much. The committee did agree that the price should be more in line with other such vending machines such as cigarettes vending machines and juke boxes.

Trustee Demopoulos moved and Trustee Mengoni seconded to increase the license fee for video gaming machines to match other such vending machines. The motion passed by the committee with a 3-0 vote and the other Trustees and Mayor agreed.

There was a discussion of reducing the number of tickets needed for a vehicle to be eligible to be booted. Chief Niemann said that there are a number of municipalities that boot a vehicle after they have 3 unpaid tickets. Currently, a minimum of 5 tickets is required before a vehicle is eligible for booting. Since the cost of the each ticket increases to $250 at this stage in the collection process, it becomes extremely costly for the vehicle owner to pay the outstanding ticket fines and fees after the boot has been applied. By lowering the booting standard to a minimum of 3 tickets, we are increasing our odds of finding the vehicles as well as making it more affordable for the owners to reclaim their cars. The committee, Mayor and all other Trustees agreed that this was a good idea.

Trustee Mengoni moved and Trustee Demopoulos seconded to lower the number of tickets to three (3) before the "boot" can be placed on the vehicle. The motion passed by the committee with a 3-0 vote. The other trustees and the Mayor were polled and concurred.

There was a lengthy discussion on water rates, the City of Chicago increased the cost of water to the Brookfield-North Riverside Water Commission by 25% in January 2012, 15% in January 2013 and will also increase it by 15% in January 2014 and 2015 making the increase 70% over four years. The increases in 2012 and 2013 were absorbed by the Village. It was discussed that these increases must be passed along in order for the Village to receive enough money to keep the water system operational. Two scenarios where presented by staff, one would increase water rates $0.67 per 1000 gallons in August 2013, January 2014 and January 2015. The other would increase rates $0.50 per 1000 gallons in August 2013, January 2014, 2015 and 2016. The committee members, the Mayor, and all other Trustees said that it was necessary to pass these increases from the City of Chicago and the Brookfield-North Riverside Water Commission on to our residents in order to maintain the system.

Trustee Mengoni moved and Trustee Demopoulos seconded to increase water rates for both residential and commercial by $0.50 per 1000 gallons in August 2013, January 2014, January 2015 and January 2016 and to keep minimum billing at the current 4,000 gallons for residential and 7,500 gallons for commercial customers. Motion passed by the committee with a 3-0 vote and the Mayor and all other Trustees agreed.

Finance Director Scarpiniti informed the committee that with all the approved changes over the course of both evenings, the General Fund's final proposed deficit was projected at $126,213 after adjustments and $384,917 in the Water Fund. The committee agreed that the deficit amount should be taken out of prior year's reserves to balance the budget. Director Scarpiniti made the committee aware that last year the appropriation ordinance adopted at the start of the fiscal year reflected an operating deficit of $715,045 in the General Fund and a surplus of $7,200 in the Water Fund. Preliminary and unaudited figures for the fiscal year ended April 30, 2013 anticipate a surplus in the General Fund of approximately $92,000 but a deficit in the Water Fund of $216,000 at year end. She also inquired about the committee's thoughts on financing some of the capital related expenses appropriated in the FY14 budget with a short term

installment contract. Financing capital purchases with short term borrowing is a common practice in the governmental field and will evenly spread out the cost for large purchases over a period of years while still keeping it affordable. With interest rates on the rise, the cost to borrow on a short term basis is increasing but may still be a smart choice financially rather than depleting a large portion of the Village's reserves. The committee agreed to further explore the idea of capital financing to see if the analysis on short term borrowing was cost beneficial to the Village.

There being no further business, the meeting was adjourned at 10:15 pm. on Tuesday, July 2, 2013.

Respectfully submitted,

Vera A. Wilt

Trustee Vera Wilt
Chairman

At this time I would like to make the following motion;

I move to concur with all the motions and recommendations passed by the Finance Committee and agreed upon by the Mayor and all other Trustees from the July 1st and 2nd, 2013 committee/budget meetings except for the water rate increase, and move for the Village Attorney to prepare the proper ordinances for passage as needed.