



CITY COUNCIL AGENDA

Monday, March 21, 2022
Regular Session – 7:00 p.m.
Room 102

CALL TO ORDER

REGULAR SESSION

ROLL CALL

PRAYER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

(matters not on the agenda)

ALDERMEN ANNOUNCEMENTS/COMMENTS

MAYORAL ANNOUNCEMENTS/COMMENTS

Motion to Extend Declaration of Civil Emergency

CITY CLERK ANNOUNCEMENTS/COMMENTS

MANAGER'S REPORT

CITY ATTORNEY/GENERAL COUNSEL REPORT

CONSENT AGENDA

1. **RESOLUTION R-56-22:** Approving an Intergovernmental Agreement with Oakton Community College for Use of Their Grounds for the Display of Fireworks on July 1, 2022
2. **RESOLUTION R-57-22:** Approving an Agreement with Mad Bomber Fireworks Production in the Amount of \$22,000 for the Provision of a Fireworks Display on July 1, 2022
3. **RESOLUTION R-58-22:** Authorizing the Purchase of Three Ford Police Interceptor Sport Utility Vehicles (SUVs) from Currie Motors, Frankfort, Illinois at a Cost Not-to-Exceed \$104,841.00. Budgeted Funds – Fire/Equipment Replacement Fund.
4. **RESOLUTION R-59-22:** Awarding the Public Works Facility Fuel Dispenser Removal and Installation Project to Petroleum Technologies Equipment, Inc., Lyons, Illinois in the Amount of \$27,922.
5. **RESOLUTION R-61-22:** Approving Task Order No. 3 with SPACECO, Inc., Rosemont, Illinois in an Amount Not-to-Exceed \$192,000 for Construction Observation Services for the 2022 Capital Improvement Program. Budgeted Funds – Capital Projects.
6. **RESOLUTION R-62-22:** Approving a Full Reduction and Release of the Public Improvement Bond for Buckingham Place Development at 750-800 East Northwest Highway in the Amount of \$491,509.77
7. **SECOND READING – ORDINANCE Z-5-22:** Amending the Text of the Des Plaines Zoning Ordinance Regarding Public Notice and Recovery of City Costs and Fees
8. **SECOND READING – ORDINANCE M-8-22:** Amending Chapter 2, “General Offenses” of Title 6 of the City of Des Plaines City Code to Align the Possession of Cannabis and Public Display and Sale of Drug Paraphernalia Sections with Illinois State Law
9. Minutes/Regular Meeting – March 7, 2022
10. Minutes/Closed Session – March 7, 2022

UNFINISHED BUSINESS

n/a

NEW BUSINESS

1. **FINANCE & ADMINISTRATION** – Alderman Artur Zadrozny, Chair
 - a. Warrant Register in the Amount of \$3,492,942.40 – **RESOLUTION R-63-22**

2. **COMMUNITY DEVELOPMENT** – Alderman Malcolm Chester, Chair
 - a. Consideration of a Final Plat of Subdivision at 1041 North Avenue – **RESOLUTION R-64-22**
 - b. Consideration of a Business Assistance Grant in an Amount Not-to-Exceed \$15,000 for Charcoal Delights, 1090 East Oakton Street – **RESOLUTION R-65-22**
 - c. Consideration of a Resolution in Support of a Cook County Class 6b Tax Incentive for Seefried Industrial Properties, Inc., 190 East Touhy Avenue – **RESOLUTION R-66-22**
 - d. Consideration of Zoning Text Amendments to Establish the “Adult Day Service Center” Use – **FIRST READING – ORDINANCE Z-6-22**, Consideration of a Conditional Use Permit to Allow an Adult Day Service Center in the C-1 Neighborhood Shopping District, 2514 Ballard Road – **FIRST READING – ORDINANCE Z-7-22**, and Consideration of City Code Amendments Regarding Adult and Childcare Licensing – **FIRST READING – ORDINANCE M-9-22**
3. **PUBLIC WORKS** – Alderman Colt Moylan, Chair
 - a. Discussion of Sidewalk Snow Removal – TIF #8 and Consideration of Amendments to Section 8-1-11 of the City Code Adding a \$250 Mobilization Fee When Snow and/or Ice Removal Services are Rendered by the City of Des Plaines – **FIRST READING – ORDINANCE M-10-22** (*continued from 2/22/22 City Council Agenda*)

OTHER MAYOR/ALDERMEN COMMENTS FOR THE GOOD OF THE ORDER

ADJOURNMENT

ORDINANCES ON THE AGENDA FOR FIRST READING APPROVAL MAY ALSO, AT THE COUNCIL’S DISCRETION, BE ADOPTED FOR FINAL PASSAGE AT THE SAME MEETING.

City of Des Plaines, in compliance with the Americans With Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in the meeting(s) or have questions about the accessibility of the meeting(s) or facilities, contact the ADA Coordinator at 391-5486 to allow the City to make reasonable accommodations for these persons.



MEDIA SERVICES

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5312
desplaines.org

MEMORANDUM

Date: March 9, 2022

To: Michael G. Bartholomew, MCP, LEED-AP, City Manager

From: Jennie Vana, Media Services Director JV

Subject: Agreement with Oakton Community College for Fireworks Event

Issue: Attached for consideration and approval is an agreement between the City of Des Plaines and Oakton Community College allowing the City to use the Oakton Community College campus for a fireworks display to celebrate the Independence Day holiday.

Analysis: The agreement sets forth each party's duties and responsibilities for the use of Oakton Community College property for the fireworks display to take place on Friday, July 1, 2022.

Recommendation: Staff requests that the City Council approve the attached resolution authorizing the City Manager to execute and the City Clerk to attest the agreement with Oakton Community College for the use of its property for the July 1st fireworks display.

Attachments:

Resolution R-56-22
Exhibit A – Agreement

CITY OF DES PLAINES

RESOLUTION R - 56 - 22

**A RESOLUTION APPROVING AN
INTERGOVERNMENTAL AGREEMENT WITH OAKTON
COMMUNITY COLLEGE FOR USE OF THE OAKTON
COMMUNITY COLLEGE CAMPUS FOR A JULY 1, 2022
FIREWORKS DISPLAY.**

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the City to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, the City desires to host a fireworks display on July 1, 2022 for the public at the Oakton Community College Campus ("**Event**") and Oakton Community College ("**Oakton**") desires to grant the City permission to hold the Event; and

WHEREAS, the City and Oakton propose to enter into an intergovernmental agreement to set forth their respective rights and obligations regarding the Event ("**Agreement**"); and

WHEREAS, the City Council has determined that it is in the best interest of the City and the public to enter into the Agreement with the Oakton;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the City Council.

SECTION 2: APPROVAL OF AGREEMENT. The City Council hereby approves the Agreement with Oakton in substantially the form attached to this Resolution as ***Exhibit A***, and in a final form and substance to be approved by the General Counsel.

SECTION 3: AUTHORIZATION TO EXECUTE AGREEMENT. The City Council authorizes and directs the City Manager to execute and seal, on behalf of the City, the final Agreement.

SECTION 4: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

[SIGNATURES ON FOLLOWING PAGE]

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

Approved as to form:

DEPUTY CITY CLERK

Peter M. Friedman, General Counsel

**Contract for Use of Facilities between the
City of Des Plaines
and
Oakton Community College**

Agreement:

The City of Des Plaines (the “City”) has permission to use the Des Plaines campus of Oakton Community College (“Oakton” or “the College”) (individually, the City and Oakton are a “Party” and, collectively, the City and Oakton are referred to as the “Parties”) for a fireworks display (the “Event”), at no cost to either the City or Oakton, subject to the terms contained herein.

Time and Place of Event:

The Event will take place on Friday, July 1, 2022, from 5 p.m. until approximately 11 p.m. The fireworks will be set over the lake and viewed by the attendees from various points across the College campus. Fireworks will begin approximately at dusk on July 1st and will last no later than 11:00 p.m.

Limitations:

1. There is to be no access to or use of the acreage north of parking lot A (Oakton’s soccer fields).
2. There will be absolutely no access to Oakton’s indoor facilities for any reason. The City will notify Event participants, vendors and related personnel of this provision.

The map attached to this Agreement indicates the areas in which activities will take place.

Set-up:

Set-up of the Event will begin on July 1 in the morning.

The City will provide snow fencing around the perimeter of the fireworks and the City will provide personnel during the fireworks to ensure that this area is not used.

A meeting is to be arranged in mid-June with the City staff and members of the College Facilities staff and the Office of Public Safety before any set up activity begins. This will permit both parties to clarify expectations and to discuss detail regarding needs. Oakton’s Facilities staff must be consulted regarding the location of equipment in order to prevent damage to underground power sources and sprinklers. The Event organizers will contact the College to establish a date and time for this meeting.

Rain Date and Conditions:

In the event of rain and cancellation of fireworks, a rain date fireworks display scheduled within six months of July 1, 2022 has been authorized.

In the event that the City must postpone the Event, it is imperative that contact be made with the College immediately on July 1st. It is critical that this contact be made as quickly as possible so that personnel for the College can be coordinated for the rain date and so that the College is prepared to respond to questions of the public and media in regard to the rain date.

Under this circumstance, the City will be permitted to leave the set up in place through July 2nd. However, the College will not be held responsible for the safety of this property. Additional efforts to secure this property and equipment are the responsibility of the City and must be coordinated with and conducted with the approval of the Oakton Community College Department of Public Safety.

Oakton Will:

Personnel.

Oakton will provide:

- personnel to secure the interior of the building who are employees of the Oakton Police Department
- an electrician, available the day/night of the event at a time specified by the City.

Any additional Oakton personnel requested by the City (or as a result of an addition or change to this agreement) will be provided at the City's expense.

Available Services.

Oakton will provide limited power to the Campus' peninsula area to support the Event.

- Water will be available only from one outdoor faucet, and a hose will be provided.
- Oakton will activate the telephones located near the Lot D entrance doors outside the building so that Event patrons may make local calls at no charge.

The City will provide fencing around the fireworks area the City will provide personnel during the fireworks to ensure that this area is not used.

The City Will:

Traffic Control.

The City will be responsible for all aspects of traffic related to the Event, including orderly ingress and egress and parking. No one attending the Event will be allowed to park on the grass or any other unpaved areas, or on College or Circle Drives.

Toilet Facilities.

As there is no access to College buildings, the City will provide portable toilets and hand washing stations for Event patrons.

Post-Event Clean-Up.

The City will restore the Event site to a state comparable to its condition prior to the Event. The City will be responsible for removal of trash and debris after the Event; in addition, the City will survey the condition of the Event site early on the following day in the daylight. Any equipment that cannot be removed immediately after the Event, including but not limited to tents, tables and portable toilets, will be removed the day following the Event. Oakton's Campus must be in suitable condition for its students, employees and visitors when Oakton re-opens for classes and regular business at 7 a.m. on Tuesday, July 5, 2022.

Alcohol & Tobacco.

The City will not allow anyone to sell, serve or consume alcoholic or alcohol-like beverages at the Event. Publicity will advise Event patrons that consumption of alcoholic beverages anywhere on Oakton's Campus is prohibited.

Retention Pond Safety and Maintenance.

The City will be responsible for ensuring that all Event patrons, attendees and workers stay away from the retention pond on Oakton's Campus and refrain from throwing rocks and debris in the retention pond. Of primary concern is the safety of Event patrons who may fall into or attempt to swim in the pond.

Hold Harmless and Insurance.

The City agrees to defend, indemnify and hold harmless Oakton, its Trustees, officers, employees and agents, from and against any claims, suits, liabilities, costs and damages, including, without limitation, attorneys' fees, arising out of or related to the use of Oakton's Campus for the Event.

The City and the pyrotechnician retained for the Event will each provide a Certificate of Insurance to Oakton, verifying that Oakton (properly known as "The Board of Trustees of Community College District No. 535, County of Cook, State of Illinois, a body politic and corporate") is an additional insured under a general liability policy of at least \$1 million with an insurance company acceptable to Oakton, insuring all parties against claims for bodily injury or death to any person who is on Oakton's Campus as a result of the Event.

College Contact and Coordinator:

The City's primary contact at the College will be Joe Scifo, Director of Facilities (847-635-1784) and the alternative contact will be Jeff Hoffmann, Chief of Police and Emergency Management (847-635-1881).

Signature:

On behalf of the City and the College the signatures below signify agreement to adhere to the conditions as set forth above and attached hereto.

OAKTON COMMUNITY COLLEGE

ACCEPTED:

Name:
Title:

By: _____
Michael Bartholomew
For the City of Des Plaines

Attachment: Map of Oakton Community College Des Plaines Campus



Legend











-  Barricade
-  Dumpster
-  First Aid Station
-  Fireworks Launching Area
-  Ice Cream Truck
-  Mad Bomber
-  Portalet/ Wash Station
-  Handicap Portalet/ Wash Station
-  Reserved Parking
-  Restricted Access

Exhibit A





MEDIA SERVICES

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desplaines.org

MEMORANDUM

Date: March 9, 2022
To: Michael G. Bartholomew, MCP, LEED-AP, City Manager
From: Jennie Vana, Media Services Director JV
Subject: Approve Contract for Fireworks Display

Issue: For the City Council to approve an agreement with Mad Bomber Fireworks Productions for a fireworks display on July 1, 2022 in Des Plaines.

Analysis: At the request of the Mayor and several Aldermen, staff were directed to plan a fireworks display to celebrate Independence Day. Three proposals were received from vendors and staff selected Mad Bomber due to its successful relationship with the vendor. Oakton Community College is allowing the City to use its campus subject to the terms outlined in the Intergovernmental Agreement (on the City Council's March 21 agenda for consideration and approval). Mad Bomber will provide a 20-minute fireworks display for a total cost of \$22,000.

The City Manager's Office, Police Department, Fire Department, Public Works and Media Services are coordinating the details and logistics for a safe and successful event. There will be other associated expenses with this event estimated at \$45,000 for toilet facilities, fencing, signage, cleaning, etc.

Mad Bomber is a registered vendor with the City having previously contracted with the City for fireworks services in 2021. This vendor works with several other municipalities across the Chicago area and Northwest suburbs, including Bensenville, Northbrook and Libertyville.

Recommendation: I recommend City Council approval of the attached agreement with Mad Bomber Fireworks Productions, located in Kingsbury, Indiana at a cost of \$22,000. Source funding for the event will be from the budgeted funds in the General Fund Overhead Division under City Sponsored Events (100-90-000-0000.6502).

Attachments:

Resolution R-57-22
Exhibit A - Agreement

CITY OF DES PLAINES

RESOLUTION R - 57 - 22

**A RESOLUTION APPROVING AN AGREEMENT WITH
MAD BOMBER FIREWORKS PRODUCTION FOR A
FIREWORKS DISPLAY.**

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the City to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, the City is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the City desires to host a fireworks display on July 1, 2022 ("***Fireworks Display***"); and

WHEREAS, Mad Bomber Fireworks Productions ("***Vendor***") submitted a proposal to provide the Fireworks Display in an amount not to exceed \$22,000; and

WHEREAS, the City staff recommends that the City enter into an agreement with Vendor for the provision of the Fireworks Display at the price proposed ("***Agreement***"); and

WHEREAS, the City Council has determined that it is in the best interest of the City and the public to enter into the Agreement with the Vendor;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the City Council.

SECTION 2: APPROVAL OF AGREEMENT. The City Council hereby approves the Agreement with Vendor in substantially the form attached to this Resolution as **Exhibit A**, and in a final form to be approved by the General Counsel.

SECTION 3: AUTHORIZATION TO EXECUTE AGREEMENT. The City Council hereby authorizes and directs the City Manager and the City Clerk to execute and seal, on behalf of the City, the final Agreement only after receipt by the City Clerk of at least two executed copies of the final Agreement from Vendor; provided, however, that if the City Clerk does not receive such executed copies of the final Agreement from Vendor within 30 days after the date of adoption of this Resolution, then this authority to execute and seal the final Agreement shall, at the option of the City Council, be null and void.

SECTION 4: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

MAD BOMBER

FIREWORKS PRODUCTIONS

KINGSBURY INDUSTRIAL PARK 3999 E HUPP RD R-3-1 LAPORTE, IN 46350

PHONE (219) 393-5051

Toll Free (877) MAD-BOMB

FAX (219)393-3177

DES PLAINES, IL

PROPOSAL

JULY 1, 2022

MAD BOMBER FIREWORKS PRODUCTIONS IS PLEASED TO PRESENT FOR YOUR CONSIDERATION THIS EXCEPTIONAL PROPOSAL FOR A SPECTACULAR FIREWORKS SHOW TO BE PRESENTED FOR INDEPENDENCE DAY.

FIREWORKS SHOW	\$22,000.00
PROFESSIONAL PRESENTATION	INCLUDED
\$10,000,000 LIABILITY INSURANCE	INCLUDED
POST DISPLAY CLEANUP	INCLUDED
EARNEST MONEY DEPOSIT	<u>\$WAIVED</u>
BALANCE DUE AFTER PRESENTATION	\$22,000.00

Mad Bomber Fireworks will also supply the following:

1. We will secure all permits.
2. CDL driver with a Hazmat endorsement.
3. Registered with the USDOT to haul hazmat. (mandatory by Federal Law)
4. Carry \$5,000,000.00 auto insurance to haul hazmat. (mandatory by Federal Law)
5. Haul hazmat material in a properly placarded vehicle.

Randall McCasland
Randy McCasland, Director of Operations

Des Plaines IL

Opening

- 36** 2.5" Assorted Color Chrysanthemums and Peonies
- 12** 3" Variegated Chrysanthemums
- 6** 4" Assorted Peonies

Mad Bomber
Fireworks Productions

Des Plaines IL

SPECIALTY BARRAGES

- 300 White Glittering Sky Blue**
- 200 Color Xsette and Crackling Coconut Trees**
- 180 Dragon Chrysanthemum to Color**
- 200 Green Comet Xsette**
- 300 Red White and Blue Angled Crossettes**
- 300 Color Strobing Willows**
- 200 Shot Silver Palm Clusters**
- 200 R/W/B American Salutes**
- 100 Red Wave to Glittering Silver Blue Core**

Mad Bomber
Fireworks Productions

Des Plaines IL

Specialty Stacks

Gold Strobes

6 3"

3 4"

Flower Crowns

6 3"

3 4"

Crackling Nishiki Kamuro

9 3"

3 4"

Different size shells breaking at multiple heights creating a stacking effect.

Mad Bomber
Fireworks Productions

Des Plaines IL

18 3" SPECIALTY SHELLS

3" Color Wolfs

3" Silver Serpent w/Magenta

3" Whistling w/Color Stars

3" Red Sky Mines

3" Blue Sky Mines

3" White Sky Mines

3" Smile Face

3" Assorted Sky Mines

3" Peach Flying Stars

3" Banger Chartreuse

3" Blue Comets

3" Diamond Screamer w/Color Stars

3" White Strobe Waterfall

3" Orange Strobe

12 4" SPECIALTY SHELLS

4"Cyan Sky Mine

4" Whistle Red Stars

4" Silver Flying Fish

4" Aqua w/Silver Turbulence

4" Farfalla w/Magenta Stars

4" Assorted Color Wolfs

4" Multi Color Flying Stars

4" Silver Serpents w/Mag Colors

4" Whirlpool Green Xsette

4" Whirlpool Red Xsette

4" Green Sound Ring

4" Tourbillion w/Color Stars

4" Diamond Screamer w/Color Stars

4" Lemon Xsette w/Time Rain

4" Ti Serpent w/Red & Blue to Report

4" Ti Whistle Ring w/Lemon

Mad Bomber
Fireworks Productions

Des Plaines IL

24 3 INCH SHELLS

Three Shot Volleys

Silver Flying Fish
Green Strobe
Yellow Strobe
RWB Ring w/Mine Red Strobe
RWB w/Brocade Mine

Red Falling Leaves
Green Falling Leaves
Yellow Falling Leaves
Purple Falling Leaves
Flower Crowns

18 4 INCH SHELLS

Three Shot Volleys

Poinsettas
Half Red Half Silver
Cyan w/Magenta Pistol
Green to Orange
Color Flying Stars

Red Strobes
White Strobes
Crackling Willows
Flower Crowns
Gold Strobes

**Three shells shot simultaneously and
spread across sky**

Mad Bomber
Fireworks Productions

Des Plaines IL

3 INCH SHELLS

36 Pheonix

Red Peony w/Red Tail
Green & Purple Peony w/Tail
Green & Blue Chrysanthemum w/Tail
Glittering Big Willow
Five Pieces Willow
Red Stars w/1000Green w/Tail
Yellow to Crackling
Silver Crown to Red
Silver Crown to Yellow

Golden Gamboge to Blue
Golden Gamboge to Green
Silver Strobe
Brocade Crown to Red
Brocade Crown to Blue
Ripples to Red
Ripples to Blue
Red Peony w/Strobe Pistil
Color Flower Rain w/Silver Tail

24 Yung Feng

White Twinkling Chrysanthemum
Variegated Cycas Bloom
Green Chrysanthemum w/Crackling
Golden Silk Chrysanthemum
Red Cherry Blossom w/Tail
Nishiki Kamuro

Crackling Nishiki Kamuro
Golden Wave to Purple Chrysanthemum
Glittering Silver to Red Chrysanthemum
Reddish Gamboge to Silver Chrysanthemum
Nishiki Kamuro Niagra Falls
Silver Willow

Mad Bomber
Fireworks Productions

Des Plaines IL

3 INCH SHELLS * main body

72 Wizard Brand

Silver Strobe
USA Style Titanium Whistle Cannister
Red to Crackling Chrysanthemum
Blue Cycas w/ Gold Tail
Crackling Spider to Yellow w/Silver Tail
Silver to Green to Blue Peony w/Gold Tail
Red to Blue Peony w/Coco Pistil w/ Sil. Tail
Gold Silk w/Gold Tail
Purple Chrys. w/Coco Pistil w/Sil Tail
Green to Flash w/Coco Pistil
Blue to Red Flash
Brocade Crown w/Blue Pistil
Red Cycas Blossom
Purple Peony w/Gold Coco Pistil
Firefly Waterfall w/Firefly Tail
Silver Palm Tree w/Silver Tail
Green Peony w/Coco Pistil
Gittering Silver to Vareigated

Glittering Sil to Red w/Blue Pistil w/Sil Tail
Glittering Sil to Blue w/Red Pistil w/Sil Tail
Bowtie w/Ring w/Sil Tail
Green Peony w/Purple Pistil w/Sil Tail
Red Chrys w/Blue Pistil w/Gold Tail
Glittering Coconut w/Glittering Tail
New Rainbow Color Dahlia
Blue USA Style Cannister
RWB Peony to Crack Chrys w/Gold Tail
Glittering Silver to Blue
Yellow Chrys w/Coco Pistil w/Sil Tail
Magenta Peony w/Palm Core
1/2 Red 1/2 Blue Chrysanthemum
Red White & Blue Peony
Red to Crackling
Silver Peony w/Green Pistil
Gold Spangle w/Purple Pistil
Silver Fish w/BlueRing

12 Titanium Salute

Mad Bomber
Fireworks Productions

Des Plaines IL

4 INCH SHELLS * main body

36 Guandu

Red Peony w/Red Tail
Red Chrysanthemum w/tail
Blue Chrysanthemum w/Tail
Glittering Big Willow
Five Pieces Willow
Red to Crackling
Yellow to Crackling
Silver Crown to Red
Silver Crown to Yellow

Golden Gamboge to Blue
Golden Gamboge to Green
Silver Strobe
Brocade Crown to Red
Brocade Crown to Blue
Ripples to Red
Ripples to Blue
Red Peony w/Strobe Pistil
Red Peony wCrackling Pistil

Yuan Yang

18 Green Peony w/Palm Core & Tail
Red Peony w/Glitt Coco Core & Tail
Purple Peony w/Green Pistil & Pur Tail
Vareigated Chrysanthemum w/Blue Tail
Spangle Chrysanthemum w/Red Tail
Crack Flower Chrys w/Crack Tail
1/2 Yellow 1/2 Blue w/Blue Tail
Color Wave w/Silver Tail
Gold Wave Green Strobe Chrys

Glitt Silver to Green to Red
Red and Spangle Chrysanthemum
Silver Strobe w/Strobe Tail
Brocade Crown to Crackling w/Crack Tail
Yellow to Crackling w/Crack Tail
Vareigated Color to Crack Flower
Green Ring w/Green Tail
Crackling Willow w/Gold Tail
Crackling Palm Tree w/Crackling Tail

Mad Bomber
Fireworks Productions

Des Plaines IL

4 INCH SHELLS * main body

36 Wizard Brand

Blue to Flash w/Coco Pistil
Blue Cherry Blossom w/ Silver Tail
Brocade Crown w/Silver Tail
Blue Cycas w/ Gold Tail
Crackling Spider to Yellow w/Silver Tail
Silver to Green to Blue Peony w/Gold Tail
Red to Blue Peony w/Coco Pistil w/ Sil. Tail
Gold Silk w/Gold Tail
Purple Chrys. w/Coco Pistil w/Sil Tail
Green to Flash w/Coco Pistil
Red Cherry Blossom
Brocade Crown w/Blue Pistil
Red Cycas Blossom
Purple Peony w/Gold Coco Pistil
Crackling Nishiki Kamuro
Silver Palm Tree w/Silver Tail
Green Peony w/Coco Pistil
Gittering Silver to Vareigated

Glittering Sil to Red w/Blue Pistil w/Sil Tail
Glittering Sil to Blue w/Red Pistil w/Sil Tail
Bowtie w/Ring w/Sil Tail
Green Peony w/Purple Pistil w/Sil Tail
Red Chrys w/Blue Pistil w/Gold Tail
Glittering Coconut w/Glittering Tail
New Rainbow Color Dahlia
Blue USA Style Cannister
RWB Peony to Crack Chrys w/Gold Tail
Glittering Silver to Blue
Yellow Chrys w/Coco Pistil w/Sil Tail
Magenta Peony w/Palm Core
1/2 Red 1/2 Blue Chrysanthemum
3 Concentric Ring
Red to Crackling
Silver Peony w/Green Pistil
Gold Spangle w/Purple Pistil
Silver Fish w/BlueRing

Mad Bomber
Fireworks Productions

Des Plaines IL

4 INCH SHELLS * main body

18 Jinsheng

Chrys w/Three Section Time Rain w/Coco Pistil
Red Strobe w/Blue Sky w/Rising Tail
Silver Coconut w/ Glittering
Sun Ring w/ Rising Tail
Double Half Red to Red
Yellow Cycas w/Rising Tail
Red to Green Crossette Ring
Silver Wave w/Special Green Strobe
Thousand Red w/Time Rain

Blue Peony to Brocde w/Palm Core
Flower Wave to Purple w/Rising Tail
Glittering Silver to Blue to Green
Green Cherry Blossom
Red Peony w/Rising Tail
Yellow Peony w/Green Pistil
Green to Flickering
Ring w/ Multi Color Flower
Kaleidoscope w/Waterfall

18 Dominator

Color Diadem w/Gold Tail
Gold Silk Chrysanthemum
Golden Willow w/Flare Moons
Color Palm Tree w/Crown Flowers
Nishiki Kamuro w/Color Tips
Crackling Nishiki Kamuros

Eight Hearts w/Rising Purple Flowers
Revolving Dragons w/Blooms
Thousand Color Titanium Salutes
Silver Crossette in Red & Blue Peony
Nishiki Kamuro w/Niagra Falls

Mad Bomber
Fireworks Productions

Des Plaines IL Finale

150 2" Assorted Color and Salutes

216 2.5" Assorted Willows

180 3" Finale Shells

Dominator Color Finale
Dominator Specialty Finale
Kanto Mag Color Finale
Kanto Comet and Color Finale
Kanto Premium Color Finale
Vulcan Red White and Blue Finale
Vulcan Twilight Glitter Finale
Wizard Color Finale
Wizard Specialty Finale
Wizard Brocade Crown Finale
Wizard Glittering Silver Finale
Wizard Gold Cycs Finale
Guandu Titanium Salutes

18 4" Finale Shells

Vulcan Color Finale
Vulcan Twilight Glitter Finale
Wizard White Strobe Waterfall Finale
Wizard Assorted Ring Finale
Wizard Color Finale
Kanto Color Finale
Kanto Gold Brocade Finale

Mad Bomber
Fireworks Productions

MAD BOMBER
FIREWORKS PRODUCTIONS
AGREEMENT

This contract entered into this 14th day of January, 2022 by and between Mad Bomber Fireworks Productions of Kingsbury, Indiana hereinafter referred to as Seller, and
City of Des Plaines

Herein after referred to as Buyer, of Des Plaines State Illinois

Witness: Seller agrees to provide and Buyer agrees to purchase a Fireworks Display in accordance with the program agreed upon and as described in the proposal attached to this agreement as attachment A. Buyer will pay Seller a sum of \$22,000.00 for said Display. Upon acceptance of this agreement Buyer will pay Seller a sum of Waived as an Earnest Money Deposit with the Balance due and payable within 30 days after the display date agreed upon. A late charge of 1 ½% per month will be assessed on accounts not paid within thirty days of display date. Buyer agrees to pay any and all collection costs, including reasonable attorney's fees and court cost incurred by Seller in the collection or attempted collection of any amount due under this agreement and invoice.

Both Seller and Buyer mutually agree to the following terms, conditions, and stipulations:

1. Seller will present said Fireworks Display on the evening of the 1st Day of July, 2022, it being understood that should there be inclement weather the day of the display the Seller has sole discretion to cancel display. An alternate display date will be given within six months of the original display date agreeable to both the Seller and Buyer.
2. The Fee for cancellation by Buyer for any reason of the Fireworks Display is 40% of the agreement price if Buyer chooses to not select another display date within six months of the original display date.
3. Buyer will provide a sufficient area for the Display, including a minimum spectator set back of 280' feet at all points from the discharge area. Buyer will provide protection of the display by roping-off or other suitable means. Buyer will provide adequate police protection to prevent spectators from entering display area. Buyer agrees to search the fallout area at first light following a night display.
4. Seller reserves the right to terminate the Display in the event that persons enter the secured Danger Zone and Security is unable to secure the Danger Zone.
5. Seller agrees to provide Qualified Technicians that are employees of Seller and covered under Seller's liability and worker's compensation insurance policies to take charge of and present said Display.
6. Seller agrees to provide Liability Insurance in the amount of \$10,000,000.00 for the benefit of both the Buyer and Seller. All individual entities listed on the Certificate of Insurance will be deemed an additional insured per this contract.
7. Mad Bomber Fireworks Productions retains the right to substitute product of equal or greater value in the event of shortages or unavailability of any particular item on the proposal.
8. Seller and Buyer agree to included Attachments, if any. See Attachments: Attachment A

Both Seller and Buyer hereto do mutually and severally guarantee terms, conditions, and payments of this contract, these articles to be binding upon the parties, themselves, their heirs, executors, administrators, successors and assigns.

Mad Bomber Fireworks Productions

BUYER

By _____
Randy McCasland, Director of Operations

By _____
(Its duly authorized agent, who represents that he/she has full authority to Bind the Buyer.)

Date _____

Date _____

Print Name _____

Address _____

Phone _____



FIRE DEPARTMENT

405 S. River Road
Des Plaines, IL 60016
P: 847.391.5333
desplaines.org

MEMORANDUM

Date: March 3, 2022

To: Michael G. Bartholomew, City Manager

From: Daniel Anderson, Fire Chief *DA*
Sam Foster, Deputy Chief *SF*

Subject: Purchase of Fire Department Administrative Vehicles

Issue: Three fire fleet vehicles are scheduled to be replaced this year in conjunction with the approved 2022 City Budget and Capital Equipment Replacement Fund Program.

Analysis: The fire department is scheduled to replace three fire vehicles this year with 2022 Ford Police Interceptor Utility Vehicles. It is recommended that the City purchase these vehicles from the Suburban Purchasing Cooperative Bid. The vehicles will be administrative vehicles with a replacement cost of \$34,947.00. The current Suburban Purchasing Cooperative Bid holder is Currie Motors in Frankfort, Illinois with a total replacement cost of \$104,841.00.

Recommendation: We recommend that the City Council approve the purchase of three Ford Police Interceptor Utility Vehicles from Currie Motors of Frankfort, Illinois, at a cost not to exceed \$104,841.00. Purchase of these vehicles are included in the 2022 Fire Department Equipment Replacement Fund, Account # 410-70-000-0000.8020.

Attachments:

Attachment 1 – Suburban Purchasing Cooperative Bid Contract #204 – Administrative Vehicle
Resolution R – 58 – 22



2022 Ford Utility Police Interceptor AWD Hybrid Contract #204



Currie Motors Commercial Center
Your Full Line Municipal Dealer

"Nice People to do Business With"

HYBRID MOTOR SOLD OUT
MARK OPTION 99B FOR GASOLINE MOTOR

Order Cut Off TBD
Production Delayed Due to Current Supply Chain Shortages



2022 Ford Utility Police Interceptor AWD Hybrid

Contract #202

\$35,092

MECHANICAL

3.3L Police-Calibrated V6 Direct-Injection Hybrid Engine System
– Standard (Hybrid technology is optimal for performance and long days spent idling on the job)
● AWD Drivetrain – Standard for enhanced handling precision and unsurpassed traction on wet or dry surfaces
Transmission – 10-speed automatic, police calibrated for maximum acceleration and faster closing speeds
Lithium-Ion Battery Pack
Brakes – Police calibrated high-performance regenerative braking system
● 4-Wheel heavy-duty disc w/heavy-duty front and rear calipers
● Brake Rotors – large mass for high thermal capacity and calipers with large swept area.
● Electric Power-Assist Steering (EPAS) – Heavy-Duty DC/DC converter – 220-Amp (in lieu of alternator)
H7 AGM Battery (Standard; 800 CCA/80-amp)
● Cooling System – Heavy-duty, large high volume radiator, Engine oil cooler and transmission oil cooler
● Engine Idle Hour Meter
● Engine Hour Meter
● Powertrain mounts – Heavy-Duty
50-State Emissions System

INTERIOR/COMFORT

● Cargo Area – Spacious area for police equipment; Lithium-Ion Battery Pack does not intrude into the cargo area
● Cargo Hooks
● Climate Control – Dual-Zone Electronic Automatic Temperature Control (DEATC)
● Door-Locks – Power – Rear-Door Handles and Locks Operable ● Fixed Pedals (Driver Dead Pedal)
● Floor – Flooring – Heavy-Duty Thermoplastic Elastomer
● Glove Box – Locking/non-illuminated
● Grab Handles – (1 – Front-passenger side, 2-Rear)
● Liftgate Release Switch located in overhead console (45 second timeout feature)
● Lighting – Overhead Console – Red/White Task Lighting in
● Overhead Console – 3rd row overhead map light
● Mirror – Day/night Rear View
● Particulate Air Filter
● Powerpoints – (1) First Row
● Rear-window Defrost
● Scuff Plates – Front & Rear
● Speed (Cruise) Control
● Speedometer – Calibrated (includes digital readout)
● Steering Wheel – Manual / Tilt, Urethane wheel finish w/Silver Painted Bezels with Speed Controls and 4-user configurable latching switches
● Sun visors, color-keyed, non-illuminated

INTERIOR/COMFORT (CONTINUED)

● Seats – 1st Row Police Grade Cloth Trim, Dual Front Buckets with reduced bolsters – 1st Row – Driver 6-way Power track (fore/aft. Up/down, tilt with manual recline, 2-way manual lumbar) – 1st Row – Passenger 2-way manual track (fore/aft. with manual recline) – Built-in steel intrusion plates in both driver/passenger seatbacks – 2nd Row Vinyl, 35/30/35 Split Bench Seat (manual fold-flat, no tumble) – fixed seat track
● Universal Top Tray – Center of I/P for mounting aftermarket equipment
● Windows, Power, 1-touch Up/Down Front Driver/Passenger-Side with disable feature

EXTERIOR

● Antenna, Roof-mounted Cladding – Lower bodyside cladding MIC ● Door Handles – Black (MIC)
● Exhaust True Dual (down-turned)
● Front-Door-Lock Cylinders (Front Driver / Passenger / Liftgate)
● Glass – 2nd Row, Rear Quarter and Liftgate Privacy Glass
● Grille – Black (MIC)
● Headlamps – Automatic, LED Low-and-High-Beam Note: Includes Front Headlamp / Police Interceptor Housing (with LED wig-wag feature) – Pre-drilled hole for side marker police use, does not include LED strobe, but includes LED wig-wag functionality (eliminates need to drill housing assemblies and provides LED wig-wag feature) – Pre-molded side warning LED holes with standard sealed capability (does not include LED installed lights)
● Liftgate – Manual 1-Piece – Fixed Glass w/Door-Lock Cylinder ● Mirrors – Black Caps (MIC), Power Electric Remote, Manual Folding with Integrated Spotter (integrated blind spot mirrors not included when equipped with BLIS®)
● Spare – Full size 18" Tire w/TPMS
● Spoiler – Painted Black Tailgate Handle – (MIC)
● Tail lamps – LED
● Tires – 255/60R18 A/S BSW
● Wheel-Lip Molding – Black (MIC)
● Wheels – 18" x 8.0 painted black steel with wheel hub cover
● Windshield – Acoustic Laminated

POLICE UPFIT FRIENDLY

● Consistent 11-inch space between driver and passenger seats for aftermarket consoles (9-inch center console mounting plate)
● Console mounting plate
● Dash pass-thru opening for aftermarket wiring
● Headliner – Easy to service
● Two (2) 50 amp battery ground circuits – power distribution junction block (repositioned behind 2nd row seat floorboard).
Heated Sanitation Solution

SAFETY/SECURITY HIGHLIGHTS

- 75-mph Rear-impact Crash Tested

Note: The full-size spare tire secured in the factory location is necessary to achieve police-rated 75-mph rear impact crash-test performance attributes

- AdvanceTrac® w/RSC® (Roll Stability Control™) police tuned gyroscopic sensors work seamlessly with the ABS
- Rear Video Camera with Washer (standard)
- Airbags, dual-stage driver & front-passenger, side seat, passenger-side knee, Roll Curtain Airbags and Safety Canopy®
- Anti-Lock Brakes (ABS) with Traction Control Brakes – Police calibrated high-performance regenerative braking system
- Belt-Minder® (Front Driver / Passenger)
- Child-Safety Locks (capped)
- Individual Tire Pressure Monitoring System (TPMS)
- LATCH (Lower Anchors and Tethers for Children) system on rear outboard seat locations
- Seat Belts, Pretensioner/Energy-Management System w/adjustable height in 1st Row
- SOS Post-Crash Alert System™

WARRANTY

- 3 Year / 36,000 Miles Bumper / Bumper
- 8 Year / 100,000 Miles Hybrid Unique Components

FUNCTIONAL

- Audio — AM/FM / MP3 Capable / Clock / 4-speakers — Bluetooth® interface — 4.2" Color LCD Screen Center-Stack "Smart Display" Note: Standard radio does not include USB Port or Aux. Audio Input ●Jack; Aux. Audio Input Jack requires SYNC 3®
- Easy Fuel® Capless Fuel-Filler
- Ford Telematics™ – Includes Ford Modem and complimentary 2- year trial subscription
- Front door tether straps (driver/passenger)
- Power pigtail harness
- Recovery Hooks; two in front and trailer bar in rear
- Simple Fleet Key (w/o microchip, easy to replace; 4-keys)
- Two-way radio pre-wire
- Two (2) 50 amp battery ground circuits – power distribution junction block (behind 2nd row passenger seat floorboard)
- Wipers – Front Speed-Sensitive Intermittent; Rear Dual Speed Wiper

POWERTRAIN CARE EXTENDED SERVICE PLAN

- 5-year/100,000-mile Powertrain CARE Extended Service Plan (zero deductible) – Standard

POWERTRAIN OPTIONS

<input type="checkbox"/> 99B- 3.3L V-6 TIVCT Gasoline Motor-NA with 99C Motor	-2,743.00
<input type="checkbox"/> 99C- 3.0L V-6 Eco Boost Engine	766.00
<input type="checkbox"/> 41H- Engine Block Heat	85.00
<input type="checkbox"/> 19K-H8 AGM Battery (900 CCA/92 Amp)	103.00
<input type="checkbox"/> 76D- Deflector Plate	315.00
<input type="checkbox"/> 47A-Engine Idle Control	244.00
<input type="checkbox"/> 3 Year/100,000 Miles Premium Care	2,340.00
<input type="checkbox"/> 5 Year/100,000 Miles Premium Care	2,430.00
<input type="checkbox"/> 3 Year/100,000 Miles Extra Care	2,055.00
<input type="checkbox"/> 5 Year/100,000 Miles Extra Care	2,130.00
<input type="checkbox"/> 5 Year/125,000 Miles Powertrain Care	2,235.00
<input type="checkbox"/> 6 Year/ 125,000 Miles Powertrain Care	2,305.00

Exterior Options

<input type="checkbox"/> 942-Daytime Running Lights	42.00
<input type="checkbox"/> 51R-Drivers Side Spot Light-Unity	371.00
<input type="checkbox"/> 51T-Drivers Side Spot Light-Whelen	394.00
<input type="checkbox"/> 51S-Dual Spot Lights-Unity	582.00
<input type="checkbox"/> 51V-Dual Spot Lights-Whelen	625.00
<input type="checkbox"/> 51P-Spot Lamp Prep Kit	132.00
<input type="checkbox"/> 51W-Dual Spot Lamp Prep Kit	264.00
<input type="checkbox"/> 21L- Front Auxiliary Light Red/Blue-Requires 60A	517.00
<input type="checkbox"/> 63B-Side Marker LED Red/Blue-Requires 60A	273.00
<input type="checkbox"/> 96T-Rear Spoiler Traffic Light-Requires 60A	1,405.00
<input type="checkbox"/> 549-Heated Side View Mirrors	56.00
<input type="checkbox"/> 43A-Rear Auxiliary Lights	371.00
<input type="checkbox"/> 65L-5 Spoke Full Wheel Covers	56.00
<input type="checkbox"/> 64E-18" Painted Aluminum Wheels	447.00
<input type="checkbox"/> 16D-Badge Delete	N/C
<input type="checkbox"/> 86T Tail Lamp Housing Only	56.00

Safety Options

<input type="checkbox"/> 43D-Dark Car Feature- Disables Courtesy Lights	24.00
<input type="checkbox"/> 19V-Rear Camera On Demand	217.00
<input type="checkbox"/> 76P-Pre-Collision Assist w/ Pedestrian Detection-NA w/96W	136.00
<input type="checkbox"/> 68B-Police Perimeter Alert-Requires 19V and 87R	635.00

<input type="checkbox"/> 90D-Ballistic Door Panels-Level III- Driver Front Only	1,490.00
<input type="checkbox"/> 90E-Ballistic Door Panels-Level III-Driver/Pass Front	2,979.00
<input type="checkbox"/> 90F-Ballistic Door Panels-Level IV-Driver Front Only	2,270.00
<input type="checkbox"/> 90G Ballistic Door Panels-Level IV-Driver/Pass Front	4,541.00
<input type="checkbox"/> 55B-BLIS Blind Spot Monitoring	512.00
<input type="checkbox"/> 593-Perimeter Anti-Theft Alarm-Requires 55F	112.00
<input type="checkbox"/> 55F-Keyless Entry-4 Fobs	320.00
<input type="checkbox"/> 76R-Reverse Sensing	259.00

Interior Options

<input type="checkbox"/> 17T-Dome Lamp-Cargo Area Red/White	47.00
<input type="checkbox"/> 63L-Rear Quarter Glass Side Marker Lights-Red/Blue	541.00
<input type="checkbox"/> 87R-Rearview Camera-Replaces Std Camera in Center Stack	N/C
<input type="checkbox"/> 68G-Rear Door Handles, Locks, and Windows Inoperable	71.00
<input type="checkbox"/> 52P-Hidden Door Lock Plunger w/ Rear Handles Inoperable	150.00
<input type="checkbox"/> 16C-Carpet Floor Covering-Includes Floor Mats	118.00
<input type="checkbox"/> 18D-Global Lock/Unlock-Disables Auto Lock on Hatch	24.00
<input type="checkbox"/> 87P-Power Passenger Seat	306.00
<input type="checkbox"/> 85D-Front Console Plate Delete	N/C
<input type="checkbox"/> 85R-Rear Console Plate	42.00
<input type="checkbox"/> 96W-Front Interior Windshield Warning Lights N/A w/76P	1,405.00
<input type="checkbox"/> 47E-12.1" Screen	2,580.00
<input type="checkbox"/> 61B-OBD-II Split Connector	52.00
<input type="checkbox"/> 68E-Noise Suppression Kit	183.00
<input type="checkbox"/> Keyed Alike Code_____Specify Current Code	47.00
<input type="checkbox"/> 17A-Auxiliary Air Conditioning	573.00
<input type="checkbox"/> 63V-Cargo Storage Vault-Lockable for Small Items	230.00
<input type="checkbox"/> 60R-Noise Suppression-Ground Straps	94.00
<input type="checkbox"/> 18X-100 Watt Siren/Speaker	296.00
<input type="checkbox"/> 65U-Police Interior Up Grade Package	367.00
<input type="checkbox"/> 60A-Pre- Wiring for Grill Lights, Siren, and Speaker	47.00

Option Groups

<input type="checkbox"/> 67V-Police Wire Harness Connector Kit	174.00
<input type="checkbox"/> 66A-Front Headlamp Lighting Solution	841.00
<input type="checkbox"/> 66B-Tail Lamp Lighting Solution	405.00
<input type="checkbox"/> 66C-Rear Lighting Solution	428.00
<input type="checkbox"/> 67U-Ultimate Wiring Package	526.00
<input type="checkbox"/> 4-Corner LED Strokes-Requires 86T	1,195.00

- ☐ 67H- Ready for the Road Package includes 66A, 66B, 66C plus—
- | | |
|--------------------------------|-----------------------------|
| Whelen CenCom Light Controller | 100Watt Siren Speaker |
| Whelen CenCom Relay Center | 9 I/O Serial Cable |
| Light Controller Wiring | Hidden Door Lock Plunger |
| Grill LED Lights | Rear Console Mounting Plate |
- *Requires Final Programming Does Not Include Interior Police Equipment** 3,379.00

Misc. Options

- | | |
|---|--------|
| <input type="checkbox"/> Rustproofing | 395.00 |
| <input type="checkbox"/> CD-Rom Service Manual | 395.00 |
| <input type="checkbox"/> Delivery Greater than 50 miles of Dealership | 185.00 |
| <input type="checkbox"/> License & Title Municipal Plates____Municipal Police ____ | 203.00 |
| <input type="checkbox"/> Passenger Plates | 326.00 |
| <input type="checkbox"/> Certificate of Origin – Customer will complete license/title application | N/C |

Exterior Colors

- ☐ BU-Medium Brown Metallic
- ☐ E3-Arizona Beige Metallic
- ☐ E4-Vermillion Red
- ☐ FT-Blue Metallic
- ☐ HG-Smokestone Metallic
- ☐ J1-Kodiak Brown
- ☐ JL-Dark Toreador Red Metallic
- ☐ JS-Iconic Silver Metallic
- ☐ M7-Carbonized Gray
- ☐ LK-Dark Blue
- ☐ LM- Royal Blue
- ☐ LN-Light Blue Metallic
- ☐ TN-Silver Grey Metallic
- ☐ UJ-Sterling Grey Metallic
- ☐ UM-Agate Black
- ☐ YG-Medium Titanium Metallic
- ☐ YZ-Oxford White

Interior Colors

- | | |
|--|-------|
| <input type="checkbox"/> Charcoal Black W/Vinyl Rear | N/C |
| <input type="checkbox"/> Charcoal Black W/Cloth Rear | 58.00 |



Please complete the following in its entirety.

Title Information:

Phone Number:

Purchase Order Number:

Ford FIN Code:

Tax Exempt Number:

Total Number of Units:

Total Dollar Amount:

Delivery Address:

Orders require an original signed purchase order & tax exempt letter.

Scheduled Orders Cannot be canceled

Currie Motors Commercial Center 10125 W.
Laraway Road Frankfort, IL60423
(815) 464-9200
Kristen DeLaRiva
kdelariva@curriemotors.com
Tom Sullivan
tsullivan@curriemotors.com

***Please monitor vehicle status by registering at www.fleet.ford.com.**

Complete Specs are at:

<https://www.ford.com/police-vehicles/hybrid-utility/>

CITY OF DES PLAINES

RESOLUTION R - 58 - 22

**A RESOLUTION AUTHORIZING THE PURCHASE OF
THREE FORD POLICE INTERCEPTOR SUVS FROM
CURRIE MOTORS OF FRANKFORT, ILLINOIS.**

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1, *et seq.*, authorize and encourage intergovernmental cooperation; and

WHEREAS, the Des Plaines Fire Department has identified the need to replace three fire administration vehicles with three new 2022 Ford Police Interceptor SUVs ("***Vehicles***"); and

WHEREAS, the City has sufficient funds in the Fire Department Equipment Replacement Fund during the 2022 fiscal year to purchase the Vehicles; and

WHEREAS, the City is a member of the Northwest Municipal Conference ("***NWMC***"), a corporate organization representing municipalities and townships located within the State of Illinois and the Counties of Cook, DuPage, Kane, Lake and McHenry; and

WHEREAS, the City participates in the NWMC Suburban Purchasing Cooperative ("***SPC***"), which permits local governments to purchase commodities and services according to contracts negotiated by the NWMC, resulting in significant savings for the City; and

WHEREAS, SPC sought bids for the award of SPC Contract #204 for the purchase of the Vehicles; and

WHEREAS, SPC identified Currie Motors of Frankfort, Illinois ("***Vendor***") as the lowest responsible bidder for SPC Contract #204; and

WHEREAS, City staff has determined that SPC's purchasing policies satisfy the City's competitive bidding requirements; and

WHEREAS, the City Council has determined that it is in the best interest of the City to purchase the Vehicles from the Vendor in the not-to-exceed amount of \$104,841 in accordance with the SPC Contract #204;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the City Council.

SECTION 2: APPROVAL OF PURCHASE. The City Council hereby approves the purchase by the City of the Vehicles from the Vendor in a total-not-to-exceed amount of \$104,841.

SECTION 3: AUTHORIZATION OF PURCHASE. The City Manager is hereby authorized and directed to execute such documents approved by the General Counsel and to make such payments, on behalf of the City, as are necessary to complete the purchase of the Vehicles from the Vendor in a total-not-to-exceed amount of \$104,841, all in accordance with SPC Contract #204.

SECTION 4: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel



PUBLIC WORKS AND
ENGINEERING DEPARTMENT

1111 Joseph J. Schwab Road
Des Plaines, IL 60016
P: 847.391.5464
desplaines.org

MEMORANDUM

Date: March 10, 2022

To: Michael G. Bartholomew, MCP, LEED-AP, City Manager

From: Tom Bueser, Superintendent of General Services *TB*

Cc: Timothy P. Oakley, P.E., CFM, Director of Public Works and Engineering
Timothy Watkins, Assistant Director of Public Works and Engineering

Subject: Bid Award – Public Works Facility Fuel Dispenser Removal and Installation

Issue: The 2022 City budget includes \$27,000 in funding in the Facilities Replacement Fund account for the replacement of fuel dispensers at the Public Works Facility. Two bids were received and opened on March 3, 2022.

Analysis: The City currently has a fuel island at the Public Works Department building which dispenses single hose diesel and unleaded fuels. The current dispensers are over 20 years old and replacement parts are difficult to find or obsolete. The proposed work includes removal and replacement of existing dispensers which will have electronic meters, pulsers, displays, and dual dispensing hoses for each product which will allow multiple vehicles to receive fuel simultaneously. A summary of bids is shown below:

Company	Total Bid
Petroleum Technologies Equipment, Inc.	\$27,922
Crowne Industries, Ltd.	\$29,690

Recommendation: We recommend approval and award of the Public Works Facility Fuel Dispenser Removal and Installation project to the low bidder, Petroleum Technologies Equipment, Inc., 8447 W. 44th Place, Lyons, IL 90534, in the amount of \$27,922. Source of funding for this contract will be the Facilities Replacement Fund (430-00-000-0000.6315.002).

Attachments:
Resolution R-59-22
Exhibit A – Contract

CITY OF DES PLAINES

RESOLUTION R - 59 - 22

**A RESOLUTION APPROVING AN AGREEMENT WITH
PETROLEUM TECHNOLOGIES EQUIPMENT, INC. FOR
THE PUBLIC WORKS FACILITY FUEL DISPENSER
REMOVAL AND INSTALLATION PROJECT.**

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the City to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, the City has appropriated funds in the Facilities Replacement Fund for use by the Department of Public Works and Engineering during the 2022 fiscal year for the replacement of fuel dispensers at the Public Works Facility ("**Work**"); and

WHEREAS, pursuant to Chapter 10 of Title 1 of the of the City of Des Plaines City Code and the City purchasing policy, the City solicited bids for the procurement of the Work; and

WHEREAS, the City received two bids, which were opened on March 3, 2022; and

WHEREAS, Petroleum Technologies Equipment, Inc. ("**Contractor**") submitted the lowest responsible bid in the not-to-exceed amount of \$27,922; and

WHEREAS, the City desires to enter into a contract with Contractor for the performance of the Work in the not-to-exceed amount of \$27,922 ("**Agreement**"); and

WHEREAS, the City Council has determined that it is in the best interest of the City to enter into the Agreement with Contractor;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the City Council.

SECTION 2: APPROVAL OF AGREEMENT. The City Council hereby approves the Agreement in substantially the form attached to this Resolution as **Exhibit A**, and in a final form approved by the General Counsel.

SECTION 3: AUTHORIZATION TO EXECUTE AGREEMENT. The City Council hereby authorizes and directs the City Manager and the City Clerk to execute and seal, on behalf of the City, the final Agreement.

SECTION 4: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Resolution Approving an Agreement with Petroleum Technologies Equipment for Fuel Dispenser Removal and Installation

CITY OF DES PLAINES

CONTRACT FOR

Public Works Facility Fuel Dispenser Removal and Installation

Full Name of Bidder Petroleum Technologies Equipment Inc
Principal Office Address 8447 44th place Lyons IL 60534
Local Office Address same
Contact Person Tom Doherty Telephone Number 708-243-1108

1. Work Proposal

A. Contract and Work. If this Contract is accepted, Bidder proposes and agrees that Bidder shall, at its sole cost and expense, provide, perform, and complete, in the manner specified and described, and upon the terms and conditions set forth, in this Contract and Owner's written notification of acceptance in the form included in this bound set of documents, all of the following, all of which is herein referred to as the "Work":

1. Labor, Equipment, Materials and Supplies. Provide, perform, and complete, in the manner specified and described in this Contract/Proposal, all necessary work, labor, services, transportation, equipment, materials, supplies, information, data, and other means and items necessary for the Public Works Facility Fuel Dispenser Removal and Installation located at 1111 Joseph Schwab Rd, Des Plaines, IL 60016 (the "Work Site");
2. Permits. Procure and furnish all permits, licenses, and other governmental approvals and authorizations necessary in connection therewith;
3. Bonds and Insurance. Procure and furnish all bonds and all insurance certificates and policies of insurance specified in this Contract;
4. Taxes. Pay all applicable federal, state, and local taxes;
5. Miscellaneous. Do all other things required of Bidder by this Contract; and
6. Quality. Provide, perform, and complete all of the foregoing in a proper and workmanlike manner, consistent with highest standards of professional and construction practices, in full compliance with, and as required by or pursuant, to this Contract, and with the greatest economy, efficiency, and expedition consistent therewith, with only new, undamaged, and first quality equipment, materials, and supplies.

B. Performance Standards. If this Contract is accepted, Bidder proposes and agrees that all Work shall be fully provided, performed, and completed in accordance with the specifications attached hereto in Attachment A and by this reference made a part of this Contract. No provision of any referenced standard, specification, manual or code shall change the duties and

responsibilities of Owner or Bidder from those set forth in this Contract. Whenever any equipment, materials, or supplies are specified or described in this Contract by using the name or other identifying feature of a proprietary product or the name or other identifying feature of a particular manufacturer or vendor, the specific item mentioned shall be understood as establishing the type, function, and quality desired. Other manufacturers' or vendors' products may be accepted, provided that the products proposed are equivalent in substance and function to those named as determined by Owner in its sole and absolute discretion.

C. Responsibility for Damage or Loss. If this Contract is accepted, Bidder proposes and agrees that Bidder shall be responsible and liable for, and shall promptly and without charge to Owner repair or replace, damage done to, and any loss or injury suffered by, Owner, the Work, the Work Site, or other property or persons as a result of the Work.

D. Inspection/Testing/Rejection. Owner shall have the right to inspect all or any part of the Work and to reject all or any part of the Work that is, in Owner's judgment, defective or damaged or that in any way fails to conform strictly to the requirements of this Contract and Owner, without limiting its other rights or remedies, may require correction or replacement at Bidder's cost, perform or have performed all Work necessary to complete or correct all or any part of the Work that is defective, damaged, or nonconforming and charge Bidder with any excess cost incurred thereby, or cancel all or any part of any order or this Contract. Work so rejected may be returned or held at Bidder's expense and risk.

2. Contract Price Proposal

If this Contract is accepted, Bidder proposes, and agrees, that Bidder shall take in full payment for all Work and other matters set forth under Section 1 above, including overhead and profit; taxes, contributions, and premiums; and compensation to all subcontractors and suppliers, the compensation set forth below.

A. Schedule of Prices. For providing, performing, and completing all Work, the total Contract Price of:

\$ 27,922.00

B. Basis for Determining Prices. It is expressly understood and agreed that:

1. All prices stated in the Schedule of Prices are firm and shall not be subject to escalation or change;

{00119453.2}

2. Owner is not subject to state or local sales, use, and excise taxes, that no such taxes are included in the Schedule of Prices, and that all claim or right to claim any additional compensation by reason of the payment of any such tax is hereby waived and released; and
3. All other applicable federal, state, and local taxes of every kind and nature applicable to the Work are included in the Schedule of Prices.
4. The approximate quantities set forth in the Schedule of Prices for each Unit Price Item are Owner's estimate only, that Owner reserves the right to increase or decrease such quantities, that payment for each Unit Price Item shall be made only on the actual number of acceptable units of such Unit Price Item installed complete in place in full compliance with this Contract/Proposal, and that all claim or right to dispute or complain of any such estimated quantity, or to assert that there was any misunderstanding in regard to the nature or amount of any Unit Price Item to be provided or performed, is hereby waived and released; and
5. Any items of Work not specifically listed or referred to in the Schedule of Prices, or not specifically included for payment under any Unit Price Item, shall be deemed incidental to the Contract Price, shall not be measured for payment, and shall not be paid for separately except as incidental to the Contract Price, including without limitation extraordinary equipment repair, the cost of transportation, packing, cartage, and containers, the cost of preparing schedules and submittals, the cost or rental of small tools or buildings, the cost of utilities and sanitary conveniences, and any portion of the time of Bidder, its superintendents, or its office and engineering staff.]

C. Time of Payment. It is expressly understood and agreed that all payments shall be made in accordance with the following schedule:

Bidder will invoice Owner for all Work completed, and Owner will pay Bidder all undisputed amounts no later than 45 days after receipt by Owner of each invoice.

All payments may be subject to deduction or setoff by reason of any failure of Bidder to perform under this Contract/Proposal. Each payment shall include Bidder's certification of the value of, and partial or final waivers of lien covering, all Work for which payment is then requested and Bidder's certification that all prior payments have been properly applied to the payment or reimbursement of the costs with respect to which they were paid.

All payments may be subject to deduction or setoff by reason of any failure of Bidder to perform under this Contract/Proposal. Each payment shall include Bidder's certification of the value of, and partial or final waivers of lien covering, all Work for which payment is then requested and Bidder's certification that all prior payments have been properly applied to the payment or reimbursement of the costs with respect to which they were paid.

3. Contract Time

If this Contract is accepted, Bidder proposes and agrees that Bidder shall commence the Work within 10 days after Owner's acceptance of the Contract provided Bidder shall have furnished to Owner insurance certificates and policies of insurance specified in this Contract (the "Commencement Date"). If this Contract is accepted, Bidder proposes and agrees that Bidder shall perform the Work diligently and continuously and shall complete the Work within 45 days after receiving the fuel dispensers (the "Completion Date").

Estimated Timeline for Dispenser Delivery:

10 weeks

4. Financial Assurance

A. Insurance. If this Contract is accepted, Bidder proposes and agrees that Bidder shall provide certificates of insurance evidencing the minimum insurance coverage and limits set forth below within 10 days after Owner's acceptance of this Contract. Such insurance shall be in form, and from companies, acceptable to Owner and shall name Owner, including its Council members and elected and appointed officials, its officers, employees, agents, attorneys, consultants, and representatives, as an Additional Insured. The insurance coverage and limits set forth below shall be deemed to be minimum coverage and limits and shall not be construed in any way as a limitation on Bidder's duty to carry adequate insurance or on Bidder's liability for losses or damages under this Contract. The minimum insurance coverage and limits that shall be maintained at all times while providing, performing, or completing the Work are as follows:

1. Workers' Compensation and Employer's Liability

Limits shall not be less than:

Worker's Compensation: Statutory

Employer's Liability: \$500,000 each accident-injury; \$500,000 each employee-disease; \$500,000 disease-policy.

Such insurance shall evidence that coverage applies to the State of Illinois and provide a waiver of subrogation in favor of Owner.

2. Commercial Motor Vehicle Liability

Limits for vehicles owned, non-owned or rented shall not be less than:

\$1,000,000 Bodily Injury and Property Damage Combined Single Limit

3. Commercial General Liability

Limits shall not be less than:

\$1,000,000 Bodily Injury and Property Damage Combined Single Limit.

Coverage is to be written on an "occurrence" basis.
Coverage to include:

- Premises Operations
- Products/Completed Operations
- Independent Contractors
- Personal Injury (with Employment Exclusion deleted)
- Broad Form Property Damage Endorsement
- "X," "C," and "U"
- Contractual Liability

Contractual Liability coverage shall specifically include the indemnification set forth below.

4. Umbrella Liability

Limits shall not be less than:

\$2,000,000 Bodily Injury and Property Damage Combined Single Limit.

This Coverage shall apply in excess of the limits stated in 1, 2, and 3 above.

C. Indemnification. If this Contract is accepted, Bidder proposes and agrees that Bidder shall indemnify, save harmless, and defend Owner against all damages, liability, claims, losses, and expenses (including attorneys' fees) that may arise, or be alleged to have arisen, out of or in connection with Bidder's performance of, or failure to perform, the Work or any part thereof, or any failure to meet the representations and warranties set forth in Section 6 of this Contract.

D. Penalties. If this Contract is accepted, Bidder proposes and agrees that Bidder shall be solely liable for any fines or civil penalties that are imposed by any governmental or quasi-governmental agency or body that may arise, or be alleged to have arisen, out of or in connection with Bidder's performance of, or failure to perform, the Work or any part thereof.

5. Firm Contract

All prices and other terms stated in this Contract are firm and shall not be subject to withdrawal, escalation, or change provided Owner accepts this Contract within 45 days after the date the bidder's contract proposal is opened.

6. Bidder's Representations and Warranties

To induce Owner to accept this Contract, Bidder hereby represents and warrants as follows:

A. The Work. The Work, and all of its components, (1) shall be of merchantable quality; (2) shall be free from any latent or patent defects and flaws in workmanship, materials, and design; (3) shall strictly conform to the requirements of this Contract, including without limitation the performance standards set forth in Section 1B of this Contract; and (4) shall be fit, sufficient, and suitable for the purposes expressed in, or reasonably inferred from, this Contract and the warranties expressed herein shall be in addition to any other warranties expressed or implied by law, which are hereby reserved unto Owner. Bidder, promptly and without charge, shall correct any

failure to fulfill the above warranty at any time within two years after final payment or such longer period as may be prescribed in the performance standards set forth in Section 1B of this Contract or by law. The above warranty shall be extended automatically to cover all repaired and replacement parts and labor provided or performed under such warranty and Bidder's obligation to correct Work shall be extended for a period of two years from the date of such repair or replacement. The time period established in this Section 6A relates only to the specific obligation of Bidder to correct Work and shall not be construed to establish a period of limitation with respect to other obligations that Bidder has under this Contract.

B. Compliance with Laws. The Work, and all of its components, shall be provided, performed, and completed in compliance with, and Bidder agrees to be bound by, all applicable federal, state, and local laws, orders, rules, and regulations, as they may be modified or amended from time to time, including without limitation the Illinois Prevailing Wage Act, 820 ILCS 130/0.01 et seq. and any other prevailing wage laws; any statutes requiring preference to laborers of specified classes; the Illinois Steel Products Procurement Act, 30 ILCS 565/1 et seq.; any statutes prohibiting discrimination because of, or requiring affirmative action based on, race, creed, color, national origin, age, sex, or other prohibited classification; the Employment of Illinois Workers on Public Works Act, 30 ILCS 570/0.01 et seq.; and any statutes regarding safety or the performance of the Work.

C. Prevailing Wage Act. This Contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/0.01 et seq. (the "Act"). If the Illinois Department of Labor revises the prevailing rate of hourly wages to be paid, the revised rate will apply to this Contract. Bidder and any subcontractors rendering services under this Contract must comply with all requirements of the Act, including but not limited to, all wage, notice, and record-keeping duties and certified payrolls.

D. Not Barred. Bidder is not barred by law from contracting with Owner or with any other unit of state or local government as a result of (i) a violation of either Section 33E-3 or Section 33E-4 of Article 33 of the Criminal Code of 1961, 720 ILCS 5/33E-1 et seq.; or (ii) a violation of the USA Patriot Act of 2001, 107 Public Law 56 (October 26, 2001) (the "Patriot Act") or other statutes, orders, rules, and regulations of the United States government and its various executive departments, agencies and offices related to the subject matter of the Patriot Act, including, but not limited to, Executive Order 13224 effective September 24, 2001. Bidder is not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by the United States Treasury Department as a Specially Designated National and Blocked Person, or for or on behalf of any person, group, entity or nation designated in Presidential Executive Order 13224 as a person who commits, threatens to commit, or supports terrorism; and Bidder is not engaged in this transaction directly or indirectly on behalf of, or facilitating this transaction directly or indirectly on behalf of, any such person, group, entity or nation.

E. Qualified. Bidder has the requisite experience **minimum of 10 years**, ability, capital, facilities, plant, organization, and staff to enable Bidder to perform the Work successfully and promptly and to commence and complete the Work within the Contract Price and Contract Time set forth

above. Bidder warrants and represents that it has met and will meet all required standards set forth in **Owner's Responsible Bidder Ordinance M-7-20, including, without limitation, The bidder actively participates, and has actively participated for at least 12 months before the date of the bid opening, in apprenticeship and training programs approved and registered with the United States department of labor bureau of apprenticeship and training for each of the trades of work contemplated under the awarded contract for all bidders and subcontractors. For the purposes of this subsection, a bidder or subcontractor is considered an active participant in an apprenticeship and training program if all eligible employees have either: (i) completed such a program, or (ii) were enrolled in such a program prior to the solicitation date and are currently participating in such program."**

7. Acknowledgements

In submitting this Contract, Bidder acknowledges and agrees that:

A. Reliance. Owner is relying on all warranties, representations, and statements made by Bidder in this Contract.

B. Reservation of Rights. Owner reserves the right to reject any and all proposals, reserves the right to reject the low price proposal, and reserves such other rights as are set forth in the Instructions to Bidders.

C. Acceptance. If this Contract is accepted, Bidder shall be bound by each and every term, condition, or provision contained in this Contract and in Owner's written notification of acceptance in the form included in this bound set of documents.

D. Remedies. Each of the rights and remedies reserved to Owner in this Contract shall be cumulative and additional to any other or further remedies provided in law or equity or in this Contract.

E. Time. Time is of the essence for this Contract and, except where stated otherwise, references in this Contract to days shall be construed to refer to calendar days.

F. No Waiver. No examination, inspection, investigation, test, measurement, review, determination, decision, certificate, or approval by Owner, whether before or after Owner's

acceptance of this Contract; nor any information or data supplied by Owner, whether before or after Owner's acceptance of this Contract; nor any order by Owner for the payment of money; nor any payment for, or use, possession, or acceptance of, the whole or any part of the Work by Owner; nor any extension of time granted by Owner; nor any delay by Owner in exercising any right under this Contract; nor any other act or omission of Owner shall constitute or be deemed to be an acceptance of any defective, damaged, or nonconforming Work, nor operate to waive or otherwise diminish the effect of any representation or warranty made by Bidder; or of any requirement or provision of this Contract; or of any remedy, power, or right of Owner.

G. Severability. The provisions of this Contract/ Proposal shall be interpreted when possible to sustain their legality and enforceability as a whole. In the event any provision of this Contract shall be held invalid, illegal, or unenforceable by a court of competent jurisdiction, in whole or in part, neither the validity of the remaining part of such provision, nor the validity of any other provisions of this Contract shall be in any way affected thereby.

H. Amendments. No modification, addition, deletion, revision, alteration, or other change to this Contract shall be effective unless and until such change is reduced to writing and executed and delivered by Owner and Bidder, except that Owner has the right, by written order executed by Owner, to make changes in the Work ("Change Order"). If any Change Order causes an increase or decrease in the amount of the Work, then an equitable adjustment in the Contract Price or Contract Time may be made. No decrease in the amount of the Work caused by any Change Order shall entitle Bidder to make any claim for damages, anticipated profits, or other compensation.

I. Assignment. Neither this Contract, nor any interest herein, shall be assigned or subcontracted, in whole or in part, by Bidder except upon the prior written consent of Owner.

J. Governing Law. This Contract, and the rights of the parties under this Contract shall be interpreted according to the internal laws, but not the conflict of law rules, of the State of Illinois. Every provision of law required by law to be inserted into this Contract/Proposal shall be deemed to be inserted herein.

By submitting this Contract proposal in response to this Invitation to Bid, Bidder hereby represents, warrants, and certifies that:

- ☒ Bidder has carefully examined and read the ITB and all related documents in their entirety.
- ☒ The person signing the Contract proposal on behalf of Bidder is fully authorized to execute the Contract and bind Bidder to all of the terms and provisions of the Contract.
- ☒ Bidders has provided a list of client references with a minimum of **(4) four municipal** references.
- ☒ Bidder has fully completed the entire Contract form, including the Total Contract Price on page 2 of the contract and completed the entire bid pricing in Attachment A.
- ☒ Bidder has submitted a certified check or bid bond, in amount equal to at least 5 percent of the Total Contract Price.
- ☒ Bidder has checked the City's website for any addenda issued in connection with this ITB, hereby acknowledges receipt of Addenda Nos. 0 **[BIDDERS MUST INSERT ALL ADDENDA NUMBERS]**, has attached these addenda to Bidder's contract proposal, and acknowledges and agrees that, if Bidder's contract proposal is accepted, these addenda will be incorporated into the Contract and will be binding upon Bidder.
- ☒ Bidder meets all conditions of Ordinance M-7-20: RESPONSIBLE BIDDER FOR CERTAIN CONSTRUCTION CONTRACTS.
- ☒ Bidder has submitted its Contract proposal in a sealed envelope that bears the full legal name of Bidder and the name of the Contract.

Dated: 2-11, 20 22.

Bidder's Status: () X Corporation () Partnership () Individual Proprietor
(State) (State) ILLINOIS

Bidder's Name: Petroleum Technologies Equipment Inc

Doing Business As (if different): _____

Signature of Bidder or Authorized Agent: Thomas Doherty Date: 2-11-22

(corporate seal) Printed Name: Thomas Doherty
(if corporation) Title/Position: President

Bidder's Business Address: 8447 44th place
LYONS IL 60534

Bidder's Business Telephone: 708-243-1108 Facsimile: N/A

If a corporation or partnership, list all officers or partners:

NAME	TITLE	ADDRESS
<u>Thomas Doherty</u>	<u>President</u>	<u>8447 44th place</u> <u>LYONS IL 60534</u>

ACCEPTANCE

The Contract attached hereto and by this reference incorporated herein and made a part hereof is hereby accepted by the order of the City of Des Plaines ("Owner") as of _____, 20__.

This Acceptance, together with the Contract attached hereto, constitutes the entire and only agreement between the parties relating to the accomplishment of the Work and the compensation therefor and supersedes and merges any other prior or contemporaneous discussions, agreements, or understandings, whether written or oral, and shall prevail over any contradictory or inconsistent terms or conditions contained in any purchase order, acceptance, acknowledgement, invoice, or other standard form used by the parties in the performance of the Contract. Any such contradictory or inconsistent terms or conditions shall be deemed objected to by Owner without further notice of objection and shall be of no effect nor in any circumstances binding upon Owner unless accepted by Owner in a written document plainly labeled "Amendment to Contract." Acceptance or rejection by Owner of any such contradictory or inconsistent terms or conditions shall not constitute acceptance of any other contradictory or inconsistent terms or conditions.

CITY OF DES PLAINES

Signature: _____

Printed name: Michael G. Bartholomew

Title: City Manager

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ATTACHMENT A

Specifications

SCOPE: The Contractor shall provide all necessary materials, equipment, labor, and performance bonding requirements to remove the existing two fuel dispensers and replace with new: Two (2) BENNETT MODEL # 3712SNS- 6 1 PRODUCT/2 HOSES/ STANDARD FLOW/SUCTION/ LOW HOSE/ SIDE MOUNT/ PULSE OUTPUT / JBOX/ BLACK END COLUMNS/ WHITE LD on the Fleet Service fueling island.

The Contractor shall also:

- Properly dispose of removed dispensing equipment;
- Provide all necessary permits required for replacement;
- Furnish and Install 2-New dual hose single product commercial suction pumps;
- Start-up, purge, and calibrate new equipment;
- Insure existing SQL Fuel Control System is functioning properly;
- Train Fleet Services personnel on the proper operations and maintenance of new equipment-estimate 4 hours;
- Provide written standard operating procedures for trouble shooting problems, operations, and maintenance of equipment and;
- Provide project management and coordination of work to accommodate fuel demand of the city fleet.

SITE DESCRIPTION: The Des Plaines Fuel Islands are located at 1111 Joseph Schwab Rd, Des Plaines, IL 60016. One (1) diesel dispenser and one (1) ethanol dispenser is located on the fuel island.

The contractor is responsible for making such site visits as required to obtain additional details for bidding and execution of the work. The contractor is encouraged to conduct a pre-bid site visit for clarification of any questions or concerns the bidder may have related to the work scope and site conditions. Contact Fleet Foreman, Ralph Magak, prior to site visit at 847-391-5477 or rmagak@desplaines.org

QUALIFICATIONS: The Contractor shall be a firm specializing in the provision of services as outlined within this scope for fuel dispenser removal and installation. The Contractor shall substantiate its experience through the submittal of four similar projects' reference list with the bid. The Contractor will be expected to perform the work without the assistance of City personnel or tools, and comply with safety regulations and equipment tagout procedures when applicable.

CONTRACTOR USE OF PREMISES: The Contractor and Contractor's personnel shall cooperate fully with the Owner's representative to facilitate efficient use of buildings and other work areas around buildings. The Contractor shall perform the work in accordance with the Owner's specifications, drawings, phasing plan and in compliance with any/all applicable Federal, State and Local regulations and requirements.

The Contractor shall use the existing facilities in and around the buildings strictly within the limits indicated in contract documents.

APPLICABLE CODES AND REGULATIONS: All work under this contract shall be done in strict accordance with all applicable Federal, State, and local regulations. All applicable codes, regulations and standards are adopted into this specification and will have the same force and effect as this specification.

The most recent edition of any relevant regulation, standard, document or code shall be in effect. Where conflict among the requirements or with these specifications exists, the most stringent requirement(s) shall be utilized.

PERMITS/LICENSES: The contractor shall apply for and have all required permits and licenses to perform the work as required by Federal, State, and Local regulations.

POSTING AND FILING OF PERMITS: Maintain two (2) copies of applicable federal, state, and local permits. Post one copy of each at the work site where workers will have daily access to the regulations and keep another copy in the Contractor's office.

HOUSEKEEPING: The contractor shall maintain its equipment in top working condition to eliminate fluid leaks and equipment breakdowns that could delay the progress of the work. The contractor is responsible for having on site capability to take any and all extraordinary measures to fully contain and clean up any and all leaks from the contractor's equipment as well as to implement any and all necessary repairs to equipment as required to eliminate and avoid such leaks from further occurrence.

The Contractor is responsible for any and all clean-up of spilled fuel spilled within work area.

{00119453.2}

The Contractor shall work closely with City staff to ensure normal operations will not be effected by the project. Upon completion, the Contractor shall leave the premises in a neat and clean condition with respect to his own operation.

PRE-CONSTRUCTION MEETING AND SUBMITTALS: Prior to commencing the work, the Contractor shall meet with the Owner's representative to present and review, as appropriate, the project schedule, safety requirements, submittals, and access to the work area.

Submit to the Owner a minimum of seven (7) days prior to meeting for review and approval:

- Detailed work schedule for the entire project including any phasing/scheduling requirements.
- Contact information for key staff who will be working on this project and their capacity/function.
- 24/7 Contact information for at least one (1) key staff member.

Prior to commencement of work, forty-eight hours (excluding weekends and holidays) notice shall be given to the Owner's representative in order to make arrangements for alternate fueling.

MATERIALS AND EQUIPMENT: Prior to the start of work, the contractor shall provide and maintain a sufficient quantity of materials and equipment to assure continuous and efficient work throughout the duration of the project. Work shall not start unless the following items have been delivered to the site and verification has been submitted to the Owner's representative

All materials shall be delivered in their original package, container or bundle bearing the name of the manufacturer and the brand name (where applicable).

Store all materials subject to damage off the ground, away from wet or damp surfaces and under cover sufficient enough to prevent damage or contamination. Flammable and combustible materials cannot be stored inside buildings.

The Contractor shall not block or hinder use of buildings by staff, and visitors to the Owner's building by placing materials/equipment in any unauthorized location.

The Owner's representative shall inspect for damaged, deteriorating or previously used materials. Such materials shall not be used and shall be removed from the worksite and disposed of properly.

Adequate and appropriate PPE for the project and number of personnel/shifts shall be provided. The contractor is required to follow their OSHA regulations for any work performed.

Bennett 3000 SERIES

3700 SERIES WITH VOLUME ONLY ELECTRONIC DISPLAY



Bennett 3000 SERIES SPECIFICATIONS

3700 SERIES VOLUME ONLY DISPENSERS & PUMPS SPEC SHEET

SPECIFICATIONS

Dimensions: Low Hose: 30" w x 60" h x 20" d
High Hose: 30" w x 88" h x 20" d

Products: Up to 2 Products (per side)

Hoses: Up to 2 Hoses (per side)

Unit Type: Straight Grade Only

Activation: Lift to Start

Voltage: Operates from 115/230 VAC, 50/60Hz
or 380 VAC, 50Hz

Flow Rate: 18-23GPM¹

Inlet / Outlet: 1.5" dia NPT / 1" dia NPT

Environmental: Operating temperature from -40°F to 149°F

Protocol: Bennett Open Protocol / RS485

Regulatory: UL™ Listed, Weights and Measures

STANDARD FEATURES

Display: LED Back-lit LCD display with 8-Digit 1" for Sales and Volume and 4-Digit ½" for Price Per Volume

Control: Stand-alone (console/fleet management control available when pulser option is selected)

Calibration: Exclusive eCal™ (Electronic Calibration) and Mechanical Calibration Dial for SB100 Meter

Unit of Measure: US gallons, liters or imperial gallons

Models: Single; 1-Product Twin; 2-Product Twin; Quad; Active-4

Motor: Suction pump models feature 1-HP continuous duty motor(s)

Satellite Outlet: Remote models feature a Satellite Outlet Connection

CONSTRUCTION

Cabinet: Made of galvaneal components and powder coated panels to ensure the cabinet has a long life

Nozzle Boot: Nozzle boots available for front mount (all models) or side mount (low hose only)

Lower Door: Hinged swing out with dual door locks

Upper Door: Hinged swing down with dual door locks

Hose Hook: Standard heavy-duty hose hook with the option for an internal hose retractor

COMPUTER

Type: Simplified, single-board 719 electronics includes CPU, power supply, eCal, RS485 connection, push-button programming switches and wiring terminal strip

Battery Backup: Battery backup recalls last sale in the event of a power outage

Diagnostics: Electronics include built-in diagnostics with error codes

Transaction Display: 999.999 for gallons; 9999.99 for liters

Electronic Hose Totals: 99999999.999 for gallons (8.3)
99999999.99 for liters (9.3)

Electromechanical Totalizer: 9999999

VOLTAGES & WIRING

- Field wiring goes directly to terminal strip on computer (Installers should pull 72"/272cm of wire above grade level)

Suction Pumps: 1-Horsepower Continuous Duty Motor.
115/230volt, 50/60Hz, 1-Phase. Motor has selectable voltage switch. (Optional 380volt, 3-Phase Motor)

Remote Dispensers: Available for 115 or 230volt operation

HYDRAULICS

- Precision Bennett SB100 Meter, 4-piston, positive displacement design. The SB100 is electronically calibrated (eCal) with optional mechanical calibration

Remote Models: Include built-in inlet check valves to keep the hydraulics full and prevent meter/pulser count-up as the submersible pump pressurizes the system.

Remote models also use a replaceable paper filter cartridge

Suction Models: Include 1½" ground joint union and riser pipe (not supplied with remote models)

Suction Models use a reusable strainer

Pumping Unit: Type 75 or Type 75-HD Bennett sliding vane pumping unit with integral vortex air eliminator

OPTIONS

E-85 Alcohol Blend Compatibility, Electromechanical Totalizers, 2-Stage Electric Solenoid Valve for 1-product/1-hose or 2-product/2-hose suction pumps (valve is standard on other models), Sub Pump Relay 3-Phase Contactor, Custom Graphics, Explosion Proof Junction Box for lower hydraulic area, 380 Volt 3-Phase Motors, Programmable dual-channel/dual-hose Pulse Output Board

High Hose Models: Intercom speaker, Balance vapor coax hose outlet and internal vapor return piping, Valance

Hardware: Internal hose retractor (low hose models), Vapor recovery nozzle boot kit (field installed) for balance vapor nozzles, Hose clamp for 5/8", 3/4", or 1" I.D. hose

Strainers: Strainer (in lieu of filter for remotes), Strainer with cloth sacks (available for remote or suction)

Internal spin-on filter and adapter for remote models

Stainless Steel: Optional stainless steel packages for doors, end panels, top cover, hinged upper doors and grade panel area

Satellites: Companion Satellites (GoPump style in low or high hose cabinets or economy LPS satellite). Satellite pipe kit installed with remote master. Satellite in-use light for remote master

Bennett dispensers may dispense "Av-Gas" but cannot dispense Jet Fuel to fuel jet air craft.

Specifications in this document are subject to change without notice.



CERTIFICATE OF LIABILITY INSURANCE

OP ID: TD

DATE (MM/DD/YYYY)

02/11/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Beyer Insurance Agency, Inc. 70 E Lake St Suite 1015 Chicago, IL 60601 Beyer Insurance Agency, Inc.		CONTACT NAME: Beyer Insurance Agency PHONE (A/C, No, Ext): 312-922-5300 FAX (A/C, No): 312-676-2456 E-MAIL ADDRESS: Trey@beyerinsurance.com PRODUCER CUSTOMER ID #: PETRO-1	
INSURED Petroleum Technologies Equipment Inc. Thomas Doherty Jr. 8447 W. 44th Place Lyons, IL 60534		INSURER(S) AFFORDING COVERAGE INSURER A: Grange Insurance Companies NAIC # 40118 INSURER B: Westchester Surplus Lines INSURER C: AMTrust 15954 INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	GENERAL LIABILITY	X		G72498744001	12/20/2021	12/20/2022	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ EXCLUDED
	<input checked="" type="checkbox"/> Pollution						PERSONAL & ADV INJURY \$ 1,000,000
B	<input checked="" type="checkbox"/> Prof Liability			G72498744001	12/20/2021	12/20/2022	GENERAL AGGREGATE \$ 2,000,000
B				G72498744001	12/20/2021	12/20/2022	PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						Prof Liab \$ 1,000,000
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
A	AUTOMOBILE LIABILITY			2824468	12/20/2021	12/20/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input checked="" type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (PER ACCIDENT) \$
A	<input checked="" type="checkbox"/> HIRED AUTOS			2824468	12/20/2021	12/20/2022	\$
A	<input checked="" type="checkbox"/> NON-OWNED AUTOS			2824468	12/20/2021	12/20/2022	\$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB			G72498756001	12/20/2021	12/20/2022	EACH OCCURRENCE \$ 5,000,000
	<input type="checkbox"/> EXCESS LIAB						AGGREGATE \$ 5,000,000
	<input type="checkbox"/> DEDUCTIBLE						\$
	<input checked="" type="checkbox"/> RETENTION \$ 10,000						\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y/N	N/A	QWC1136082	12/20/2021	12/20/2022	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Leased&Rented Equip & Stored Materials			2824469	12/20/2021	12/20/2022	Limit 302,667 Ded 1,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

City of Des Plaines is an additional insured on a primary and non-contributory basis.

CERTIFICATE HOLDER

CANCELLATION

DESPLAI

City of Des Plaines
 1420 Miner Street
 Des Plaines, IL 60016

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
 Beyer Insurance Agency, Inc.

Steve Foster

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(Percentage)

Bond No. 65782077

KNOW ALL PERSONS BY THESE PRESENTS, That we Petroleum Technologies Equipment, Inc.
of 8447 West 44th Place, Lyons, IL 60534

WESTERN SURETY COMPANY

as Surety, are held and firmly bound unto City of Des Plaines

_____, hereinafter referred to as the Obligee, in the amount of
Five Percent of the Amount Bid
 _____ (5% _____), for the payment of which we bind ourselves, our legal representatives,
 successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has submitted or is about to submit a proposal to Obligee on a contract for City of Des Plaines Fuel Dispenser Install

NOW, THEREFORE, if the said contract be awarded to Principal and Principal shall, within such time as may be specified, enter into the contract in writing and give such bond or bonds as may be specified in the bidding or contract documents with surety acceptable to Obligee; or if Principal shall fail to do so, pay to Obligee the damages which Obligee may suffer by reason of such failure not exceeding the penalty of this bond, then this obligation shall be void; otherwise to remain in full force and effect.

SIGNED, SEALED AND DATED this 3rd day of March, 2022.

Principal

Petroleum Technologies Equipment, Inc.

BY:

Surety

WESTERN SURETY COMPANY

BY:

Steven D Foster, Attorney-in-Fact

Western Surety Company

POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 65782077

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint Steven D Foster

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Petroleum Technologies Equipment, Inc.

Obligee: City of Des Plaines

Amount: \$1,000,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

If Bond No. 65782077 is not issued on or before midnight of June 1st, 2022, all authority conferred in this Power of Attorney shall expire and terminate.

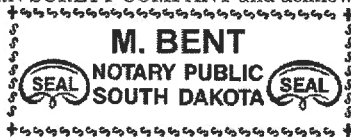
In Witness Whereof, Western Surety Company has caused these presents to be signed by its Vice President, Paul T. Bruflat, and its corporate seal to be affixed this 3rd day of March, 2022.



WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

On this 3rd day of March, in the year 2022, before me, a notary public, personally appeared Paul T. Bruflat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



My Commission Expires March 2, 2026

Notary Public - South Dakota

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 3rd day of March, 2022.

WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.



PUBLIC WORKS AND
ENGINEERING DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5390
desplaines.org

MEMORANDUM

Date: March 10, 2022

To: Michael G. Bartholomew, MCP, LEED-AP, City Manager

From: Jon Duddles, P.E., CFM, Assistant Director of Public Works and Engineering ASD

Cc: Timothy P. Oakley, P.E., CFM, Director of Public Works and Engineering

Subject: 2022 Capital Improvement Program Construction Engineering Services
SPACECO, Inc. Task Order No. 3

Issue: Due to staff turnover, we have a reduction in staffing the Engineering Division. This reduction requires temporary on-site construction engineering assistance from one of our engineering consultants.

Analysis: We requested proposals from four of our consultants that are currently under master contracts with the City. The proposal received from SPACECO, Inc. (approximately 1,200 hours of resident engineering services on an as needed basis at the rate of \$160.00 per hour for a total cost of \$192,000) best fits the needs of the Engineering Division as the most qualified resident engineer proposed for this work.

The scope of work will include Resident Engineer services including pay estimate preparation, project closeout documentation, punch list preparation and other construction engineering related items, as requested. The consultant will perform the construction engineering services on behalf of the City.

The other consultants that are currently under master contracts were unable to staff the request.

Recommendation: We recommend acceptance of Task Order No. 3 from SPACECO, Inc., 9575 West Higgins Road, Suite 700, Rosemont, IL 60018 for construction engineering services in an amount not to exceed \$192,000. Source of funding would be the Capital Projects Fund.

Attachments:

Resolution R-61-22
Exhibit A - Task Order No. 3

CITY OF DES PLAINES

RESOLUTION R - 61 - 22

**A RESOLUTION APPROVING TASK ORDER NO. 3 WITH
SPACECO, INC. FOR CONSTRUCTION ENGINEERING
SERVICES.**

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the City to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, on June 5, 2021, the City Council approved Resolution R-104-21, authorizing the City to enter into a master contract ("**Master Contract**") with SpaceCo, Inc. ("**Consultant**") for the performance of certain engineering services for the City as such services are needed over time; and

WHEREAS, the City desires to procure 1,200 hours of construction inspection services related to the 2022 Capital Improvement Program to assist the Department of Public Works and Engineering ("**Services**"); and

WHEREAS, pursuant to Chapter 10 of Title 1 of the City Code of the City of Des Plaines and the City's purchasing policy, the City Council has determined that procurement of the Services does not require competitive bidding because the Services require a high degree of professional skill where the ability or fitness of the individual plays an important part; and

WHEREAS, the City has a positive existing relationship with the Consultant, which has satisfactorily performed engineering services for the City in the past; and

WHEREAS, the City requested a proposal from Consultant to perform the Services; and

WHEREAS, Consultant submitted a proposal for the performance of the Services in the not-to-exceed amount of \$192,000; and

WHEREAS, the City has sufficient funds in the Capital Projects Fund for the procurement of the Services from Consultant; and

WHEREAS, the City desires to enter into Task Order No. 3 under the Master Contract for the performance of the Services by Consultant in the not-to-exceed amount of \$192,000 ("**Task Order No. 3**"); and

WHEREAS, the City Council has determined that it is in the best interest of the City to enter into Task Order No. 3 with Consultant;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the City Council.

SECTION 2: WAIVER OF COMPETITIVE BIDDING. The requirement that competitive bids be solicited for the procurement of the Engineering Services is hereby waived.

SECTION 3: APPROVAL OF TASK ORDER NO. 3. The City Council hereby approves Task Order No. 3 in substantially the form attached to this Resolution as **Exhibit A**, and in a final form to be approved by the General Counsel.

SECTION 4: AUTHORIZATION TO EXECUTE TASK ORDER NO. 3. The City Council hereby authorizes and directs the City Manager and the City Clerk to execute and seal, on behalf of the City, final Task Order No. 3 only after receipt by the City Clerk of at least one executed copy of Task Order No. 3 from Consultant; provided, however, that if the City Clerk does not receive one executed copy of Task Order No. 3 from Consultant within 60 days after the date of adoption of this Resolution, then this authority to execute and seal Task Order No. 3 will, at the option of the City Council, be null and void.

SECTION 5: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

TASK ORDER NO. 3
TO MASTER CONTRACT BETWEEN THE CITY OF DES PLAINES
AND SPACECO, INC.
FOR CONSTRUCTION ENGINEERING SERVICES

In accordance with Section 1.2 of the Master Contract dated June 7, 2021 between the City of Des Plaines (the “City”) and SPACECO, Inc., 9575 West Higgins Road, Suite 700, Rosemont, IL 60018 (the “Consultant”), the Parties agree to the following Task Order Number 3:

1. Contracted Services:

The Consultant will perform the services described in the "Project Scope" set forth in the "Consultant Agreement, SPACECO Project No. 12019" prepared by Consultant, submitted to the City, and dated February 21, 2022 ("Proposal").

2. Project Schedule (attach schedule if appropriate):

N/A

3. Project Completion Date:

The Consultant will diligently and continuously prosecute the Contracted Services until their completion.

4. Project Specific Pricing:

In exchange for the Contracted Services, the Consultant will receive compensation on a time and materials basis in the amounts set forth in the Proposal, but in no event will the compensation paid to the Consultant exceed \$192,000, as set forth in the Proposal under the section titled "Fee."

5. Additional Changes to the Master Contract (if applicable):

N/A

ALL OTHER TERMS AND CONDITIONS OF THE MASTER CONTRACT REMAIN UNCHANGED.

[SIGNATURE PAGE FOLLOWS]

CITY

CONSULTANT

Signature
Director of Public Works & Engineering

_____, 2022
Date

Signature

Name (Printed or Typed)
_____, 2022
Date

If greater than, \$2,500, the City Manager's signature is required.

Signature
City Manager

_____, 2022
Date

If greater than \$20,000, the City Council must approve the Task Order in advance and the City Manager's signature is required.

Signature
City Manager

_____, 2022
Date



CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

9575 W. Higgins Road, Suite 700, Rosemont, Illinois 60018
Phone: (847) 696-4060 Fax: (847) 696-4065



CONSULTANT AGREEMENT

Client: City of Des Plaines
Mr. Jon Duddles
1420 Miner Street
Des Plaines, IL 60016

Date: 02/21/2022
Project Name: 2022 CIP
Engineering Support

Project Description:

Attention:

Requested by:

Phone: 847-391-5464

Fax:

Email: jduddles@desplaines.org

SPACECO Project Number: 12019

SPACECO, Inc. and the Client agree to the following:

PROJECT SCOPE:

Task 1: We will provide one full-time construction engineer for the 2022 construction season to aid and support the City's engineering staff. Our engineer will provide construction inspection and document quantities and materials on a daily IDR. All work will be completed in accordance with IDOT Documentation of Contract Quantities. This task is based on a 1,200 hour project duration. \$160 per hour. Starting on or around April 4, 2022.

This agreement shall be established in accordance with our City of Des Plaines Master Contract.

FEE:

Task 1: \$192,000 N.T.E.

- ☐ This work has already commenced per your verbal authorization.
☒ This work is waiting to proceed pending our receipt of this signed agreement.
☐ This interim agreement allows us to proceed on a not to exceed basis while the final agreement is being prepared. This will be replaced with a final agreement within five business days.

The following documents are attached and hereby expressly incorporated into this Agreement

Exhibit A - General Terms and Conditions (☐ enclosed/ ☐ previously provided).

Work identified, as payable on an hourly basis will be billed to you at the rates specified on the enclosed Schedule of Charges for Professional Services. We will establish our contract in accordance with the General Terms and Conditions, which are expressly incorporated into and are an integral part of this Contract for Professional Services. We reserve the right to increase our fee by 5% on each anniversary of this Agreement. All reproduction and delivery services will be billed to the Client on a cost plus 10% basis. Our services will be invoiced monthly and payments are due within thirty days after invoicing.

SPACECO, INC.

CLIENT

By: Ted Ward, P.E.

Project Manager

(Name, Title)

Date: 02/21/2022

By: _____

(Name, Title)

Date: _____

Client Authorization Number: _____

PLEASE SIGN AND RETURN ONE OF THE ORIGINALS

c: W. Loftus

Rob Stawik



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

MEMORANDUM

Date: March 10, 2022

To: Michael G. Bartholomew, City Manager

From: John T. Carlisle, AICP, Director of Community and Economic Development *JTC*

Subject: Full Reduction and Release of the Subdivision Improvement Bond for Buckingham Place Development (750-800 Northwest Highway)

Issue: Christopher Coleman, Vice President of Development with Wingspan Development Group, LLC, representing Four Peaks, LLC, has submitted a formal request for the full release of the Buckingham Place Development subdivision improvement bond, including the maintenance warranty.

Analysis: The City's Public Works and Engineering Department has reviewed the request, inspected the development, and concurs that the public improvements are accepted and the bond amount can be fully released. The first reduction was approved by Resolution R-25-18, which reduced the bond amount from the original \$3,642,527.50 to \$491,509.77. The remaining balance included a small portion of the remaining required improvements and the 10% maintenance warranty (\$364,252.75). Per 13-2-8 of the Subdivision Regulations (City Code), the 10% maintenance warranty is held for 18 months after the City Engineer's and City Council's acceptance of the public improvements. The Director of Public Works and Engineering reports that the final engineering inspection was completed more than 18 months ago, so it is appropriate for a full release of the bond amount, including the maintenance warranty, at this time.

Recommendation: Staff recommends approval of R-62-22, which would fully release the public improvement bond, originally \$3,642,527.50, that secured completion of public and required improvements.

Attachments:

Attachment 1: Public Works and Engineering Bond Reduction Memo

Resolution R-62-22



**PUBLIC WORKS AND
ENGINEERING DEPARTMENT**

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5390
desplaines.org

MEMORANDUM

Date: March 3, 2022

To: John Carlisle, Director of Community and Economic Development

From: Timothy P. Oakley, P.E., CFM, Director of Public Works and Engineering ^{PO}

Cc: Jon Duddles, P.E., CFM, Assistant Director of Public Works and Engineering

Subject: 800 Northwest Highway - Public Improvement Bond and Warranty Release

We approve a final public improvement bond reduction and warranty release for 800 Northwest Highway pursuant to Section 13-2-8F1 of the City Code.

Bond Release: The Director of Public Works and Engineering may recommend to the city council the reduction of bonds or letters of credit after receiving certification of completion by the project engineer and a waiver of liens. The ten percent (10%) maintenance warranty shall not be released until the eighteen (18) months after final acceptance of the subdivision's public improvements by the city council. However, the public and private improvements have been inspected and completed for over 18 months. Should you have any questions, please feel free to contact me.

Subdivision Name: Buckingham Place

Subdivision Address: 800 Northwest Highway

Engineer's Estimate of Cost for Public Improvements	\$2,914,022.00	x 125% =	\$ 3,642,527.50
Previous Bond Reduction Request- 1-10-2018			\$ (3,151,017.73)
Current Bond Reduction Request- 2-22-2022			\$ (491,509.77)
		Balance	\$0

CITY OF DES PLAINES

RESOLUTION R - 62 - 22

**A RESOLUTION APPROVING THE RELEASE OF THE
PUBLIC IMPROVEMENT BOND FOR BUCKINGHAM
PLACE DEVELOPMENT AT 750-800 EAST NORTHWEST
HIGHWAY.**

WHEREAS, on September 19, 2016, the City Council adopted Ordinance Z-23-16 approving the final plat for the Buckingham Place Planned Unit Development ("**PUD**"), which PUD consists of the property commonly known as 750-800 E. Northwest Hwy, in the City ("**Subject Property**"); and

WHEREAS, in connection with the approval of the final plat for the PUD, Christopher Coleman of Four Peaks, LLC ("**Developer**") agreed to construct certain public improvements, including, without limitation, sanitary sewer, water main, storm sewer, catch basins, paving, grading and erosion control, lighting, landscaping, and other miscellaneous public improvements (collectively, the "**Public Improvements**"), and posted a performance bond in the amount of \$3,642,527.50 to secure the completion of the Public Improvements ("**Performance Security**"); and

WHEREAS, on February 5, 2018, the City Council approved Resolution R-25-18, which accepted approximately 86.5 percent of the required public improvements and reduced the Performance Security amount to \$491,509.77; and

WHEREAS, pursuant to Section 13-2-8 of the City Code of the City of Des Plaines ("**City Code**"), upon completion of the Public Improvements, security must be posted for the maintenance and repair of the Public Improvements in the amount of 10 percent of the total cost of the Public Improvements for a period of 18 months ("**Maintenance Security Requirement**"); and

WHEREAS, Developer has: (i) certified that it has completed the construction of approximately 100 percent of the Public Improvements; and (ii) requested that the City reduce the amount of the Performance Security to \$0 and fully release the Performance Security; and

WHEREAS, since the Department of Public Works and Engineering performed a final inspection of the Public Improvements and found they were complete and acceptable more than 18 months ago, the Department recommends that the Maintenance Security Requirement be waived and the Performance Security be released in its entirety; and

WHEREAS, the City Council has determined that it is in the best interest of the City to release the Performance Security in accordance with the provisions of this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows;

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this resolution as findings of the City Council.

SECTION 2: LEGAL DESCRIPTION. The Subject Property is legally described as follows:

PARCEL 1:

THAT PART OF LOT "A" IN BENJAMIN CONSOLIDATION OF THAT PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CENTER LINE OF SEEGER'S ROAD AND NORTH OF THE NORTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY RIGHT OF WAY, ALSO ALL THAT PART OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE NORTHERLY LINE OF THE DES PLAINES VALLEY RAILWAY RIGHT OF WAY AND WESTERLY OF THE WESTERLY LINE OF THE ST. PAUL, MINNEAPOLIS AND SAULTE ST MARIE RAILROAD RIGHT OF WAY AND SOUTH OF THE CENTER OF ELK GROVE ROAD, RECORDED IN THE OFFICE OF THE RECORDER OF COOK COUNTY, ILLINOIS, ON APRIL 7, 1922 IN BOOK 169 OF PLATS PAGE 16, AS DOCUMENT 7455426 BOUNDED BY A LINE DESCRIBED AS FOLLOWS; TO WIT: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 17 WITH THE NORTHEASTERLY LINE OF THE NORTHWEST HIGHWAY, BEING A LINE 66 FEET NORTHEASTERLY OF AND PARALLEL WITH THE NORTHEASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RIGHT OF WAY; THENCE SOUTH 58 DEGREES 58 MINUTES 20 SECONDS EAST ALONG THE NORTHEASTERLY LINE OF THE NORTHWEST HIGHWAY 587.70 FEET; THENCE NORTH 31 DEGREES EAST DISTANCE OF 25 FEET; THENCE NORTH 31 DEGREES 03 MINUTES 40 SECONDS EAST A DISTANCE OF 150 FEET; THENCE SOUTH 58 DEGREES 58 MINUTES 20 SECONDS EAST A DISTANCE OF 25 FEET; THENCE NORTH 31 DEGREES 03 MINUTES 40 SECONDS EAST A DISTANCE OF 1015.48 FEET TO THE CENTER OF WELLER CREEK; THENCE NORTH 48 DEGREES 17 MINUTES 20 SECONDS WEST ALONG THE CENTER OF WELLER CREEK A DISTANCE OF 51.52 FEET; THENCE SOUTH 88 DEGREES 33 MINUTES 40 SECONDS WEST ALONG THE CENTER OF WELLER CREEK, A DISTANCE OF 666.38 FEET; THENCE SOUTH 31

DEGREES 03 MINUTES 40 SECONDS WEST, A DISTANCE OF 817.07 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT "A IN BENJAMIN CONSOLIDATION OF PART OF THE NORTHWEST 1/4 OF SECTION 17 AND PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 7, 1922 AS DOCUMENT 745526, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 17 WITH THE NORTHEASTERLY LINE OF THE NORTHWEST HIGHWAY, BEING A LINE 66.0 FEET NORTHEASTERLY OF AND PARALLEL WITH THE NORTHEASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY RIGHT OF WAY; THENCE ALONG THE NORTHEASTERLY LINE OF THE NORTHWEST HIGHWAY, BEING A LINE SOUTH 58 DEGREES 57 MINUTES 00 SECONDS EAST, A DISTANCE 59.83 FEET FOR A POINT OF BEGINNING, SAID POINT BEING THE SOUTHWESTERLY CORNER OF THAT PART OF SAID LOT "A" CONVEYED BY THOMAS INDUSTRIES, INC., TO LITTLEFUSE, INC, BY DEED RECORDED AS DOCUMENT 18478096; THENCE NORTH 31 DEGREES 03 MINUTES 00 SECONDS EAST ALONG THE NORTHWESTERLY LINE OF SAID PROPERTY, A DISTANCE OF 816.97 FEET TO THE NORTHWESTERLY CORNER THEREOF; THENCE SOUTH 88 DEGREES 33 MINUTES 00 SECONDS WEST, A DISTANCE OF 165.65 FEET; THENCE SOUTH 82 DEGREES 15 MINUTES 00 SECONDS WEST, A DISTANCE OF 364.94 FEET; THENCE SOUTH 72 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 457.54 FEET; THENCE SOUTH 31 DEGREES 03 MINUTES 00 SECONDS WEST, A DISTANCE OF 151.63 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF LOT "A" BEING ALSO THE NORTHEASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY RIGHT OF WAY; THENCE ALONG THE SOUTHWESTERLY LINE OF LOT "A" BEING A LINE SOUTH 58 DEGREES 57 MINUTES 00 SECONDS EAST, A DISTANCE OF 619.31 FEET TO AN INTERSECTION WITH A LINE DRAWN AT RIGHT ANGLES TO THE SOUTHWESTERLY LINE OF SAID LOT "A" AND PASSING THROUGH THE POINT OF BEGINNING, THENCE NORTH 31 DEGREES 03 MINUTES 00 SECONDS EAST, ALONG THE LAST DESCRIBED LINE, A DISTANCE OF 66.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PINS: 09-18-215-004-0000, 09-17-100-038-0000, 09-17-100-039-0000.

Commonly known as 800 E. Northwest Highway, Des Plaines, Illinois.

SECTION 3: WAIVER OF MAINTENANCE SECURITY REQUIREMENT. The City Council hereby waives the Maintenance Security Requirement for the Public Improvements.

SECTION 4: RELEASE OF PERFORMANCE SECURITY. In accordance with Section 13-2-8 of the City Code, the City Council hereby authorizes the full release of the Performance Security.

SECTION 5: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Resolution Approving Reduction of PUD Public Improvement Bond 750-800 E. Northwest Hwy.



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

MEMORANDUM

Date: February 24, 2022

To: Michael G. Bartholomew, City Manager

From: John T. Carlisle, AICP, Director of Community and Economic Development *JTC*

Subject: Zoning Text Amendments Regarding Public Noticing and Recovering City Costs and Fees (Public Hearing)

Issue: The City Council is holding a public hearing to consider the following text amendments to the **Zoning Ordinance:** (i) amend Section 12-3-1 to specify when the legal description of subject property is required to be included in the published notice and increase the radius within which notice is required to be mailed for non-residentially zoned properties; and (ii) amend Section 12-3-10 to allow the City to recover costs incurred when preparing, publishing, and mailing required notices on behalf of petitioners.

PIN: Citywide

Petitioner: City of Des Plaines, 1420 Miner Street, Des Plaines, IL 60016

Case Number: #22-009-TA

Public Notice Background

At its December 6, 2021 meeting, the City Council instructed staff to research options and implications for amending the required mailed public notice distance set forth in Section 12-3-1 of the Zoning Ordinance. Staff returned with research, and Council discussed on February 7, 2022. The Council reached consensus to expand the mailed notice shed for non-residential properties while retaining the existing distance (300 feet) for residential properties, with multiple aldermen agreeing that a larger notice shed for residential projects is not necessary. Also based on staff's review and the discussion, Council expressed support for amending Section 12-3-10 to ensure petitioners would bear the cost of producing and sending mailed notices, estimated at \$1 per notice, although the task of preparing and mailing would continue to be completed by City staff.

The staff memo and presentation on February 7 listed several scenarios based on properties that have recently been subject to a public hearing. A member of the public commented that of particular concern are properties where barriers such as a rail line or utility easement separate a neighborhood from the subject property, causing the rail line or utility easement to absorb a chunk of the notice distance. While there was discussion to exclude rights of way from the required distance, Council and staff concluded there are administrative challenges in adopting this measurement. It was decided the best solution is to retain a numerical-only distance requirement but simply expand it from the existing 300 feet for non-residential properties. Results from surveys in recent years of the Northwest Municipal Conference (NWMC) are attached for reference, but Des Plaines may be unique with its concentration of rail lines and other barriers that would make it appropriate to have a somewhat larger distance than many peers.

Aldermen expressed opinions that favored 750 or 1,000 feet as the required mailed notice distance for non-residentially zoned properties. Based on additional study since February 7, the attached approving Ordinance sets the new distance at *500 feet*. For example, the property at 580 S. Wolf, which under the existing 300-foot requirement led to 124 properties in the notice shed, would under a 500-foot requirement lead to 261 properties. This is more than double the number and would extend the shed farther into adjacent residential neighborhoods. See the attached maps, which also illustrate scenarios of 750 and 1,000 feet for this site.

Additionally, consider that the residential and commercial density of downtown Des Plaines, which is generally zoned C-5, already leads to a relatively large number of notices in that area. The 1504 Miner Street petition from 2021 resulted in 302 noticed properties. At 500 feet, the number climbs to 720 but would increase greatly to 1,479 at 750 feet and 2,086 at 1,000 feet. Small businesses and properties along the Miner Street corridor, where it is foreseeable that a conditional use or variation could be necessary, could bear a fairly sizeable additional cost with a required notice shed at 750 or 1,000 feet. Similar but to a lesser extent, in the Oakton Street corridor (where contractor businesses, for example, require a conditional use), small businesses might also face an additional cost. At 1773 E. Oakton, where a conditional use for a trade contractor was approved in 2021, the existing 300-foot distance resulted in 173 noticed properties. Increasing to 500 feet would not have made a significant difference (205 noticed properties). However, at 750 feet the number of noticed properties is 356, and at 1,000 feet, it is 553. See also attached maps for comparison.

Finally, consider there is a rational basis for a 500-foot distance already in the Zoning Ordinance: It is the minimum distance from which any cannabis business establishment must be located from various pre-existing sensitive uses, such as pre-schools, primary or secondary schools, commercial child cares, and places of worship. Nonetheless, if the Council does not believe 500 feet is sufficient, the distance can be revised in the Council’s motion and returned for final approval as revised.

Recommended Proposed Amendments

The full proposed amendments are here and incorporated within approving Ordinance Z-5-22:

“12-3-1: APPLICATIONS AND HEARINGS:

* * *

“C: Notice:

1. Notice Of Public Hearing In Newspaper: For any development review procedure that requires a public hearing, the City shall arrange for the publication of a public notice in a newspaper of general circulation in the Des Plaines jurisdictional area. The notice shall include the date, time and place of such hearing or meeting, a description of the matter to be heard or considered, the address or particular location of the subject property, **and the property index number(s) for subject property. If there is no available street address or property index number for the subject property, then a legal description of the subject property must be included.**, ~~and, in the case of a public hearing for an amendment, a legal description of the subject property.~~ The notice shall run at least one time, not more than thirty (30) days nor less than fifteen (15) days prior to the public hearing.
2. Notice Of Public Hearing Through Posted Sign: In addition to the newspaper notice provision required above, not more than thirty (30) days nor less than fifteen (15) days prior to any public hearing on a development review procedure the zoning administrator shall cause to be posted on the **subject** property ~~affected~~ a notice sign stating that a hearing

will be held and including the date, time and place of such hearing or meeting, and a description of the matter to be heard or considered.

3. Notice To Proximate Property Owners: ~~For~~^{In} any public hearing regarding a map amendment, conditional use, or major variation, notice by U.S. mail ~~the petitioner shall be required to notify~~ sent to owners of properties ~~property owners by U.S. mail within the following distances measured from the~~ perimeter of the subject property ~~lot of record~~:

- a. within three hundred feet (300 feet for subject properties located entirely within residential zoning districts
b. 500 feet for all other properties, including properties located only partially in a residential district. ~~of the perimeter of the subject lot of record.~~

~~Petitioner shall sign an affidavit verifying said mailing occurred attaching the copy of the document.~~

“12-13-10: RECOVERY OF CITY COSTS AND FEES:

- A. Established: Except for costs for variations to one- and two- family dwellings, every petition filed and processed pursuant to this zoning code that requires the city to incur ~~third party costs or expenses~~ associated with the review of the petition, ~~including, without limitation, legal fees incurred by the office of the city attorney or any attorney or firm retained by the city,~~ shall be subject to the requirements set forth in this section. The recovery of city costs and fees shall be in addition to any and all other filing fees and other charges established by the city. For purposes of this section, the word "petition" is deemed to include and refer to any and all petitions and applications filed or processed pursuant to this zoning code.

* * *

- C. Recoverable Costs: The recoverable costs and fees incurred by the city in processing a petition shall include, but not be limited to, the following items:

1. Preparation, publication, and mailing of notices, including fees charged by the local newspaper of record and costs incurred for postage and printing, plus an administrative fee of \$1.00 for each mailed notice;
2. Court reporter, including the cost of two (2) transcripts, or any subsequent transcription of audio/video recordings;
3. Professional and technical consultant services and fees;
4. The fees and costs of a hearing officer, if any;
5. Cost of the city attorney and assistant city attorney measured by their time expended and multiplied by their hourly rate of pay. The costs of any city retained attorney or law firm, for consultation, meeting attendance, document preparation, advice and review;
6. Copy reproduction;
7. Costs of document recordation by the county plus an additional fee for recording of fifty dollars (\$50.00);
8. Mailing costs, exclusive of required notices; and
9. Proof of ownership or title searches.

* * *

Standards for Zoning Ordinance Text Amendments

The following is a discussion of standards for zoning amendments from Sections 12-3-1 and 12-13-10 of the Zoning Ordinance. The City Council may use the rationale below or adopt its own findings for how the proposed amendments would satisfy the standards.

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan, as adopted and amended from time to time by the City Council;

Through its robust outreach process and its chapter on diversity, the Comprehensive Plan calls for the City to put a strong emphasis on communication and transparency.

2. Whether the proposed amendment is compatible with current conditions and the overall character of existing development;

An expanded mailed notice shed for certain properties and projects addresses the common condition in Des Plaines for rail lines and other right-of-way uses to separate residential neighborhoods from commercial or industrial sites.

3. Whether the proposed amendment is appropriate considering the adequacy of public facilities and services available to this subject property;

The amendments increase the City's authority to recover costs and fees given the increased staff resources required to complete additional noticing.

4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and

The amendments may lead to greater involvement of residents and business owners in public hearings, where decisions – or recommendations for decisions – are made that could affect property values.

5. Whether the proposed amendment reflects responsible standards for development and growth.

The proposed text amendments are designed to improve the process for which certain types of development and growth happen in Des Plaines.

Public Hearing: The Planning and Zoning Board (PZB) typically holds public hearings and votes on recommendations to the City Council regarding zoning amendments. However, the City Council expressly instructed action on this item, so it is being brought directly to the Council's consideration through a public hearing.

City Council Options: The Council may vote on the first reading of the approving Ordinance Z-5-22 at the conclusion of the public hearing. In making a motion, the Council has options such as:

- Approve Ordinance Z-5-22 as submitted by staff; or
- Approve Ordinance Z-5-22 as *revised*. Potential revisions could include:
 - Expanding the non-residential notice distance to 750 or 1,000 feet; and/or
 - Setting the requirement for properties in the C-5 downtown district at a lesser distance (e.g. 300 or 500 feet) than for property in all other non-residential districts.

Attachments

Attachment 1: NWMC 2015 Survey Results

Attachment 2: NWMC 2019 Survey Results

Attachment 3: Maps of 580 S. Wolf Road mailed notice scenarios

Attachment 4: Maps of 1504 Miner Street mailed notice scenarios

Attachment 5: Maps of 1773 East Oakton Street mailed notice scenarios

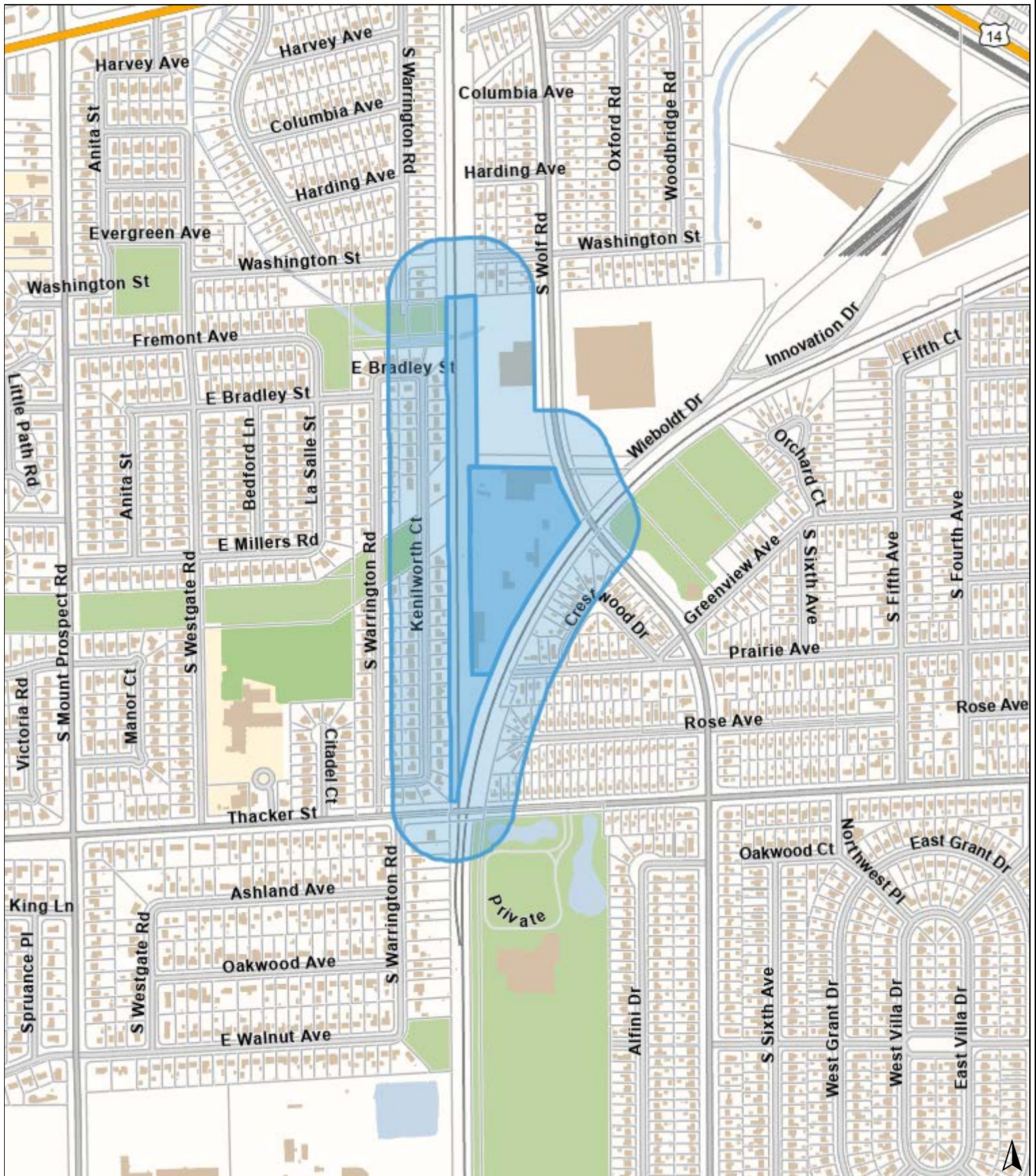
Ordinance Z-5-22

Municipality	Does the City/Village require that notification is mailed to all property owners within 250 feet of the subject property prior to a Plan Commission or Zoning Board of Appeals public hearing?	Is the mailing sent certified mail with a return receipt (green card required), certified mail without return receipt (no green card required) or standard mail?	Is the City/Village or the Petitioner responsible for providing the mailing list of property owners within 250 feet?	Is the City/Village or the Petitioner responsible for completing the mailing?	Is a copy of the published legal notice including in the mailing?
Buffalo Grove	Yes.	Standard Mail.	The Petitioner.	Village will do the mailing.	Yes.
Deerfield	Yes, 250 feet from the boundaries of the subject property. If a height variation is being requested notification is mailed to all property owners within 500 feet.	Written notice by personal service, certified or registered mail, return receipt requested (green card required).	The petitioner is responsible for providing the mailing list of the property owners.	The petitioner is responsible for completing the mailing, per Village Zoning Ordinance.	A copy of the published legal notice is required in the mailing.
Des Plaines	300-foot notification for map amendment, conditional use, or major variation.	Zoning Ordinance only specifies U.S. Mail. Some petitioners send certified.	City provides based on GIS (Cook County) data.	Petitioner.	Not the actual newspaper notice, but the same language used in the notice on City letterhead.
Fox Lake	300 feet requirement.	Contiguous is certified and return receipt, others within 300 feet are standard mail.	Petitioner responsible for contiguous listing, village provides additional 300 ft requirement listing.	Either, up to the petitioners discretion. If Village provides the service, the petitioner is billed for all mailing costs.	The same legal notice is sent to the property owners as what is sent for publishing.
Grayslake	Rezoning only.	Standard mail.	Petitioner.	The Village.	Usually.
Hoffman Estates	300	Standard Mail.	Yes, 300 feet.	Village and Yes.	No.
Lake Forest	Certified mailed notice is required to be sent by the petitioner for requests that involve Special Use Permits. The notice area is 1,320 feet or three properties deep, whichever is less.	Green card required.	Petitioner.	Petitioner.	No, however the notice is similar.
Lincolnshire	Yes.	Certified mail with return receipt.	Petitioner.	Petitioner.	No.
Mount Prospect	Village Code requires notification of 250 feet but Village sends notification to all property owners within 300 feet.	Standard Mail.	Village provides mailing list.	Residential property; Village responsible. Commercial property; petitioner responsible.	Yes.
Niles	Yes.	Standard Mail.	No we take care of it.	Yes we take care of it.	No.
Northbrook	Yes (excluding ROW).	Yes - certified mail, return receipt.	Petitioner.	Petitioner.	Same language - different format.
Rolling Meadows	Yes.	Certified mail with a return receipt.	Petitioner.	Petitioner.	Yes.

Municipality	Does the City/Village require that notification is mailed to all property owners within 250 feet of the subject property prior to a Plan Commission or Zoning Board of Appeals public hearing?	Is the mailing sent certified mail with a return receipt (green card required), certified mail without return receipt (no green card required) or standard mail?	Is the City/Village or the Petitioner responsible for providing the mailing list of property owners within 250 feet?	Is the City/Village or the Petitioner responsible for completing the mailing?	Is a copy of the published legal notice including in the mailing?
Schaumburg	Notice is required within 150 feet, not counting ROW.	Certified mail (green card).	Yes, we direct them to the township assessor's office.	Petitioner.	No, the village prepared a letter that is included.
Skokie	Yes.	Standard Mail.	Petitioner, however, the Village provides a map on the properties to be notified.	Petitioner.	Yes.
Streamwood	Yes.	Yes green card required.	Petitioner.	Petitioner.	Yes.
Wilmette	Yes, owners and occupants.	We no longer require certified mail/return receipt - first class is sufficient. The applicant provides an affidavit affirming that they gave notice.	We provide the applicant with the PINs of the properties and a map of the notice area.	No.	We create a separate personal notice describing the request. This is more detailed than what goes to the newspaper.

Municipality	1. What is your code-required adjacent owner notification radius for public hearings?	2. Does the notification radius include public right-of-ways?	3. Does your code allow administrative approvals for minor amendments to Special Uses, PUDs and board-approved plans?	4. Please attach relevant code sections.
Barrington	250 ft. exclusive of rights-of-way.	No.	No. However, some PUD's have provisions to allow minor amendments on items that are fully compliant with the underlying zoning regulations. (Example - new sign that is otherwise fully compliant).	
Buffalo Grove	250', not including ROW.	No.	Yes.	
Elk Grove Village	300'	Yes.	If they are considered "minor" per our code.	
Evanston	It ranges between 250' (Minor Variations), 500' (Major Variations, Special Use, and Map Amendments, and 1000' (Planned Developments).	Yes.	Minor Adjustments to Planned Developments are allowed as an administrative approval.	
Fox Lake	150' Radius, 300' diameter, 942' circumference (Be careful what word you use).	Yes.	It does not allow for minor amendments after they've been approved.	
Glencoe	200 feet.	Yes.	No.	Relevant code sections: http://library.amlegal.com/nxt/gateway.dll/Illinois/glencoe_il/zoningcode/articleititleandpurposes?f=templates\$fn=default.htm\$3.0\$vid=amlegal:glencoe_il
Glenview	All contiguous properties plus all properties contiguous to those. (1+1).	Yes.	Yes.	
Morton Grove	See attached.	Yes.	See attached.	
Mount Prospect	250'	No.	Yes.	
Niles	250'	The code does not specifically mention the right of way, but internally we add the width of any ROW to the 250' radius.	For special uses, no. Any modification to a special use must be resubmitted as a new special use application. The community development director may approve modifications to a PUD in specific circumstances listed in section 12.7(A) of our zoning code, otherwise it must go before the planning and zoning board.	See attached.

Municipality	1. What is your code-required adjacent owner notification radius for public hearings?	2. Does the notification radius include public right-of-ways?	3. Does your code allow administrative approvals for minor amendments to Special Uses, PUDs and board-approved plans?	4. Please attach relevant code sections.
Northfield	250 feet.	No.	Yes.	Radius requirement for public notice: http://sterlingcodifiers.com/cod ebook/index.php?book_id=886 &chapter_id=70229#s686817 Changes to Special Use: http://sterlingcodifiers.com/cod ebook/index.php?book_id=886 &chapter_id=70414#s688144 Changes to PUDs: http://sterlingcodifiers.com/cod ebook/index.php?book_id=886 &chapter_id=70415#s688156
Park Ridge	250 feet radius.	It does not.	SU, PUDs, board-approved plans are subject to underlying district regulations unless such exception is granted. Any amendments to exceptions granted would require commission/board review.	
Schaumburg	150'	No.	Yes but typically only when this does not affect the nature or type of use.	See attached.
Streamwood	250 feet.	Exclusive of the right of way.	Very limited but in some circumstances.	
Wheeling	250 feet.	No, public right-of-ways are removed from the 250 feet.	See attached.	
Wilmette	For the ZBA and Plan Commission, we require 250'. Appearance Review requires different notice depending on the type of request. Administrative variations are adjacent properties only.	Yes.	The PUD section provides for major and minor changes. Special uses, variations, and appearance approvals do not have a specified modification process.	See attached.
Winnetka	250 feet, with the exception for special uses within the Commercial Overlay District, which requires a 500-foot radius.	Yes.		

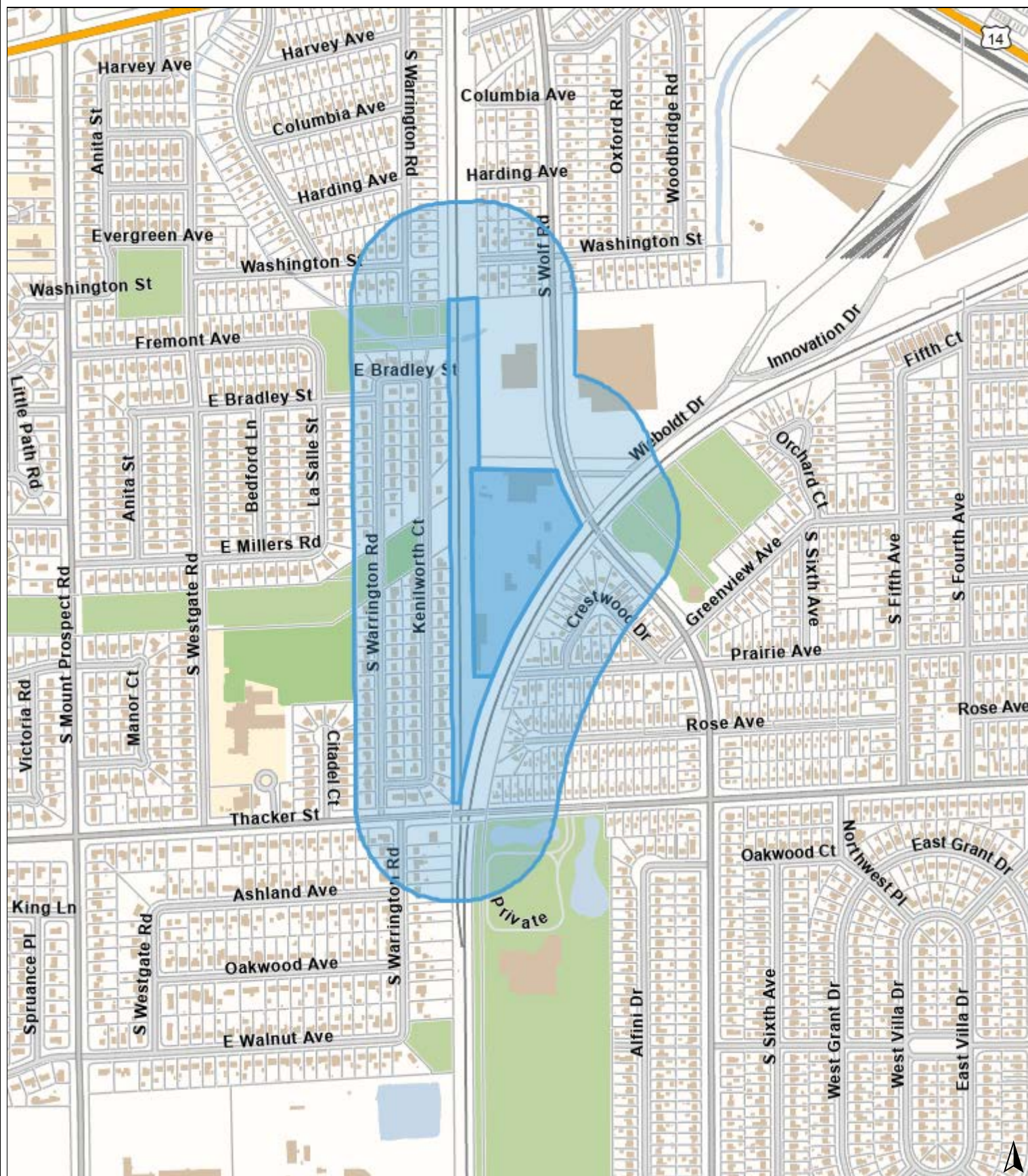


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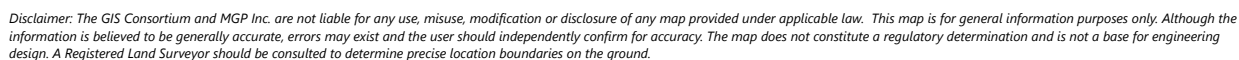


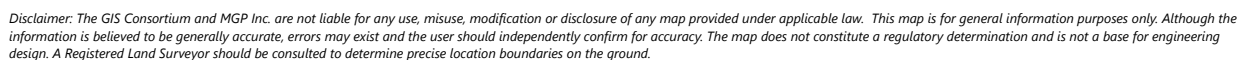
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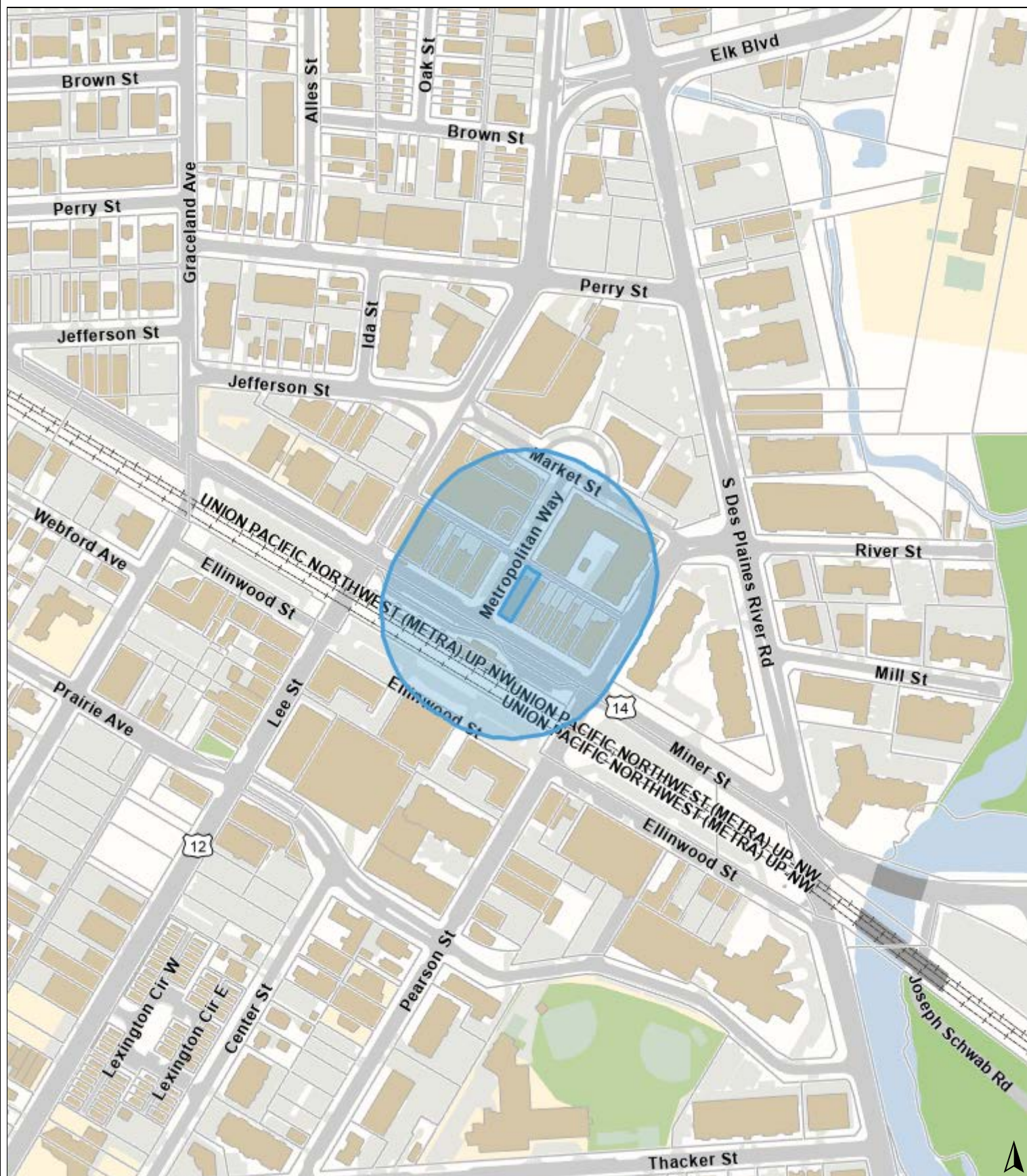
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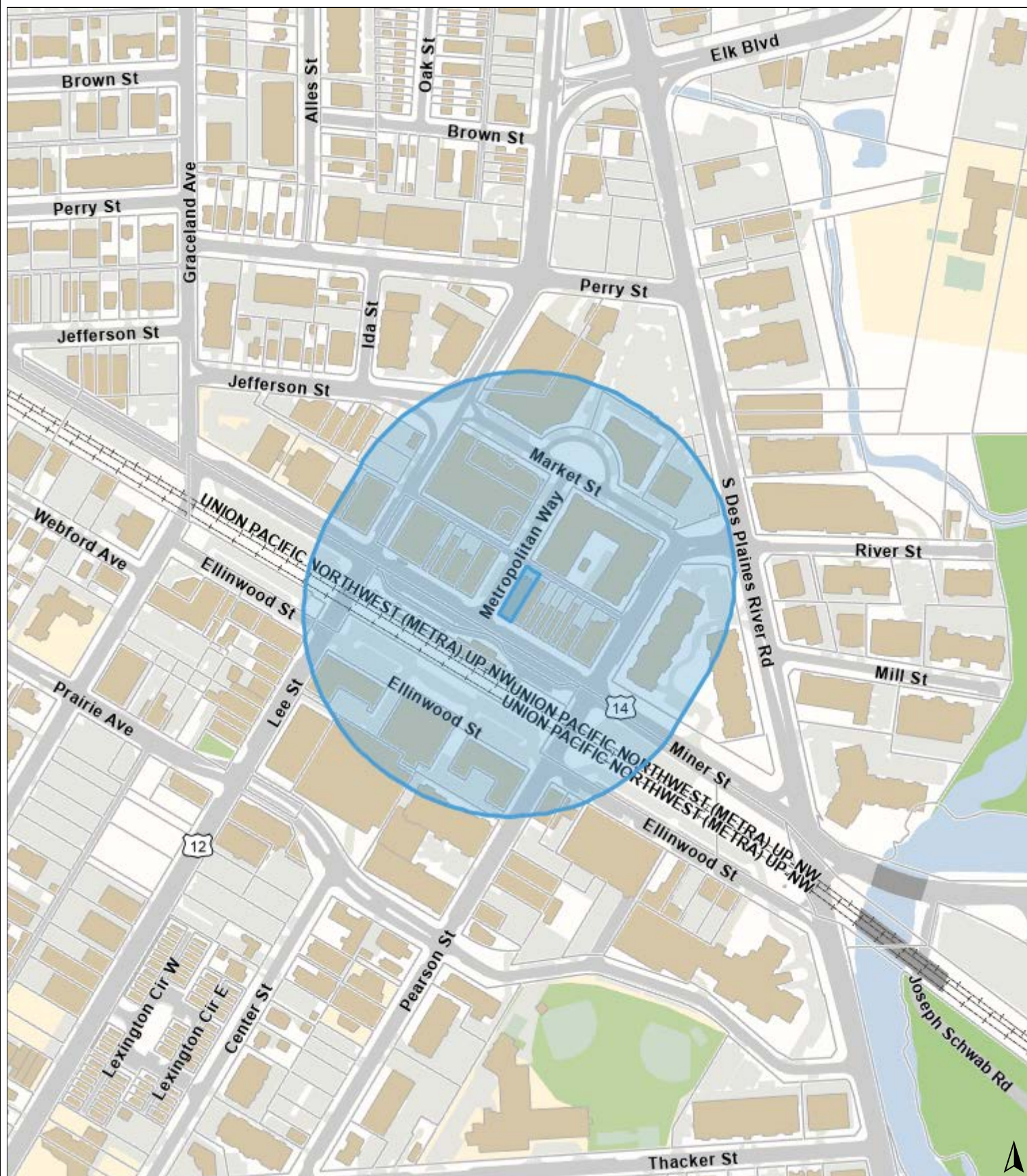


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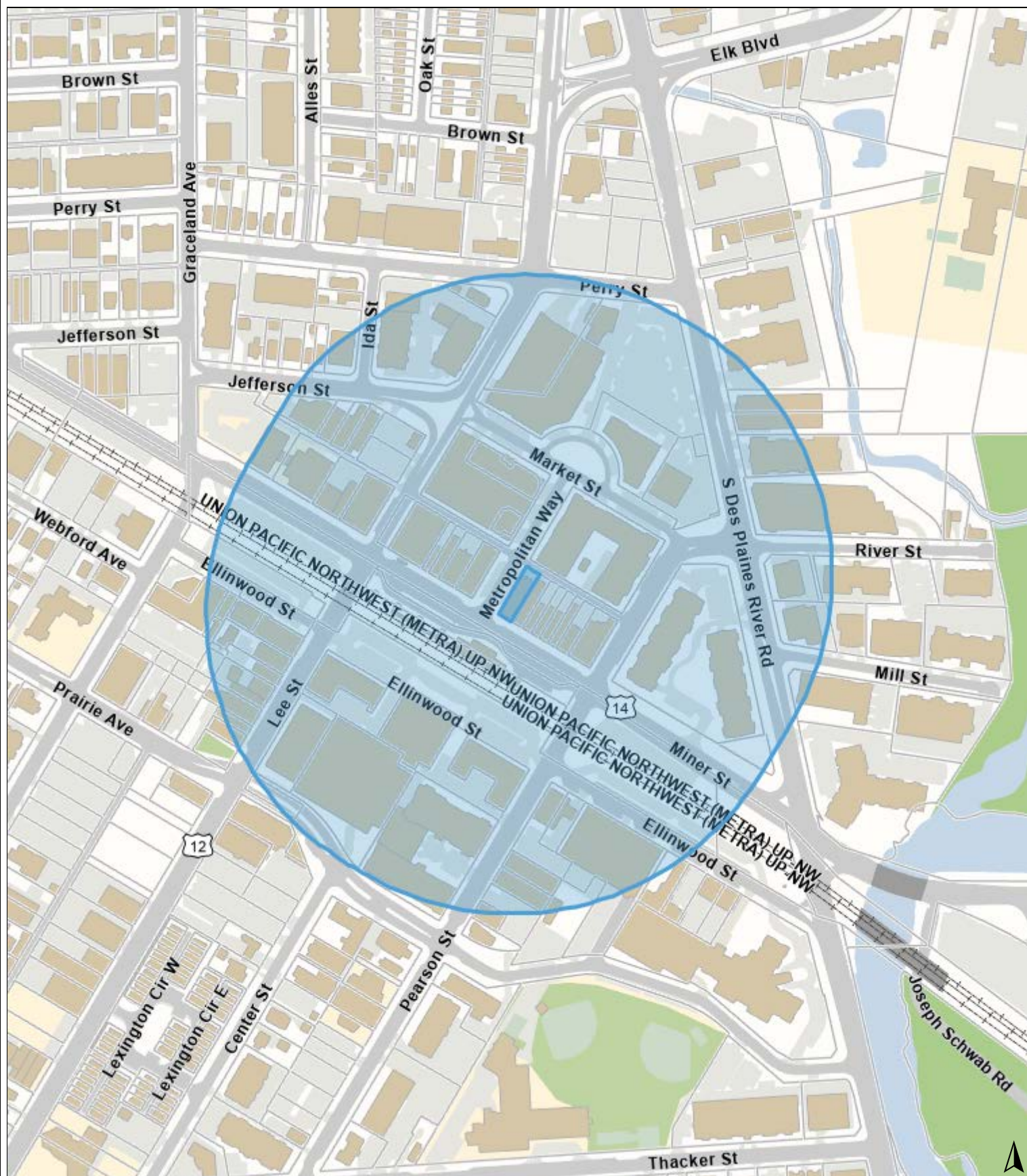


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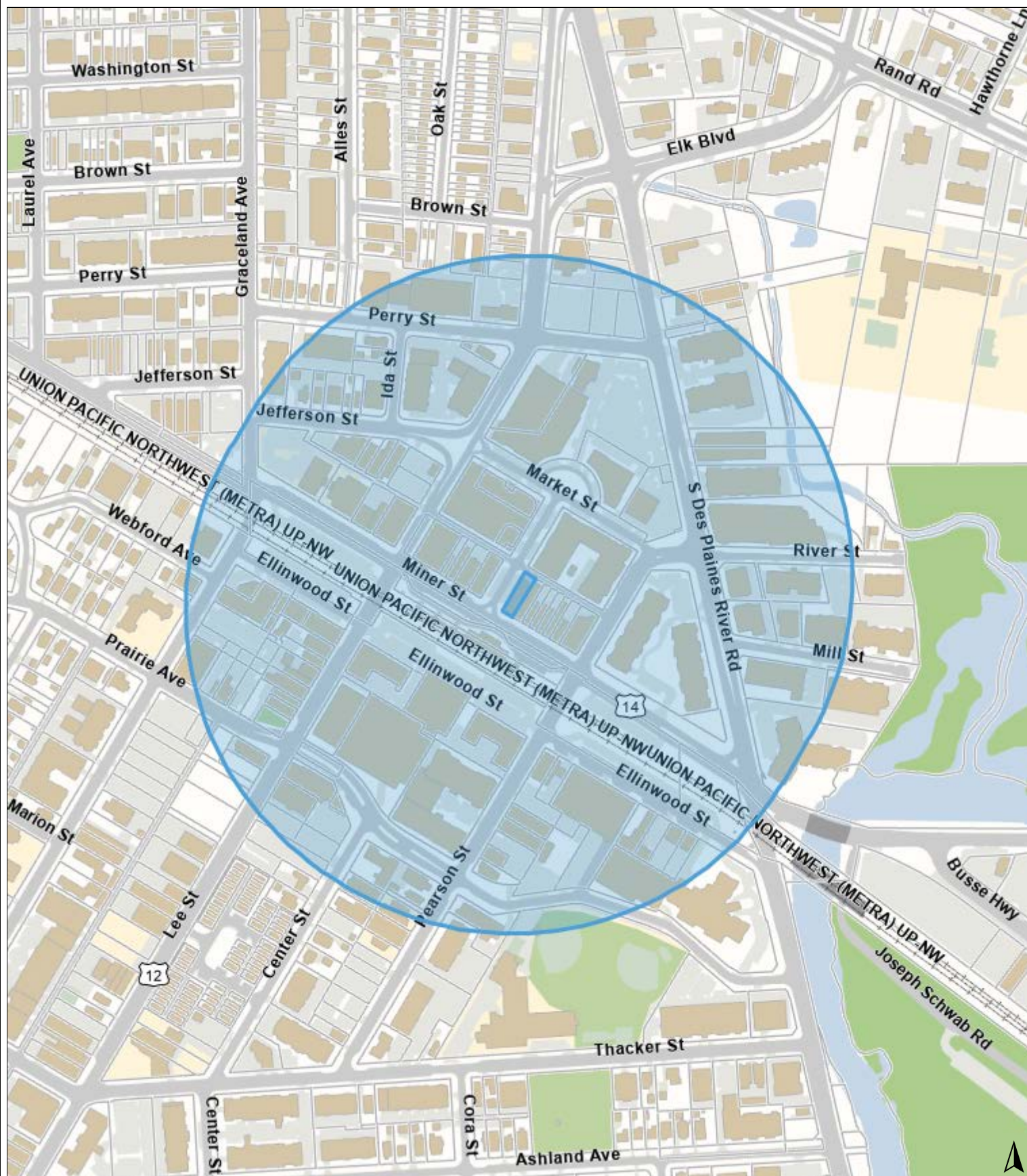


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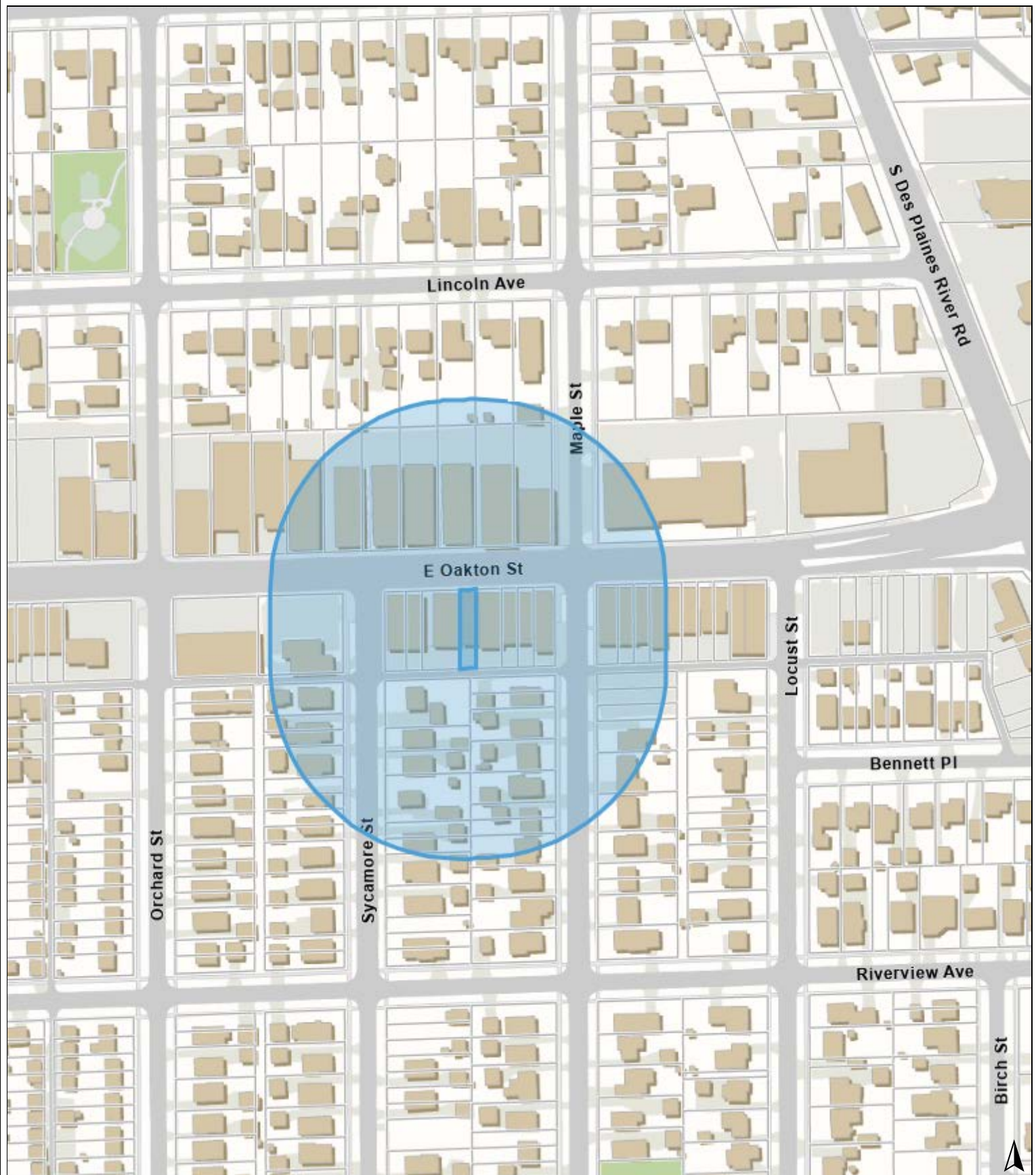


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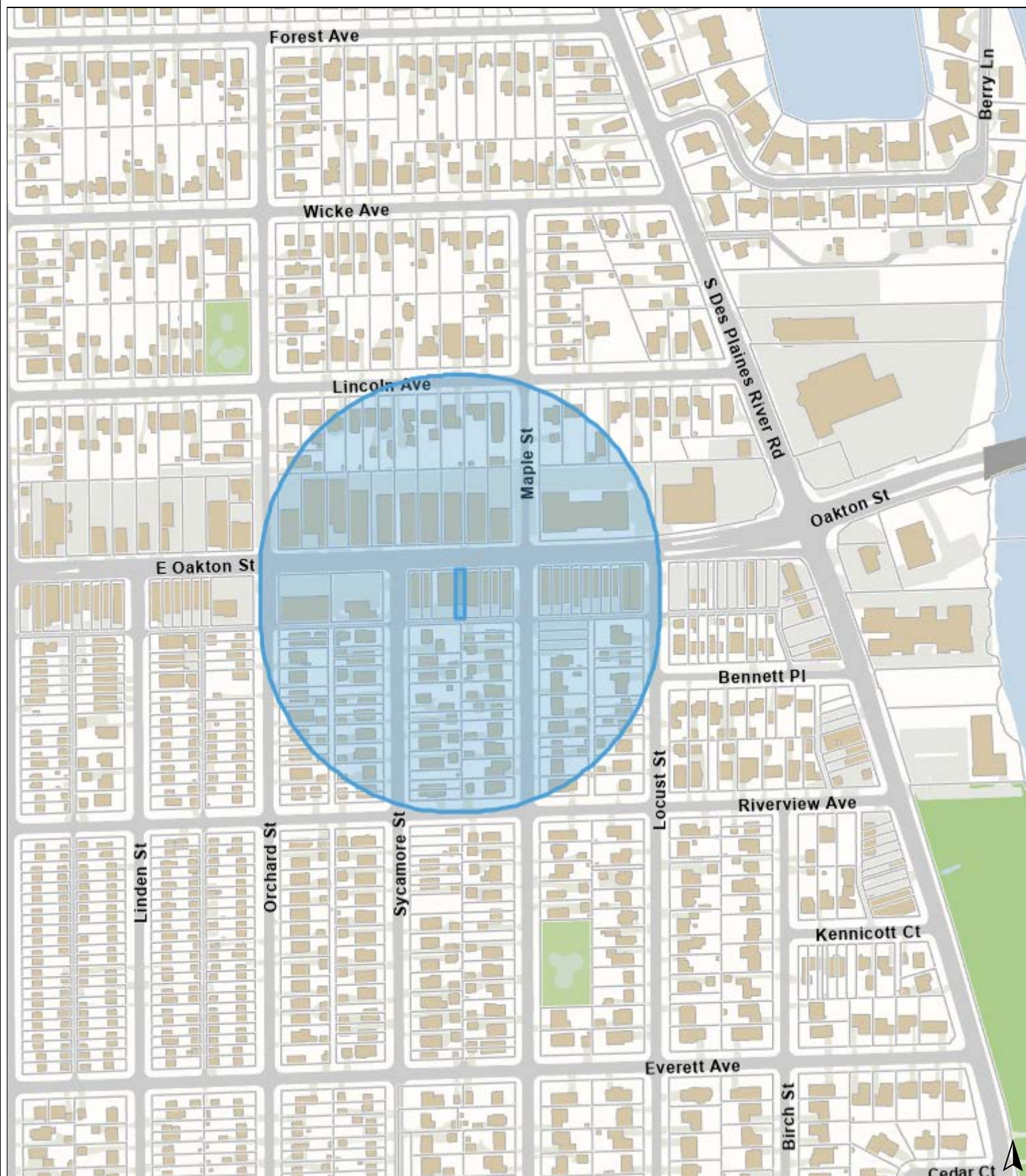


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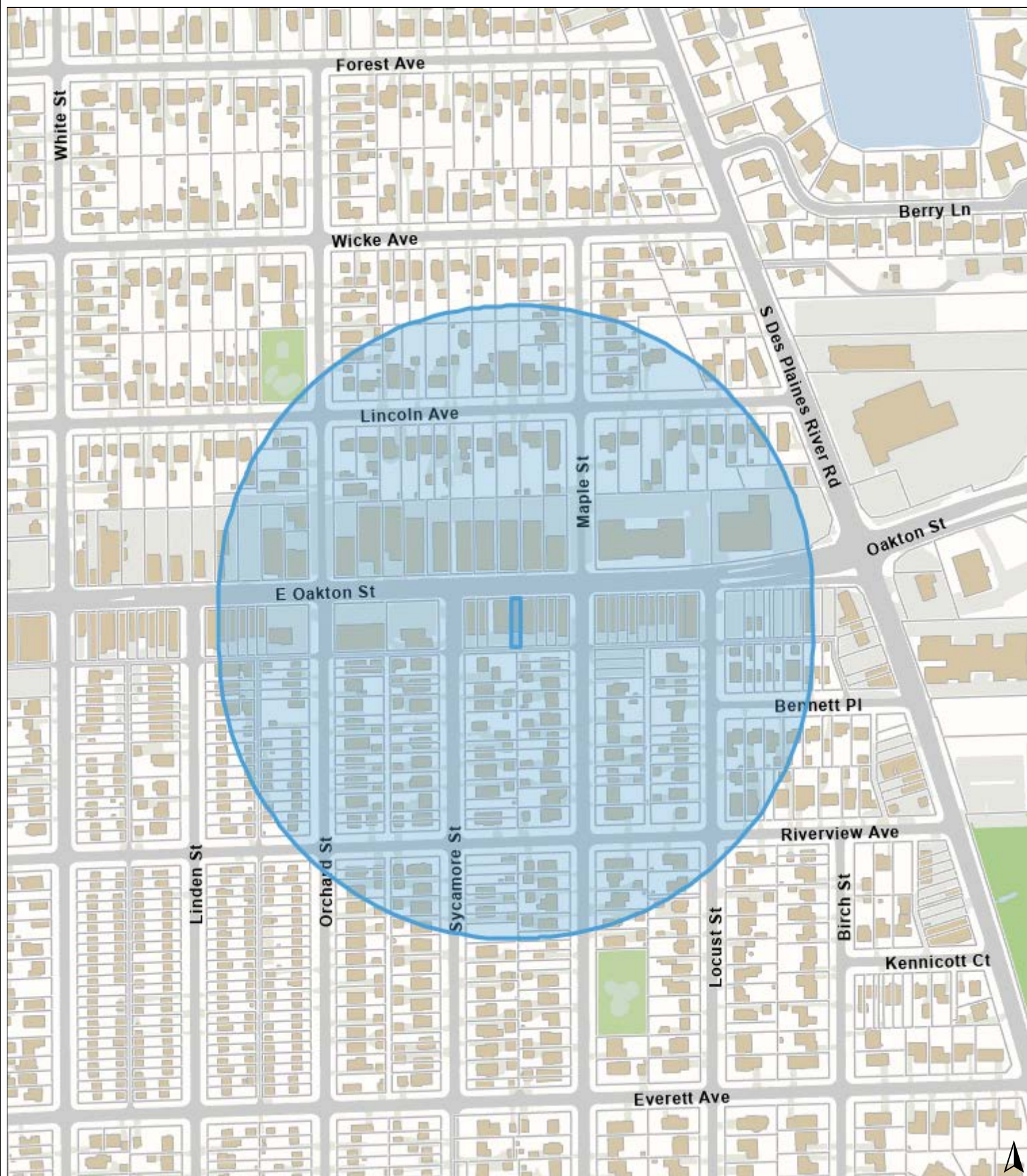


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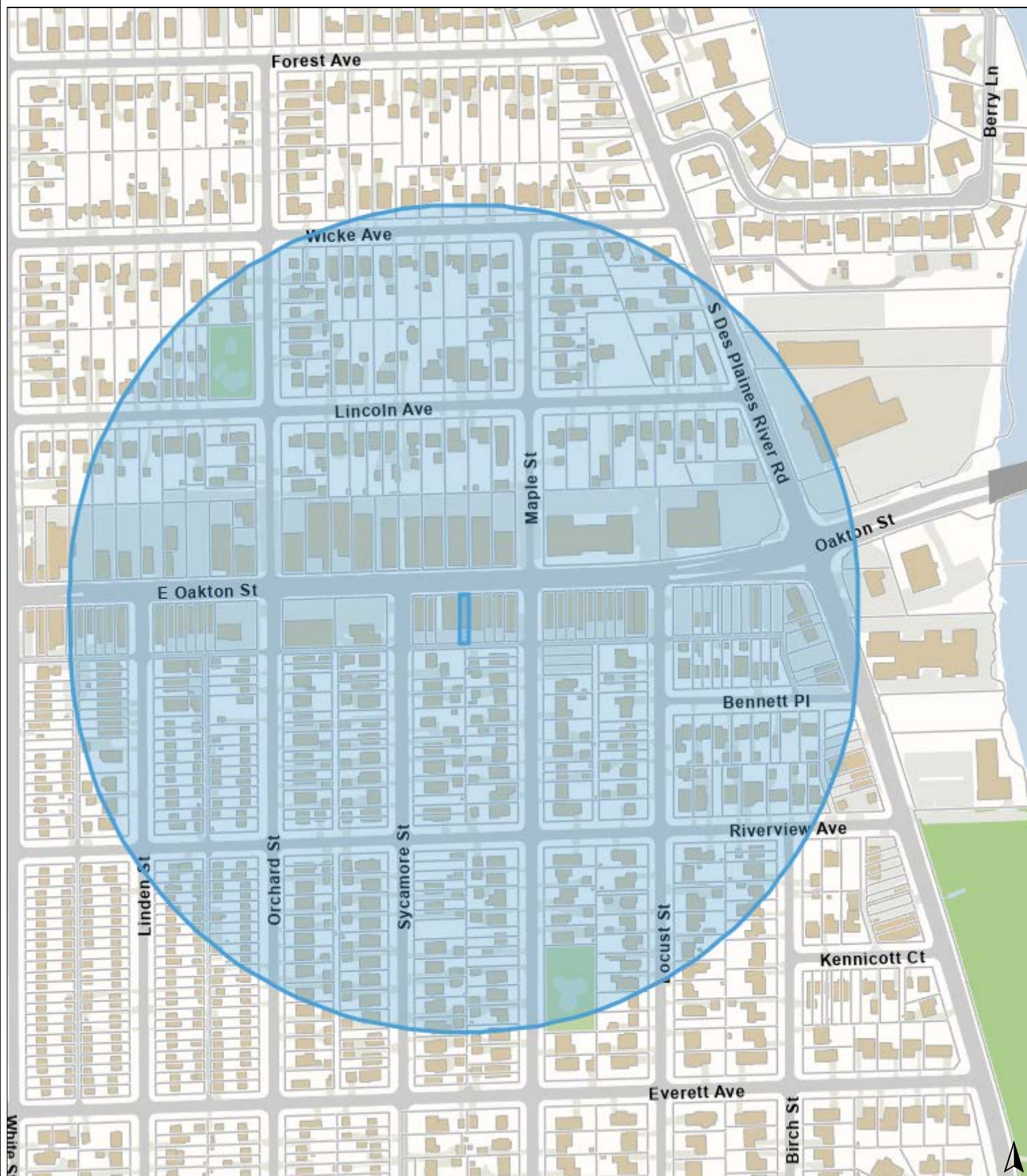


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CITY OF DES PLAINES

ORDINANCE Z - 5 - 22

**AN ORDINANCE AMENDING THE TEXT OF SECTIONS
12-3-1 AND 12-3-10 OF THE DES PLAINES ZONING
ORDINANCE REGARDING PUBLIC NOTICE AND
RECOVERY OF CITY COSTS.**

WHEREAS, the City is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the "Des Plaines Zoning Ordinance of 1998," as amended ("**Zoning Ordinance**"), is codified as Title 12 of the City Code of the City of Des Plaines ("**City Code**"); and

WHEREAS, Section 12-3-1 of the Zoning Ordinance establishes the application and hearing process for all development review applications; and

WHEREAS, Section 12-3-10 of the Zoning Ordinance provides that the City may recover certain costs incurred by the City during the review and processing of a development review application; and

WHEREAS, after a review by City staff, the City Council desires to amend the Zoning Ordinance to: (i) amend Section 12-3-1 of the Zoning Ordinance to update the information required to be included in the published notice and increase the radius within which notice is required to be mailed for non-residentially zoned properties; and (ii) amend Section 12-3-10 to allow the City to recover costs incurred when preparing, publishing, and mailing required notices on behalf of petitioners (collectively, "**Text Amendments**"); and

WHEREAS, on March 7, 2022, the City Council held a public hearing to consider the Text Amendments, which hearing was duly advertised in the *Des Plaines Journal* on February 16, 2022; and

WHEREAS, the City Council has considered the factors set forth in Section 12-3-7.E, titled "Standards for Amendments," of the Zoning Ordinance; and

WHEREAS, the City Council has determined that it is in the best interest of the City to adopt the Text Amendments and amend the Zoning Ordinance as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1. RECITALS. The recitals set forth above are incorporated herein by reference and made a part hereof.

{00125166.2}

Additions are bold and double-underlined; ~~deletions are struck through.~~

SECTION 2. FINDING OF COMPLIANCE. The City Council finds that consideration of the Text Amendments has complied with the provisions of Section 12-3-7 of the Zoning Ordinance.

SECTION 3. APPLICATIONS AND HEARINGS REGULATIONS. Subsection C., titled "Notice," of Section 12-3-1, titled "Applications and Hearings," of the Zoning Ordinance is hereby amended to read as follows:

"12-3-1: APPLICATIONS AND HEARINGS:

* * *

"C: Notice:

1. Notice Of Public Hearing In Newspaper: For any development review procedure that requires a public hearing, the City shall arrange for the publication of a public notice in a newspaper of general circulation in the Des Plaines jurisdictional area. The notice shall include the date, time and place of such hearing or meeting, a description of the matter to be heard or considered, the address or particular location of the subject property, **and the property index number(s) for subject property. If there is no available street address or property index number for the subject property, then a legal description of the subject property must be included.**, ~~and, in the case of a public hearing for an amendment, a legal description of the subject property.~~ The notice shall run at least one time, not more than thirty (30) days nor less than fifteen (15) days prior to the public hearing.
2. Notice Of Public Hearing Through Posted Sign: In addition to the newspaper notice provision required above, not more than thirty (30) days nor less than fifteen (15) days prior to any public hearing on a development review procedure the zoning administrator shall cause to be posted on the **subject** property ~~affected~~ a notice sign stating that a hearing will be held and including the date, time and place of such hearing or meeting, and a description of the matter to be heard or considered.
3. Notice To Proximate Property Owners: ~~For~~**in** any public hearing regarding a map amendment, conditional use, or major variation, **notice by U.S. mail** ~~the petitioner shall be required to notify~~ **sent to owners of properties** ~~property owners by U.S. mail within~~ **the following distances measured from the** perimeter of the subject **property** ~~lot of record~~:
 - a. within three hundred feet (300 feet for subject properties located entirely within residential zoning districts**
 - b. 500 feet for all other properties, including properties located only partially in a residential district.** ~~of the perimeter of the subject lot of record.~~

{00125166.2}

Additions are bold and double-underlined; ~~deletions are struck through.~~

~~Petitioner shall sign an affidavit verifying said mailing occurred attaching the copy of the document.~~

* * *

SECTION 4. RECOVERY OF CITY COSTS AND FEES. Section 12-3-10, titled "Recovery of City Costs and Fees," of the Zoning Ordinance is hereby amended to read as follows:

"12-13-10: RECOVERY OF CITY COSTS AND FEES:

- A. Established: Except for costs for variations to one- and two- family dwellings, every petition filed and processed pursuant to this zoning code that requires the city to incur ~~third party~~ costs or expenses **associated with the review of the petition**, ~~including, without limitation, legal fees incurred by the office of the city attorney or any attorney or firm retained by the city,~~ shall be subject to the requirements set forth in this section. The recovery of city costs and fees shall be in addition to any and all other filing fees and other charges established by the city. For purposes of this section, the word "petition" is deemed to include and refer to any and all petitions and applications filed or processed pursuant to this zoning code.

* * *

- C. Recoverable Costs: The recoverable costs and fees incurred by the city in processing a petition shall include, but not be limited to, the following items:
1. **Preparation, publication, and mailing of notices, including fees charged by the local newspaper of record and costs incurred for postage and printing, plus an administrative fee of \$1.00 for each mailed notice;**
 2. Court reporter, including the cost of two (2) transcripts, or any subsequent transcription of audio/video recordings;
 3. Professional and technical consultant services and fees;
 4. The fees and costs of a hearing officer, if any;
 5. Cost of the city attorney and assistant city attorney measured by their time expended and multiplied by their hourly rate of pay. The costs of any city retained attorney or law firm, for consultation, meeting attendance, document preparation, advice and review;
 6. Copy reproduction;
 7. Costs of document recordation by the county plus an additional fee for recording of fifty dollars (\$50.00);
 8. Mailing costs, **exclusive of required notices**; and
 9. Proof of ownership or title searches.

{00125166.2}

Additions are bold and double-underlined; ~~deletions are struck through.~~

*

*

*"

SECTION 5. SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law.

PASSED this _____ day of _____, 2022

APPROVED this _____ day of _____, 2022.

VOTE: Ayes _____ Nays _____ Absent _____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
_____ day of _____, 2022.

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Ordinance Amending the Zoning Ordinance Regarding Public Notice and Recovery of City Costs and Fees

{00125166.2}

Additions are bold and double-underlined; ~~deletions are struck through.~~



POLICE DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5400
desplaines.org

MEMORANDUM

Date: February 18, 2022

To: Michael G. Bartholomew, City Manager

From: Deputy Chief Dan Shanahan *643

Subject: City Code Amendments to Section 6-2-6-1 (Possession of Cannabis) and 6-2-6-2 (Public Display and Sale of Drug Paraphernalia)

Issue: For the City Council to approve amendments to City Code Section 6-2-6-1 (Possession of Cannabis) and 6-2-6-2 (Public Display and Sale of Drug Paraphernalia) to comport with State Law due to the legalization of adult use cannabis.

Analysis: In 2020, the State of Illinois passed the Cannabis Regulation and Tax Act, ultimately legalizing the personal possession and consumption of cannabis for persons 21 years of age or older. The statute allows an individual to lawfully possess up to 30 grams of cannabis flower (bud), 5 grams of cannabis concentrate, and no more than 500 mg of THC contained in a cannabis-infused product (edibles). In addition, the Illinois statute allows for individuals over the age of 21 to lawfully purchase and possess drug paraphernalia intended for the ingestion of cannabis. The proposed Ordinance changes bring the City Code in alignment with State Law regarding cannabis.

Recommendation: Staff recommends that the City Council amend its current ordinances regarding the possession of cannabis and the sale and possession of cannabis paraphernalia to bring the City Code in alignment with State Law.

Attachments:

Ordinance M-8-22 – Ordinance Amending Chapter 2 “General Offenses” of Title 6 of the City of Des Plaines City Code

CITY OF DES PLAINES

ORDINANCE M – 8 - 22

AN ORDINANCE AMENDING SECTIONS 6-2-6-1 AND 6-2-6-2 OF THE DES PLAINES CITY CODE REGARDING CANNABIS.

WHEREAS, the City is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the State of Illinois adopted the Cannabis Regulation and Tax Act, 410 ILCS 705 (“*Act*”), which legalized the possession, use, cultivation, transportation, and sale of recreational cannabis; and

WHEREAS, the Act’s legalization of the possession and use of cannabis for recreational purposes by adults over the age of 21 supplements existing state law allowing the sale to, and use of cannabis in for registered patients with qualifying medical conditions (“*Medical Cannabis Act*”); and

WHEREAS, the Act prohibits units of local governments, including home rule units, from regulating the use of cannabis for recreational purposes by adults in a manner more restrictive than the regulations provided in the Act; and

WHEREAS, in order to avoid any ambiguity or confusion, the City desires to amend the City Code to regulate the use of cannabis and related paraphernalia in a manner that is consistent with the requirements of the Act and the Medical Cannabis Act; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the Des Plaines City Code (“*City Code*”) to regulate cannabis in the manner set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1. RECITALS. The recitals set forth above are incorporated herein by reference and made a part hereof.

SECTION 2. AMENDMENTS TO SECTION 6-2-6-1. Section 6-2-6-1, titled “Possession of Cannabis,” of Chapter 2, titled “General Offenses,” of Title 6, titled “Police Regulations,” of the City Code is hereby amended to read as follows:

“6-2-6-1: POSSESSION, USE, SALE, PURCHASE, AND TRANSPORTATION OF CANNABIS:

A. Possession, Use, Sale, Purchase, and Transportation; Definition:

1. It shall be unlawful for any person knowingly to possess, consume, use, purchase, obtain, transport, or sell any quantity of any substance containing cannabis, except in compliance with the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq. or the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1 et seq., as each may be amended. ~~amount not exceeding thirty (30) grams.~~

2. It shall be a violation of this section for any person knowingly to use or consume, or allow someone else to use or consume, cannabis on the premises of any privately owned commercial facility that is open to members of the general public, including, without limitation, retail stores, restaurants, taverns, theatres, and other recreational facilities, except as otherwise specifically permitted pursuant to the Cannabis Regulation and Tax Act and the Compassionate Use of Medical Cannabis Program Act.

3. It shall be a violation of this section for any person to smoke cannabis in any place where smoking is prohibited pursuant to the Smoke Free Illinois Act, 410 ILCS 82/1 et seq.

24. As used in this section cannabis includes marijuana, hashish and other substances ~~that which~~ are identified as including any parts of the plant cannabis sativa and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of ~~the such~~ plant; and any compound, manufacture, salt derivative, mixture, or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, ~~including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis;~~ however, "cannabis" does not ~~but shall not include the mature stalks of such plant, fiber produced from such the stalks, oil or cake made from the seeds of such the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such the mature stalks (except the resin extracted from it therefrom), fiber, oil or cake, or the sterilized seed of the such plant which is incapable of germination. "Cannabis" does not include industrial hemp as defined and authorized under the Industrial Hemp Act. "Cannabis" also means concentrate and cannabis-infused products.~~

B. Unlawful Assembly By Minors: It shall be unlawful for any person under the age of twenty one (21) years to remain in any motor vehicle, watercraft, room, dwelling, shed, garage, yard or other area when said person knows, or has reason to know, that one or more other persons under the age of twenty one (21) years located in such motor vehicle, watercraft, room, dwelling, shed, garage, yard or other area are in possession of ~~any cannabis or other~~ controlled substance prohibited by either 720 Illinois Compiled Statutes 550/1 et seq., or 570/1 et seq. (Ord. M-68-94, 10-17-1994)

C. Responsibility Of Owner Or Occupant For Unlawful Assembly By Minors: It shall be unlawful for any person who has ownership or control of any motor vehicle, watercraft, room, dwelling, shed, garage, yard or other area to knowingly permit or allow one or more persons under the age of twenty one (21) years to assemble or be assembled on or in such motor vehicle, watercraft, room, dwelling, shed, garage, yard or other area when said persons are in possession of ~~a~~~~any~~ ~~cannabis or other~~ controlled substance prohibited by either 720 Illinois Compiled Statutes 550/1 et seq., or 570/1 et seq.

D. Violation: Any person found guilty of a violation of any provision of this section shall be subject to a fine as provided in the general penalty in section 1-4-1 of this code for each and every offense.”

SECTION 3. AMENDMENTS TO SECTION 6-2-6-2. Section 6-2-6-2, titled “Public Display and Sale of Drug Paraphernalia,” of Chapter 2, titled “General Offenses,” of Title 6, titled “Police Regulations,” of the City Code is hereby amended to read as follows:

“6-2-6-2: PUBLIC DISPLAY AND SALE OF DRUG PARAPHERNALIA:

A. Definitions:

~~CONTROLLED SUBSTANCE OR CANNABIS:~~ Any drug or controlled substance ~~or cannabis~~ as defined in 720 Illinois Compiled Statutes.

CANNABIS: as defined in Section 6-2-6-1 of this Code.

DRUG PARAPHERNALIA: (Also articles or equipment commonly used in the consumption or ingestion of controlled substances or cannabis.) Includes, but is not limited to, the following enumerated articles: cocaine spoons, pot pipes, water pipes, hypodermic needles, syringes, roach clips and literature devoted wholly or substantially to describing or illustrating explicitly the consumption or ingestion of a controlled substance ~~or cannabis~~ which tends to promote the use of a controlled substance ~~or cannabis~~.

B. Displays And Exhibits: It is unlawful for any person publicly to exhibit or display for sale any drug paraphernalia, articles or equipment commonly used in the consumption or ingestion of controlled substances ~~or cannabis~~ except where such articles or equipment are prescribed for strictly medical purposes and are used as such.

C. Sale To Minors: It is unlawful for any person to sell or offer to sell any paraphernalia, articles or equipment commonly used in the consumption or ingestion of controlled substances or cannabis to any person under the age of

~~21~~^{eighteen} (18) years except where such articles or equipment are prescribed for strictly medical purposes and are used as such. (Ord. M-5-79, 2-19-1979)

D. Unlawful To Possess: It shall be unlawful for anyone to knowingly possess an item of drug paraphernalia with the intent to use it in ingesting, inhaling or otherwise introducing cannabis or a controlled substance into the human body or in preparing ~~cannabis~~ or controlled substance for that use.

E. Exception: This section shall not apply to items used solely for the authorized consumption of cannabis pursuant to the Cannabis Regulation and Tax Act, 410 ILCS 705/1 or the Illinois Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/1 et seq.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect 10 days after its passage, approval and publication in pamphlet form according to law.

PASSED this _____ day of _____, 2022.

APPROVED this _____ day of _____, 2022.

VOTE: Ayes _____ Nays _____ Absent _____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
_____ day of _____, 2022

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DES PLAINES, ILLINOIS HELD IN THE ELEANOR ROHRBACH MEMORIAL COUNCIL CHAMBERS, DES PLAINES CIVIC CENTER, MONDAY, MARCH 7, 2022

CALL TO ORDER

The regular meeting of the City Council of the City of Des Plaines, Illinois, was called to order by Mayor Goczkowski at 6:30 p.m. in the Eleanor Rohrbach Memorial Council Chambers, Des Plaines Civic Center on Monday, March 7, 2022.

ROLL CALL

Roll call indicated the following Aldermen present: Lysakowski, Oskerka, Brookman, Chester, Smith. Absent: Moylan, Zadrozny, Ebrahimi. A quorum was present.

CLOSED SESSION

Moved by Oskerka, seconded by Chester to enter into Closed Session under the following sections of the Open Meetings Act – Review of Closed Session Minutes, Collective Bargaining, Personnel, Purchase of Property, Probable or Imminent Litigation, and Sale of Property.

Upon roll call, the vote was:

AYES: 5 - Lysakowski, Oskerka, Brookman, Chester, Smith

NAYS: 0 - None

ABSENT: 3 - Moylan, Zadrozny, Ebrahimi

Motion declared unanimously carried.

The City Council recessed at 6:30 p.m.

The City Council reconvened at 7:05 p.m.

Roll call indicated the following Alderman present: Lysakowski, Moylan, Oskerka, Zadrozny, Brookman, Chester, Smith, Ebrahimi. A quorum was present.

Also present were: City Manager Bartholomew, Assistant City Manager/Director of Finance Wisniewski, Director of Public Works and Engineering Oakley, Director of Community and Economic Development Carlisle, Fire Chief Anderson, Police Chief Anderson, and General Counsel Friedman.

PRAYER AND PLEDGE

The prayer and the Pledge of Allegiance to the Flag of the United States of America were offered by Alderman Ebrahimi.

PROCLAMATION

City Clerk Mastalski read a proclamation by Mayor Goczkowski declaring March as Women's History Month.

RECOGNITION

Life-Saving Awards were presented by Mayor Goczkowski and Police Chief Anderson to Sergeant Jones, Officer Skotnicki, Officer Leon, and Officer Jeon (not present) for the officers' quick decisions and responses which saved a despondent person's life.

MINUTES OF THE PUBLIC HEARING HELD IN THE ELEANOR ROHRBACH MEMORIAL COUNCIL CHAMBERS DES PLAINES CIVIC CENTER, MONDAY, MARCH 7, 2022

PUBLIC HEARING/AMD TEXT REG PUBLIC NOTICE & RECOVERY OF CITY COSTS Ordinance Z-5-22

Mayor Goczkowski called the Public Hearing for reconsideration of Ordinance Z-5-22, amending the text of sections 12-3-1 and 12-3-10 of the Des Plaines zoning ordinance regarding public notice and recovery of city costs to order at 7:12 p.m.

Director of Community and Economic Development Carlisle reviewed a memorandum dated February 24, 2022.

The City Council is holding a public hearing to consider the following text amendments to the Zoning Ordinance: (i) amend Section 12-3-1 to specify when the legal description of subject property is required to be included in the published notice and increase the radius within which notice is required to be mailed for non-residentially zoned properties; and (ii) amend Section 12-3-10 to allow the City to recover costs incurred when preparing, publishing, and mailing required notices on behalf of petitioners.

At its December 6, 2021 meeting, the City Council instructed staff to research options and implications for amending the required mailed public notice distance set forth in Section 12-3-1 of the Zoning Ordinance. Staff returned with research, and Council discussed on February 7, 2022. The Council reached consensus to expand the mailed notice shed for non-residential properties while retaining the existing distance (300 feet) for residential properties, with multiple aldermen agreeing that a larger notice shed for residential projects is not necessary. Also based on staff's review and the discussion, Council expressed support for amending Section 12-3-10 to ensure petitioners would bear the cost of producing and sending mailed notices, estimated at \$1 per notice, although the task of preparing and mailing would continue to be completed by City staff.

Aldermen expressed opinions that favored 750 or 1,000 feet as the required mailed notice distance for non-residentially zoned properties. Based on additional study since February 7, the approving Ordinance sets the new distance at 500 feet.

The Planning and Zoning Board (PZB) typically holds public hearings and votes on recommendations to the City Council regarding zoning amendments. However, the City Council expressly instructed action on this item, so it is being brought directly to the Council's consideration through a public hearing.

Alderman Smith stated the public notice signs are not legible, especially when driving past the properties.

Alderman Brookman agreed, and believes the public signs do not provide enough information regarding detail of the proposed development or zoning change.

Alderman Chester stated he believes 500 feet is sufficient.

Alderman Lysakowski is in support of 500 feet.

Alderman Zadrozny is in support of 500 feet, and agrees the signs are not easily legible. He suggested adding a QR code to the signs.

Alderman Oskerka agrees with the 500 feet radius, and agrees the signs are difficult to read.

Mayor Goczkowski mentioned possibly directing staff to look at the ordinance regarding signage and what is required to enhance the visibility.

Director of Community and Economic Development Carlisle stated the ordinance language is not descriptive regarding sign regulation; he stated it would be rare to specify details regarding notice signs. He stated staff can explore better sign options without a change to the zoning ordinance.

General Counsel Friedman agreed with Director of Community and Economic Development Carlisle; his opinion is that level of detail in the zoning code is a good idea. He believes with the consensus of the City Council, staff can just administer and implement; allowing for more flexibility if changes need to be made.

Alderman Brookman asked to add a little more information to the ordinance in the line of transparency.

Alderman Oskerka asked if a QR code could link to the zoning meeting agenda; bringing it more in line with today's technology.

City Manager Bartholomew will inquire regarding what size and type of sign Public Works can construct. He stated they will attempt the implementation of a QR code. He does not want to have to order the signs from a third party.

Alderman Smith believes the adjustment to the notice signs is a simple fix.

Moved by Chester, seconded by Lysakowski, to Approve first reading of Ordinance Z-5-22, AN ORDINANCE AMENDING THE TEXT OF SECTIONS 12-3-1 AND 12-3-10 OF THE DES PLAINES ZONING ORDINANCE REGARDING PUBLIC NOTICE AND RECOVERY OF CITY COSTS.

Upon voice vote, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

Mayor Goczkowski adjourned the Public Hearing at 7:31 p.m.

PRESENTATION
2022-2026
STRATEGIC PLAN
Resolution
R-55-22

Mayor Goczkowski presented the 2022-2026 Strategic Plan for the City of Des Plaines.

City Council adopts a five-year Strategic Plan that serves as the City's roadmap. This important plan influences all policy and budget decisions, sets direction and aligns the City staff, maintains focus on priorities and enhances accountability.

City Council met in October 2021 for a Strategic Planning session to review the 2022 Strategic Plan and provide input and recommended edits. City staff also met to review the plan and provide updates.

Moved by Lysakowski, seconded by Oskerka, to Approve Resolution R-55-22, A RESOLUTION ADOPTING THE CITY OF DES PLAINES STRATEGIC PLAN FOR 2022-2026.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

ALDERMAN
ANNOUNCEMENTS

Alderman Lysakowski thanked Public Works Department on behalf of the residents for handling the horn issue with the railroad; and he thanked the Public Works Department for handling a lot of the First Ward issues he has brought to them.

Alderman Zadrozny mentioned he has received increase communication from residents regarding shady characters walking around the neighborhood, and thanked Police Chief Anderson for sending out notices to residents. He asked Police Chief Anderson if he has seen an increase in break-ins, and asked for tips on how residents can protect themselves.

Police Chief Anderson said they have not seen an increase in break-ins. He recommended if a resident sees someone suspicious walking around the neighborhood to call 911 immediately. He also stated as a reminder, no one from the City will come without proper identification; if someone tries to talk their way into the home, call 911 immediately.

Alderman Zadrozny stated he will likely hold a ward meeting the last week of March, and will provide more detail at the next City Council meeting, on Facebook, and in the newsletter.

Alderman Chester mentioned the ongoing tragedy in Ukraine; he asked to take ten seconds to pray for and send our good thoughts and words to the people of Ukraine who are suffering.

A moment of silence was taken for the people of Ukraine.

Alderman Ebrahimi mentioned residents can obtain free at-home COVID tests at COVIDtests.gov.

MAYORAL ANNOUNCEMENTS

Mayor Goczkowski echoed what Alderman Chester stated about the horrific on goings in Ukraine. He also mentioned that this day in Illinois is Casimir Pulaski Day. Mayor Goczkowski believes Casimir Pulaski would be pleased with what Poland is doing today with regard to the Ukrainian refugees.

On May 3, 2021, a Declaration of Civil Emergency for the City of Des Plaines related to the COVID-19 emergency was authorized. The Declaration provided that: (1) the City may enter into contracts for the emergency purchase of goods and services; (2) the City Manager may implement emergency staffing protocols pursuant to the City's respective collective bargaining agreements; and (3) directed City officials and employees to cooperate with other government agencies.

In accordance with Illinois statutes, the Mayor's Declaration lasted only for a period of seven days, unless it was extended by action of the City Council. At each subsequent City Council meeting, the City Council, by motion, extended the Declaration until the next adjournment of the next special or City Council meeting. This extension of the Declaration includes the Supplemental Order dated January 3, 2022.

Mayor Goczkowski presented an extension to the Declaration of Civil Emergency.

Moved by Moylan, seconded by Zadrozny, to extend the May 3, 2021 Declaration of Civil Emergency until the adjournment of the next regular, special, or emergency meeting of the City Council including the Supplement Order dated January 3, 2022.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

CONSENT AGENDA

Mayor Goczkowski stated staff has requested item #4 be removed and deferred for a future meeting.

Moved by Brookman, seconded by Moylan, to establish the Consent Agenda.

Upon voice vote, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

Moved by Brookman, seconded by Zadrozny, to Approve the Consent Agenda.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

Minutes were approved; Ordinance M-8-22 was approved; Ordinance M-6-22 was adopted; Resolutions R-47-22, R-48-22, R-49-22, R-51-22, R-52-22 were adopted.

AUTH PURCH/ FD
UNIFORMS/ TIME
EMB

Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-47-22, A RESOLUTION AUTHORIZING THE PURCHASES OF FIRE DEPARTMENT UNIFORMS FROM ON TIME EMBROIDERY, INC. Motion declared carried as approved unanimously under Consent Agenda.

Resolution
R-47-22

APPROVE TASK
ORD NO 19/ PROF
ENGR SVCS/
TROTTER & ASSOC
Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-48-22, A RESOLUTION APPROVING TASK ORDER NO. 19 UNDER A MASTER CONTRACT WITH TROTTER & ASSOCIATES, INC FOR PROFESSIONAL ENGINEERING SERVICES. Motion declared carried as approved unanimously under Consent Agenda.

Resolution
R-48-22

APPROVE TASK
ORD NO 1/ PROF
ENGR SVCS/ CBBEL
Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-49-22, A RESOLUTION APPROVING TASK ORDER NO. 1 UNDER A MASTER CONTRACT WITH CHRISTOPHER B. BURKE ENGINEERING, LTD FOR PROFESSIONAL ENGINEERING SERVICES. Motion declared carried as approved unanimously under Consent Agenda.

Resolution
R-49-22

APPROVE & AUTH
AMD/ BUS DEV
AGRMT/ MW
GAMING & ENTMT
Consent Agenda

Staff requested Resolution R-50-22, A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED BUSINESS DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DES PLAINES AND MIDWEST GAMING & ENTERTAINMENT, LLC be removed from the Consent Agenda and deferred for a future meeting.

Resolution
R-50-22

APPROVE AMD/
GRANT AGRMT/
IEMA
Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-51-22, A RESOLUTION APPROVING AN AMENDMENT TO THE GRANT AGREEMENT WITH THE ILLINOIS EMERGENCY MANAGEMENT AGENCY. Motion declared carried as approved unanimously under Consent Agenda.

Resolution
R-51-22

**APPROVE TASK
ORD NO 1/ PROF
ENGR SVCS/
AECOM TECH
SVCS**

Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-52-22, A RESOLUTION APPROVING TASK ORDER NO. 1 WITH AECOM TECHNICAL SERVICES, INC. FOR PROFESSIONAL ENGINEERING SERVICES. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-52-22**

**AMD SEC 6-2-6-1 &
6-2-6-2/ CITY CODE/
CANNABIS**

Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve first reading of Ordinance M-8-22, AN ORDINANCE AMENDING SECTIONS 6-2-6-1 AND 6-2-6-2 OF THE DES PLAINES CITY CODE REGARDING CANNABIS. Motion declared carried as approved unanimously under Consent Agenda.

**Ordinance
M-8-22**

**SECOND READING/
ORDINANCE
M-6-22**

Consent Agenda

Moved by Brookman, seconded by Zadrozny to Approve Ordinance M-6-22, AN ORDINANCE MAKING APPROPRIATIONS TO DEFRAY THE EXPENSES OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS FOR MUNICIPAL PURPOSES DESIGNATED AS THE "ANNUAL APPROPRIATION ORDINANCE" FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE
MINUTES**
Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve the Minutes of the City Council meeting of February 22, 2022, as published. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE
MINUTES**
Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve the Closed Session Minutes of the City Council meeting of February 22, 2022, as published. Motion declared carried as approved unanimously under Consent Agenda.

NEW BUSINESS

FINANCE & ADMINISTRATION – Alderman Zadrozny, Chair

**WARRANT
REGISTER**

**Resolution
R-53-22**

Alderman Zadrozny presented the Warrant Register.

Moved by Zadrozny, seconded by Brookman, to Approve the Warrant Register of March 7, 2022 in the Amount of \$3,047,860.36 and Approve Resolution R-53-22.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

**CONSIDER
AMENDING CITY
CODE REGARDING
THE REAL ESTATE
TRANSFER TAX**
**Ordinance
M-7-22**

Assistant City Manager/Director of Finance Wisniewski reviewed a memorandum dated February 23, 2022.

The City of Des Plaines has a tax on transfer of title on real estate or transfer of beneficial interest in real estate located within the corporate limits of the City. The rate is \$2 per \$1,000 of the selling price and is paid by the seller. All proceeds of the tax are deposited into the City's General Fund to help pay for the City's day-to-day operations.

The real estate transfer tax ordinance was last updated on October 7, 2013 and as such some of the language is currently out of date. The substantive amendments are summarized below.

- 15-7-7 Exemptions
 - Added an exemption for transactions involving deeds issued to holder of a mortgage pursuant to a mortgage foreclosure proceeding or pursuant to a transfer in lieu of foreclosure. Including this exemption is consistent with neighboring communities and the Illinois Real Estate Transfer Tax Law, 35 ILCS 200.
- 15-7-8 Issuance of Real Estate Transfer Tax Stamps or Exemption Mark
 - Clarified that no transfer tax stamp will be issued or exemption approved unless the applicant first pays in full (i) a final utility bill for any delinquent charges and penalties for the provision of water, refuse collection, storm sewer, and sanitary sewer services, including facility charges and capital fees, and (ii) any unpaid liens, judgments, or other sums due and owing to the City.
 - Added wording to state that each tax stamp is nontransferable and unused stamps must be returned to the City.
- 15-7-12 Civil Liability for Tax
 - Clarified tax amount for consistency with the City code.
- 15-7-13 Real Estate Transfer Tax Refunds; Return of Unused Stamps
 - Simplified the requirements for a refund to be issued by clarifying that the taxpayer may have purchased as their principal residence another dwelling within the corporate limits of the City either within one year after or before the date the transfer tax was paid.
 - Added that the City must be notified of all failed sales for which a tax stamp had been issued and the timeline of when stamps must be returned to be eligible for a full tax refund.
- 15-7-16 Inspection of Nonowner Occupied Property Prior to Sale or Transfer; Order of Compliance
 - Reduced the number of days an inspection will be completed from within 21 days to within 10 business days.
- 15-7-17 Penalty for Violation
 - Added new section to clarify penalty amount for consistency with the City code.

Staff recommends that the City Council adopt the amendments to Chapter 7 “Real Estate Transfer Tax” of Title 15 of the City Code as set forth in the Ordinance.

Moved by Zadrozny, seconded by Smith, to Approve first reading of Ordinance M-7-22, AN ORDINANCE AMENDING THE CITY OF DES PLAINES CITY CODE REGARDING THE REAL ESTATE TRANSFER TAX.

Upon voice vote, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

Advanced to second reading by Zadrozny, seconded by Brookman, to Adopt Ordinance M-7-22, AN ORDINANCE AMENDING THE CITY OF DES PLAINES CITY CODE REGARDING THE REAL ESTATE TRANSFER TAX.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

COMMUNITY DEVELOPMENT- Alderman Chester, Chair**CONSIDER
APPROVING A
FINAL PLAT OF
SUBDIVISION AND
VARIATIONS
FROM THE
SUBDIVISION
REGULATIONS AT
2805-2845
MANNHEIM RD
Resolution
R-54-22**

Director of Community and Economic Development Carlisle reviewed a memorandum dated February 24, 2022.

Petitioner GW Properties requested a Final Plat of Subdivision under Section 13-2-8 of the Subdivision Regulations to allow a commercial development with two billboards, one existing and one new.

GW Mannheim Pratt LLC and 1828 Foster LLC (both managed by developer and petitioner GW Properties), as well as billboard company Image Des Plaines LLC, are owners of the approximately 4-acre site at the southeast corner of Mannheim Road and Pratt Avenue, roughly bordered by the Canadian National rail line on the east and I-90/Tollway on the south. Aside from an existing billboard in the southwest corner, the site is currently vacant. The petitioner proposes a full redevelopment with the following elements:

- The existing billboard;
- A 5,000-square-foot building, currently envisioned as a Class A restaurant;
- An 11,000-square-foot multi-tenant commercial building (shopping center) containing a mix of restaurants and retail;
- 207 surface parking spaces, including seven mobility impaired accessible spaces;
- A 19,000-square-foot above-ground basin for stormwater; and
- A new electronic message board billboard, with an access drive in the southeast corner of the site (a separate application [Case 21-042-TA-V] was filed and approved on December 6, 2021 via Ordinances Z-52-21 and Z-53- 21)

The Final Engineering drawings submitted as part of this application are based on a slightly different site plan than that approved by Ordinance Z-51-21. The changes are (a) an 11,000-square-foot multi-tenant building instead of a 10,500- square-foot one; and (b) 207 total parking spaces instead of 212. Section 7 of the approving ordinance allows the Director of Community and Economic Development to approve minor changes and site work in accordance with applicable City codes, ordinances, and standards. These two changes do not affect the basis of the PZB's recommendation or the City Council's approval of major variation for number of principal buildings (two buildings are approved). Further, the estimated required parking for a Class A restaurant (50 spaces, based on estimated 4,000 square feet of net area and 30 employees) and a shopping center (33 spaces for 11,000 square feet of gross floor area) would amount to 83 spaces. The 207 proposed far exceed the minimum requirements. The arrangement of buildings and parking follow the same layout and circulation pattern as the original. Therefore, based on Director approval of these minor changes, the petitioner has designed the final submittal accordingly.

The Final Plat of Subdivision shows the land being delineated into four lots of record:

- Lot 1 (northernmost): standalone restaurant with parking;
- Lot 2: multi-tenant restaurant-retail development with parking and the stormwater basin;
- Lot 3: existing billboard to remain; and
- Lot 4: new billboard

Lot 3 will not meet the minimum 125-foot lot depth set forth by Section 13-2-5.R of the Subdivision Regulations (proposed at 58.65 feet), and Lot 4 will not front on a dedicated public street, required by Section 13-2-5.V. Note that the C-3 zoning district does not have a minimum lot area or depth, nor does it require lots to front on a public street. Therefore, the variations required are strictly from the Subdivision Regulations, not from the Zoning Ordinance.

Public Works and Engineering (PWE) is requiring the existing public sanitary sewer connection that utilizes the site to be maintained via an easement, which is indicated on the Final Plat. Other on-site, underground public infrastructure may be abandoned and removed, as the previous Alger Street and Railroad Avenue were vacated years. In addition, public improvements are required by the City Engineer per 13-2-4 of the Subdivision Regulations. The petitioner collaborated with PWE to establish an agreed-upon list and cost estimates. In summary, key improvements (a) reconstructing the sanitary sewer, (b) replacing the water main in the Mannheim Road right-of-way, (c) reconstructing a widened sidewalk (multiuse side path) in the Pratt Avenue right-of-way, and (d) reconstructing curbs and gutters as necessary. Prior to recording the approved final plat, the petitioner will be required to post a performance security based on the cost estimates agreed to by the City Engineer for the completion of the public improvements.

The PZB recommended (7-0) that the City Council approve the request as presented, including subdivision variations for lot depth (Lot 3) and not fronting a public street (Lot 4). The recommendation includes one condition.

If the City Council chooses to approve these requests via Resolution R-54-22, staff and the PZB recommend the following condition:

1. Prior to signatures and recording, all easement and drawing language and labels on the Final Plat of Subdivision and Final Engineering drawings shall be clear and aligned with the site plan.

Alderman Smith questioned the requirement of footings to be included, and questioned if the petitioner has letters of intents from the businesses; she believes the City is getting lax on verification.

Mitch Goltz, representative from GW Properties, stated they have signed leases from five users for the site - Outback Steakhouse, First Watch Café, Five Guys Burgers, Tropical Smoothie Café, and Sleep Number.

Moved by Chester, seconded by Brookman, to Approve Resolution R-54-22, A RESOLUTION APPROVING A FINAL PLAT OF SUBDIVISION AND VARIATIONS FROM THE SUBDIVISION REGULATIONS FOR THE SUBDIVISION LOCATED AT 2805-2845 MANNHEIM ROAD, DES PLAINES, ILLINOIS.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

CLOSED SESSION

Mayor Goczowski stated the City Council will go back into Closed Session to finish discussion.

Moved by Brookman, seconded by Oskerka to enter into Closed Session under the following sections of the Open Meetings Act – Collective Bargaining, Personnel, Purchase of Property, Sale of Property, and Probable or Imminent Litigation.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared unanimously carried.

The City Council recessed at 7:56 p.m.

The City Council adjourned at 8:47 p.m.

ADJOURNMENT

The meeting adjourned at 8:47 p.m.

Jessica M. Mastalski – City Clerk

APPROVED BY ME THIS _____

DAY OF _____, 2022

Andrew Goczkowski, MAYOR



FINANCE DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5300
desplaines.org

MEMORANDUM

Date: March 9, 2022
To: Michael G. Bartholomew, City Manager
From: Dorothy Wisniewski, Assistant City Manager/Director of Finance
Subject: Resolution R-63-22, March 21, 2022 Warrant Register

A handwritten signature in blue ink, appearing to be 'D.W.', is located to the right of the 'To:' and 'From:' lines.

Recommendation: I recommend that the City Council approve the March 21, 2022 Warrant Register Resolution R-63-22.

Warrant Register.....\$3,492,942.40

Estimated General Fund Balance

Balance as of 01/31/2022: \$25,747,383

Please use caution when evaluating this number as revenues fluctuate dramatically from month to month due to delays in receiving sales tax revenue from the State and 1st & 2nd installments of property tax revenue.

CITY OF DES PLAINES

RESOLUTION

R-63-22

Be it resolved by the City Council of the City of Des Plaines that the following bills are due and payable and that the Mayor and City Clerk be and are hereby authorized to make payment for same.

March 21, 2022

City of Des Plaines

Warrant Register 03/21/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount
Fund: 100 - General Fund					
Elected Office					
Division: 110 - Legislative					
1	6000	Professional Services	8453 Raucci & Sullivan Strategies LLC	3563 Lobbyist Services - February 2022 - R-131-21	5,000.00
2	6015	Communication Services	1552 Verizon Wireless	9899500153 Communications Services 01/14-02/13/2022	433.30
Total 110 - Legislative					5,433.30

Division: 120 - City Clerk					
3	6015	Communication Services	1552 Verizon Wireless	9899500153 Communications Services 01/14-02/13/2022	42.33
4	6100	Publication of Notices	1050 Journal & Topics Newspapers	187397 Legal Notice - 2022 Asphalt Crack Sealing 02/23/2022	86.55
5	6100	Publication of Notices	1050 Journal & Topics Newspapers	187398 Legal Notice - Multi-Year Holiday Decorating 02/23/2022	86.55
6	6100	Publication of Notices	1069 Paddock Publications Inc	207961 Legal Notice - RFQ Health Inspections 02/11/2022	37.80
Total 120 - City Clerk					253.23

Total 10 - Elected Office					5,686.53
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City Administration					
Division: 210 - City Manager					
7	6009	Legal Fees - Admin Hearings/Prosecutions	1735 Cohen Law Firm PC	01-22 Administrative Hearings January 2022	900.00
8	6009	Legal Fees - Admin Hearings/Prosecutions	1735 Cohen Law Firm PC	02-22 Administrative Hearings February 2022	900.00
9	6009	Legal Fees - Admin Hearings/Prosecutions	1073 Bartel, Raymond	22-04 Administrative Hearings/Traffic Court February 14-17, 2022	970.00
10	6015	Communication Services	1552 Verizon Wireless	9899500153 Communications Services 01/14-02/13/2022	42.33
Total 210 - City Manager					2,812.33

Division: 230 - Information Technology					
11	6015	Communication Services	1552 Verizon Wireless	9899500153 Communications Services 01/14-02/13/2022	297.39
12	6300	R&M Software	5934 Tyler Technologies Inc	045-361316 Executime Maintenance 1/1/22 - 12/31/22	11,198.25
13	7005	Printer Supplies	1820 Datasource Ink	22202 8 Toner Cartridges for Various City Printers	1,200.00
14	7320	Equipment < \$5,000	1026 CDW LLC	S325487 Video Insight Camera	153.21
Total 230 - Information Technology					12,848.85

Division: 240 - Media Services					
15	6015	Communication Services	1552 Verizon Wireless	9899500153 Communications Services 01/14-02/13/2022	205.33
16	6195	Miscellaneous Contractual Services	6078 Accela Incorporated	INV-ACC55329 DP 311 Annual Subscription 4/1/2022-3/31/2023	8,896.02
17	7000	Office Supplies	1644 Warehouse Direct Inc	5140469-0 1 Pair of Scissors	9.67
18	7550	Miscellaneous Expenses	8421 Allegra Marketing Print & Mail	193773 5th Floor Wall Decal & Logo	520.00
19	7550	Miscellaneous Expenses	8421 Allegra Marketing Print & Mail	194010 Decals for Council Chambers & Room 101	87.00
Total 240 - Media Services					9,718.02

City of Des Plaines

Warrant Register 03/21/2022

Line #	Account		Vendor	Invoice	Invoice Description	Amount
Division: 250 - Human Resources						
20	5340	Pre-Employment Testing	8533 Justifacts Credential Verification	345766	2 Pre-Employment Background Screenings 2/1 - 2/10/2022	320.98
21	5340	Pre-Employment Testing	1320 IL State Police	Cost 01755-01/22	Fingerprint Background Check Services Jan 2022	56.50
22	5345	Post-Employment Testing	7133 Mid-West Truckers Association Inc	400	Post Employment Testing 01/27/2022	85.00
23	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	42.33
24	6100	Publication of Notices	1485 ILCMA - IL City/County Management Assoc	3393	Job Ad for Communications and Event Assistant 2/22 - 3/4/2022	50.00
25	6100	Publication of Notices	1485 ILCMA - IL City/County Management Assoc	3397	Job Ad for Civil Engineer 2/23 - 3/31/2022	50.00
Total 250 - Human Resources						604.81

Total 20 - City Administration	25,984.01
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Department: 30 - Finance						
26	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	99.50
27	6110	Printing Services	1233 Press Tech Inc	48912	2022 Budget Books 02/22/2022 - Qty 40	1,757.00
28	6110	Printing Services	1233 Press Tech Inc	49061	2K #10 Window Envelopes 02/28/2022	359.00
29	7000	Office Supplies	1644 Warehouse Direct Inc	5184087-0	2 Cartons of Copy Paper & 1 Pack of Finger Grips	109.99
Total 30 - Finance						2,325.49

Community Development						
Division: 410 - Building & Code Enforcement						
30	5310	Membership Dues	1214 Suburban Building Officials Conference	2022 Dues	2022 Membership Renewal - Bldg Official	75.00
31	6000	Professional Services	6315 B&F Construction Code Services Inc	15582	Inspection Report 01/01/2022 - 01/31/2022	3,253.00
32	6000	Professional Services	6315 B&F Construction Code Services Inc	58361	Plan Review 02/16/2022 Project# 1125163	895.50
33	6000	Professional Services	6315 B&F Construction Code Services Inc	58414	Plan Review 2/25/2022 Project # 125114	1,284.00
34	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	554.70
35	6025	Administrative Services	7961 BridgePay Network Solutions LLC	9563	Utility Web & Business License Transaction Fee for Feb 2022	18.20
36	7000	Office Supplies	1644 Warehouse Direct Inc	5179191-0	1 Calendar, 2 Doz Pens, 2 Bus Card Holders, 2 Box of Paper	473.12
37	7320	Equipment < \$5,000	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	414.95
Total 410 - Building & Code Enforcement						6,968.47

Division: 420 - Planning & Zoning						
38	6000	Professional Services	4997 JMS Appraisal Group Inc	2012501	Appraisal 01/25/2022 - 1670 Prospect Ave	600.00
39	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	68.34
40	6100	Publication of Notices	1050 Journal & Topics Newspapers	187357	Public Hearing Legal Notice 02/16/2022	86.55
Total 420 - Planning & Zoning						754.89

City of Des Plaines

Warrant Register 03/21/2022

Line #	Account		Vendor	Invoice	Invoice Description	Amount
Division: 430 - Economic Development						
41	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	32.33
Total 430 - Economic Development						32.33

Total 40 - Community Development					7,755.69
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Public Works & Engineering						
Division: 100 - Administration						
42	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	99.46
43	6300	R&M Software	6055 Axiom Human Resource Solutions Inc	0000043102	Kronos User Fee - January 2022	176.00
Total 100 - Administration						275.46

Division: 510 - Engineering						
44	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	246.34
Total 510 - Engineering						246.34

Division: 520 - Geographic Information Systems						
45	6195	Miscellaneous Contractual Services	1060 Municipal GIS Partners Inc	6064	R-26-22 Geographic Information System Support 01/01-1/31/2022	17,853.83
Total 520 - Geographic Information Systems						17,853.83

Division: 530 - Street Maintenance						
46	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	397.72
47	6115	Licensing/Titles	7213 Bueser, Thomas V	Reimb 02/11/2022	CDL License - Superintendent - 02/11/2022 - Exp 04/21/2026	30.00
48	6170	Tree Maintenance	6555 Landscape Concepts Management Inc	15798	782 Trees Trimmed - 02/11/2022	38,027.30
49	6195	Miscellaneous Contractual Services	7050 DGO Premium Services Company	210144	Sidewalk Snow Removal - 02/17/2022 4:15 -8:20 AM	1,900.00
50	6195	Miscellaneous Contractual Services	7050 DGO Premium Services Company	210145	Sidewalk Snow Removal - 02/17/2022 7:00-11:00 PM	3,800.00
51	6195	Miscellaneous Contractual Services	7050 DGO Premium Services Company	210146	Sidewalk Snow Removal - 02/22/2022 4:15-8:20 am	1,900.00
52	6195	Miscellaneous Contractual Services	7050 DGO Premium Services Company	210147	Sidewalk Snow Removal - 02/24/2022 4:35-9:25 pm	1,900.00
53	6195	Miscellaneous Contractual Services	7050 DGO Premium Services Company	210148	Sidewalk Snow Removal - 02/25/2022 4:30-9:30 pm	3,800.00
54	6195	Miscellaneous Contractual Services	2016 Signarama	42726	100 No Parking Signs 02/10/2022 - Special Events	747.32
55	6195	Miscellaneous Contractual Services	2615 Four Seasons Decor Inc	5689	Additional Mini Light Strand Sets 12/01/2021	6,288.00
56	6195	Miscellaneous Contractual Services	2615 Four Seasons Decor Inc	5701	2021 Oakton/River Holiday Decoration Install/Removal 12/8/2021	5,980.00
57	7030	Supplies - Tools & Hardware	1520 Russo Power Equipment	SP10978769	Sprayer & Blades	215.95
58	7035	Supplies - Equipment R&M	1018 Anderson Lock Company LTD	1086452	6 Toolbox Keys Cut - PW 5118	40.92
59	7055	Supplies - Street R&M	1057 Menard Incorporated	92901	Sign Mounting Hardware	39.50
60	7200	Other Supplies	1057 Menard Incorporated	94365	Mailbox Repair Parts from Snow Plow Damage	58.40

City of Des Plaines

Warrant Register 03/21/2022

Line #	Account		Vendor	Invoice	Invoice Description	Amount
61	7320	Equipment < \$5,000	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	414.95
Total 530 - Street Maintenance						65,540.06

Division: 535 - Facilities & Grounds Maintenance

62	6000	Professional Services	7619 Henneman Engineering Inc	78396	HVAC Replacement - City Hall - 01/01-01/31/2022, R-180-19	1,088.00
63	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	159.20
64	6145	Custodial Services	8073 Crystal Maintenance Services Corporation	30036	Custodial Services - March 2022	8,240.00
65	6195	Miscellaneous Contractual Services	1029 Cintas Corporation	4110921098	Mat Service - Metra Train Station - 02/16/2022	35.00
66	6195	Miscellaneous Contractual Services	1029 Cintas Corporation	4111600249	Mat Service - Metra Train Station - 02/23/2022	35.00
67	6195	Miscellaneous Contractual Services	1029 Cintas Corporation	4111600271	Mat Service - Police Station - 02/23/2022	122.24
68	6315	R&M Buildings & Structures	1025 Bedco Inc	097679	Service Contract - February 2022	637.50
69	6315	R&M Buildings & Structures	1025 Bedco Inc	097679	Service Contract - February 2022	637.50
70	6315	R&M Buildings & Structures	5399 Beary Landscape Management	216987	Paver Repair - Library Plaza - 02/14/2022	770.00
71	6315	R&M Buildings & Structures	1237 Pro-Line Door Systems Inc	92369	Overhead Door Repair - PW - 02/16/2022	1,015.80
72	6315	R&M Buildings & Structures	1237 Pro-Line Door Systems Inc	92377	Overhead Door Repair - Fire Station #62 - 02/18/2022	818.61
73	6315	R&M Buildings & Structures	1525 Hastings Air-Energy Control Inc	193036	Motor Wheel Install 02/16/2022 - Fire Station #62	1,813.95
74	6325	R&M Street Lights	1044 H&H Electric Co	38397	Streetlight Repairs - 01/04/2022	562.06
75	6325	R&M Street Lights	1044 H&H Electric Co	38398	Streetlight Repairs - 01/18/2022	1,676.81
76	6325	R&M Street Lights	1044 H&H Electric Co	38399	Locate Streetlight Cables - 01/25/2022	458.42
77	6325	R&M Street Lights	1044 H&H Electric Co	38400	Streetlight Repairs - 01/26/2022	795.20
78	6325	R&M Street Lights	1044 H&H Electric Co	38401	Streetlight Repair - River Road - 02/01/2022	934.63
79	6325	R&M Street Lights	1044 H&H Electric Co	38403	Streetlight Repair - PW Yard - 01/03/2022	1,167.81
80	7025	Supplies - Custodial	1029 Cintas Corporation	4110921100	Cleaners, Paper Towels, Soap, Mat, & Scrubs - PW	143.87
81	7025	Supplies - Custodial	1029 Cintas Corporation	4111600355	Cleaners, Paper Towels, Soap, Mat, & Scrubs - PW	165.05
82	7025	Supplies - Custodial	1028 Case Lots Inc	9854	Paper Towels, & Toilet Tissue - City Hall	1,616.10
83	7025	Supplies - Custodial	1028 Case Lots Inc	9855	Can Liners - City Hall	958.80
84	7025	Supplies - Custodial	1028 Case Lots Inc	9856	Hot Cups & Lids - City Hall	288.45
85	7045	Supplies - Building R&M	1047 Home Depot Credit Svcs	0452714	Plumbing Supplies - PW Crew Leader Office	51.57
86	7045	Supplies - Building R&M	4177 Uline Inc	144940579	9 Mirrors - City Hall	863.35
87	7045	Supplies - Building R&M	1047 Home Depot Credit Svcs	3520894	Air Movers - City Hall	621.30
88	7045	Supplies - Building R&M	1540 Reinke Interior Supply Company Inc	60047743	Ceiling Grid - PW	1,004.16
89	7045	Supplies - Building R&M	1047 Home Depot Credit Svcs	8452673	Adapter & Fittings - PW Crew Leader Office	22.17
90	7045	Supplies - Building R&M	1057 Menard Incorporated	92916	Cut-Off Wheels for Repairs at FS 61	22.54

City of Des Plaines

Warrant Register 03/21/2022

Line #	Account		Vendor	Invoice	Invoice Description	Amount
91	7045	Supplies - Building R&M	1057 Menard Incorporated	93901	J-Beads, Foil Tape, Joint Tape, Etc. - PW Crew Leader Office	111.13
92	7045	Supplies - Building R&M	1057 Menard Incorporated	93912	Elbows, Strut Clamps, & Press Tee - PW Crew Leader Office	57.86
93	7045	Supplies - Building R&M	1057 Menard Incorporated	93938	Joint Tape, Brush, Corner Trowel - PW Crew Leader Office	34.44
94	7045	Supplies - Building R&M	1057 Menard Incorporated	93940	Elbow & Press Reducer - PW Crew Leaders	6.04
95	7045	Supplies - Building R&M	1057 Menard Incorporated	94027	Push Switch - Police Station	4.49
96	7045	Supplies - Building R&M	2313 City Electric Supply Company (CES)	DEP/001720CR	PW Batteries Returned	(62.12)
97	7045	Supplies - Building R&M	2313 City Electric Supply Company (CES)	DEP/055318	Hardware Supplies to Hang TV in Chambers - City Hall	56.72
98	7045	Supplies - Building R&M	1525 Hastings Air-Energy Control Inc	I93037	Plymovent Motor - Fire Station #62	1,468.10
99	7045	Supplies - Building R&M	5969 Security Equipment Supply Inc	P53559	Supplies for Door Key Card System - City Hall	826.63
100	7045	Supplies - Building R&M	5969 Security Equipment Supply Inc	P53929	Door Controller Cabinets/Parts City Hall	4,033.18
101	7045	Supplies - Building R&M	2313 City Electric Supply Company (CES)	S06F93	Paid Credit 001720 in Error	(62.12)
102	7045	Supplies - Building R&M	1520 Russo Power Equipment	SPI10978764	Salt Spreader - Fire Station #61	279.99
103	7140	Electricity	1033 ComEd	0459113083-0122A	Electricity Service 12/13/2021-01/14/2022	13,184.25
104	7140	Electricity	1033 ComEd	2685017085-02/22	Electricity Service 01/06-02/07/2022	224.47
105	7140	Electricity	1033 ComEd	4974385007-02/22	Electricity Service 01/11-02/10/2022	24.12
106	7140	Electricity	1033 ComEd	4974507003-02/22	Electricity Service 01/06-02/07/2022	559.67
107	7140	Electricity	1033 ComEd	5058680019-02/22	Electricity Service 01/06-02/07/2022	59.87
108	7140	Electricity	1033 ComEd	5058681016-02/22	Electricity Service 01/06-02/07/2022	33.93
109	7140	Electricity	1033 ComEd	5310666002-02/22	Electricity Service 01/06-02/07/2022	1,345.06
Total 535 - Facilities & Grounds Maintenance						48,910.80

Division: 540 - Vehicle Maintenance						
110	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	113.19
111	6040	Waste Hauling & Debris Removal	8076 Excel Oil Service	E0014089	225 Gals Oil Recycled - 02/18/2022	75.00
112	6135	Rentals	1029 Cintas Corporation	4110852340	Mechanic's Uniform Rental - 02/16/2022	158.65
113	6135	Rentals	1029 Cintas Corporation	4111575444	Mechanic's Uniform Rental - 02/23/2022	153.13
114	6195	Miscellaneous Contractual Services	8481 Linde Gas & Equipment Inc	69023764	Cylinder Rental - PW Stock - 01/20-02/20/2022	795.88
115	6310	R&M Vehicles	2168 Petroleum Technologies Equipment, Inc	30458	Sensor Alarm Repair - 5PW3 - 02/10/2022	493.00
116	6310	R&M Vehicles	1643 Golf Mill Ford	853636	Engine Repair, Exhaust, Rear Camera - Police 6095 - 02/23/2022	886.13
117	6310	R&M Vehicles	1154 West Side Tractor Sales	L88169	4000 HR Service - PW 5005 - 01/07/2022	4,705.97
118	7030	Supplies - Tools & Hardware	1047 Home Depot Credit Svcs	8072183	2 Saw Blades	69.94

City of Des Plaines

Warrant Register 03/21/2022

Line #	Account		Vendor	Invoice	Invoice Description	Amount
119	7035	Supplies - Equipment R&M	1564 EJ Equipment Inc	P34768	Mirror & Brackets - PW 5097	278.38
120	7035	Supplies - Equipment R&M	1154 West Side Tractor Sales	W97928	Core Return - PW 5097	(75.00)
121	7040	Supplies - Vehicle R&M	1643 Golf Mill Ford	Ford Rebate 2021	Ford Rebate Given for Purchases 07/01-12/31/2021	(1,372.00)
122	7040	Supplies - Vehicle R&M	1673 Chicago Parts & Sound LLC	1-0257769	Spark Plugs, Ignition Coils, Filters, & Rotors - Police Stock	986.17
123	7040	Supplies - Vehicle R&M	1673 Chicago Parts & Sound LLC	1-0259833	Transmission Fluid, Spark Plugs, & Air Filters - Police Stock	222.04
124	7040	Supplies - Vehicle R&M	6244 Valvoline LLC	133476813	Grease, Gear Oil, & Windshield Washer Fluid	342.56
125	7040	Supplies - Vehicle R&M	2028 Northwest Electrical Supply	17526267	12 Plugs - Fire 7522	5.22
126	7040	Supplies - Vehicle R&M	2942 Myers Tire Supply	21202494	Valve Stems & Tire Patches - PW Stock	240.61
127	7040	Supplies - Vehicle R&M	1354 MPC Communications & Lighting Inc	22-1055	LED Lights - Fire 7504	278.50
128	7040	Supplies - Vehicle R&M	1345 Lindco Equipment Sales Inc	220259P	Root Plow Bolt - PW Stock	84.79
129	7040	Supplies - Vehicle R&M	5573 Henderson Products Inc	350581	Chloride Pump - PW 5109	596.89
130	7040	Supplies - Vehicle R&M	1643 Golf Mill Ford	521868P	4 Wheels & 4 Sensors - Police Stock	2,216.72
131	7040	Supplies - Vehicle R&M	1643 Golf Mill Ford	522315P	2 Sensors - Police 6084	151.86
132	7040	Supplies - Vehicle R&M	1643 Golf Mill Ford	522678P	Tube Assembly & 2 Gaskets - Police 6070	290.22
133	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	818742	Paint - Fire 7522	35.56
134	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	819960	Serpentine Belt - PW 5044	31.77
135	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	820440	Filters & Lights - PW Stock	71.16
136	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	820782	Brake Pads, Brake Rotors, Wheel Seals - PW 5074	396.78
137	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	820783	Brake Pads, Rotors, & Seals - PW 5095	1,134.46
138	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	820817	2 Wheel Seals - PW 5074	91.22
139	7040	Supplies - Vehicle R&M	8104 MacQueen Emergency Group	P13431	8 Rocker Switches - Fire 7522	137.25
140	7040	Supplies - Vehicle R&M	8104 MacQueen Emergency Group	P13434	Clamps & Gaskets - Fire 7603	155.19
141	7040	Supplies - Vehicle R&M	5035 Northwest Trucks Inc	X101047345:01 CR	Returned Stabilizer - Fire 7706	(668.40)
142	7040	Supplies - Vehicle R&M	5035 Northwest Trucks Inc	X101057097:01	Quick Release Valve - Fire 7706	22.05
143	7040	Supplies - Vehicle R&M	5035 Northwest Trucks Inc	X101057770:01	Instrument Cluster - Fire 7702	492.22
144	7040	Supplies - Vehicle R&M	5035 Northwest Trucks Inc	X101059125:01	Antifreeze - Fire Stock	311.58
145	7040	Supplies - Vehicle R&M	5035 Northwest Trucks Inc	X101061982:01	Coolant & Leveling Rods - PW Stock	205.26
146	7120	Gasoline	8331 Avalon Petroleum Company Inc	576901	4,102 Gals Unleaded Gasoline - 02/18/2022, R-163-20	9,397.15
147	7130	Diesel	8331 Avalon Petroleum Company Inc	029514	2,801 Gals Bio Diesel Fuel- 02/18/2022, R-163-20	8,023.01
148	7320	Equipment < \$5,000	1043 WW Grainger Inc	9217673608	Tire Service Kit	470.13

City of Des Plaines

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Line #	Account		Vendor	Invoice	Invoice Description	Amount
149	8015	Equipment	1941 Global Equipment Company	118628983	Gantry Crane	4,406.00
Total 540 - Vehicle Maintenance						36,410.24

Total 50 - Public Works & Engineering	169,236.73
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Police Department						
Division: 100 - Administration						
150	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	179.32
Total 100 - Administration						179.32

Division: 610 - Uniformed Patrol						
151	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	1,848.45
152	7200	Other Supplies	2509 Lynn Peavey Co	387180	2 Boxes of Cotton Swabs	121.32
153	7300	Uniforms	1489 JG Uniforms Inc	95190	Uniforms for New Officer	1,284.35
154	7300	Uniforms	1489 JG Uniforms Inc	95191	Uniforms for New Officer	1,306.30
155	7300	Uniforms	1489 JG Uniforms Inc	95192	Uniforms for New Officer	821.95
156	7300	Uniforms	1489 JG Uniforms Inc	95193	Uniforms for New Officer	1,335.45
157	7300	Uniforms	1489 JG Uniforms Inc	95195	Uniforms for New Officer	768.20
158	7300	Uniforms	1489 JG Uniforms Inc	95196	Uniforms for New Officer	947.95
Total 610 - Uniformed Patrol						8,433.97

Division: 620 - Criminal Investigation						
159	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	890.21
160	7320	Equipment < \$5,000	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	837.40
Total 620 - Criminal Investigation						1,727.61

Division: 630 - Support Services						
161	6015	Communication Services	8484 PTS Communications Inc	2082561	3 Public Pay Phones Monthly Fee 3/1-3/31/2022	228.00
162	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	423.58
163	6110	Printing Services	1284 DocuMentors Inc	1511	DP Police General Info Handbook 2022 (125) 02/16/2022	992.00
164	6110	Printing Services	1233 Press Tech Inc	49062	1 Box of Business Cards 02/22/2022	25.00
165	7000	Office Supplies	1644 Warehouse Direct Inc	5177356-0	Paper, Correction Tape, Batteries, Legal Pads, Notes	408.72
166	7200	Other Supplies	1580 Mighty Mites Awards Inc	16301	Retirement Plaques (16 Auxiliary Officers)	2,495.80
167	7310	Publications	3366 Law Enforcement Training LLC	02/17/2022	IL. Officers Legal Source Books (2)	220.00
Total 630 - Support Services						4,793.10

Total 60 - Police Department	15,134.00
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Fire Department						
Division: 100 - Administration						
168	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	253.98
Total 100 - Administration						253.98

Division: 710 - Emergency Services						
169	5330	In-Service Training	8334 ImageTrend Inc.	133306	EMS System Costs 2022 Annual Fee	2,500.00

City of Des Plaines

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Line #	Account		Vendor	Invoice	Invoice Description	Amount
170	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	912.10
171	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	756.29
172	6035	Dispatch Services	5067 Regional Emergency Dispatch Center	164-22-03	R-141-13 Monthly Dispatch Service March 2022	66,642.00
173	6195	Miscellaneous Contractual Services	7779 FNX Coyote LLC	20220117A	Axe Plate Engraving - 01/17/22 - Paramedic	35.00
174	6300	R&M Software	7255 ESO Solutions Inc	ESO-72784	CAD Integration, Inspec. Incidents, Scheduling, Etc. 1/1-3/31/22	3,390.60
175	6305	R&M Equipment	1519 Sensit Technologies	0322292-IN	Meter Sensor Repair and Pump Replacement-02/04/22	996.70
176	6305	R&M Equipment	1080 Air One Equipment Inc	177683	64 Air Mask Flowtests, 28 Facepieces Prochecked - 02/11/22	4,603.74
177	6305	R&M Equipment	2970 Action Fire Equipment Inc	83691	Pyro-Chem System Service, 360 Degree Link-02/23/22-Station 63	160.00
178	7025	Supplies - Custodial	8019 Ferguson Facilities	0420553	12 Gallons Bleach, 24 Disinf. Sprays, 10 Bi-Fold Towels, Etc.	1,302.50
179	7025	Supplies - Custodial	8019 Ferguson Facilities	0420569	Wavebrake Mop	229.00
180	7200	Other Supplies	3610 Emergency Medical Products Inc	2316947	4 Pulse Oximeters	2,089.96
181	7200	Other Supplies	3297 Bound Tree Medical LLC	84405212	72 Roll Pins for Toggle Kits	21.60
182	7320	Equipment < \$5,000	1148 WS Darley & Co	17454208	50 Each 1-3/4" Hoses	8,500.00
183	7320	Equipment < \$5,000	1148 WS Darley & Co	17455227	25 Escape Belts	3,750.00
184	7320	Equipment < \$5,000	1148 WS Darley & Co	17456476	25 Footman's Loops	142.21
185	7320	Equipment < \$5,000	1148 WS Darley & Co	17457218	14 Pairs of Gloves MD/LG, 30 Carbon X Hoods	2,305.02
186	7320	Equipment < \$5,000	1148 WS Darley & Co	17457532	Coat Tail (Turnout Gear) - Deputy Chief	1,566.93
187	7320	Equipment < \$5,000	1080 Air One Equipment Inc	176333P	3 Rubber Hoses, 10 All American Hoses, 2 Snap Tight Hoses	6,313.00
188	7320	Equipment < \$5,000	8572 Artemis Bio-Solutions LLC	5674	Handheld Sprayer, Replacement Tank, Wand, Cleaner Gallons	741.30
189	7320	Equipment < \$5,000	2452 Ecosolutions LLC	60121328	25 Hazmat Disposal Bags	120.35
190	7320	Equipment < \$5,000	1057 Menard Incorporated	94415	24 Floor Flanges, 25 Blk. Nipples, 6 Blk Elbows, Etc.-Sta 61	497.00
191	8000	Computer Software	8578 FlowMSP, Inc.	1707	Fire Call Pre-Planning Fire Software Lic Fee 02/14/22-02/14/23	5,800.00
Total 710 - Emergency Services						113,375.30

Division: 720 - Fire Prevention						
192	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	134.04
193	6110	Printing Services	1233 Press Tech Inc	49052	3 Boxes of Business Cards 02/22/22	75.00
Total 720 - Fire Prevention						209.04

Division: 730 - Emergency Management Agency						
194	6015	Communication Services	1936 DTN LLC	6085334	2022 Weather Billing and Support for EMA 03/08/22-04/07/22	401.00
195	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14- 02/13/2022	42.33
Total 730 - Emergency Management Agency						443.33

Total 70 - Fire Department						114,281.65
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Line #	Account	Vendor	Invoice	Invoice Description	Amount	
Department: 75 - Fire & Police Commission						
196	5340	Pre-Employment Testing	1483 Personnel Evaluation Inc	42976	Pep Billing 1/1 - 1/31/2022	120.00
Total 75 - Fire & Police Commission						120.00

Department: 90 - Overhead						
197	6015	Communication Services	8536 Peerless Network Inc	492294	Communications Services 02/15-03/14/2022	29,720.10
Total 90 - Overhead						29,720.10

Total 100 - General Fund					370,244.20
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Fund: 208 - TIF #8 Oakton						
198	6000	Professional Services	1398 Gremley & Biedermann	149927	2021 ALTA/NSPS Land Title Survey 12/30/021	2,750.00
Total 208 - TIF #8 Oakton						2,750.00

Fund: 230 - Motor Fuel Tax Fund						
199	7140	Electricity	1033 ComEd	0193753007-02/22	Electricity Service 01/11-02/10/2022	88.42
200	7140	Electricity	1033 ComEd	0237106099-02/22	Electricity Service 01/06-02/07/2022	442.56
201	7140	Electricity	1033 ComEd	0392121005-02/22	Electricity Service 01/06-02/07/2022	234.79
202	7140	Electricity	1033 ComEd	0445091056-02/22	Electricity Service 01/06-02/07/2022	464.02
203	7140	Electricity	1033 ComEd	0725000037-02/22	Electricity Service 01/07-02/08/2022	50.15
204	7140	Electricity	1033 ComEd	1273119011-02/22	Electricity Service 01/07-02/08/2022	4,394.53
205	7140	Electricity	1033 ComEd	1521117181-02/22	Electricity Service 01/06-02/07/2022	480.19
206	7140	Electricity	1033 ComEd	2493112068-02/22	Electricity Service 01/06-02/07/2022	48.73
207	7140	Electricity	1033 ComEd	2607132134-02/22	Electricity Service 01/05-02/04/2022	430.56
208	7140	Electricity	1033 ComEd	2644104014-02/22	Electricity Service 01/05-02/04/2022	400.15
209	7140	Electricity	1033 ComEd	2901166089-02/22	Electricity Service 01/06-02/07/2022	830.44
210	7140	Electricity	1033 ComEd	2943015087-02/22	Electricity Service 01/24-02/22/2022	16,217.69
211	7140	Electricity	1033 ComEd	3471079047-02/22	Electricity Service 01/06-02/07/2022	46.70
212	7140	Electricity	1033 ComEd	6045062008-02/22	Electricity Service 01/06-02/07/2022	139.80
Total 230 - Motor Fuel Tax Fund						24,268.73

Fund: 250 - Grant Projects Fund						
Program: 2520 - Capital Grants						
213	6000	Professional Services	1123 Christopher B Burke Engineering LTD	3	R-184-21 Task Order 7 Professional Eng Svcs 01/01-01/29/2022	4,518.98
Total 2520 - Capital Grants						4,518.98

Total 250 - Grant Projects Fund					4,518.98
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Fund: 260 - Asset Seizure Fund						
Program: 2610 - Customs						
214	7300	Uniforms	1265 NIPAS Northern Illinois Police Alarm Sys	14406	Mandatory Equipment/Uniforms for New NIPAS Officer	1,239.86

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Line #	Account	Vendor	Invoice	Invoice Description	Amount
215	7320	Equipment < \$5,000	1265 NIPAS Northern Illinois Police Alarm Sys	14406	Mandatory Equipment/Uniforms for New NIPAS Officer
Total 2610 - Customs					3,004.48

Program: 2620 - DEA					
216	7300	Uniforms	1164 Uniform Den East Inc	78065	Helix Brand Level II Ballistic Vests (3 New Officers)
217	7300	Uniforms	1164 Uniform Den East Inc	78355	(6) Helix Band Level II Ballistic Vests - Replacements
218	8010	Furniture & Fixtures	1941 Global Equipment Company	118708488	2 Heavy Duty Storage Cabinets
Total 2620 - DEA					10,216.00

Total 260 - Asset Seizure Fund					13,220.48
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Fund: 400 - Capital Projects Fund					
219	6000	Professional Services	7623 UrbanHydro Engineering Inc	174	R-214-21 Engr Svcs CRS Program Recertification 01/01-01/31/2022
220	6000	Professional Services	2436 Haeger Engineering LLC	88659	2022 Topographic Survey & Drafting-Washington St 01/21-02/08/22
221	6000	Professional Services	2436 Haeger Engineering LLC	88661	2022 Topo Survey & Draft-Oakton/Mannheim Alley 1/6-1/25/2022
222	6000	Professional Services	2436 Haeger Engineering LLC	88662	2022 Topo Survey & Drafting-Oakton/Hazel Alley 1/6-1/25/2022
223	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022
Total 400 - Capital Projects Fund					8,212.07

Fund: 420 - IT Replacement Fund					
224	6140	Leases	5109 Konica Minolta Premier Finance	5019057304	Konica Minolta Lease 03/21-04/20/2022
225	8005	Computer Hardware	6037 Southern Computer Warehouse Inc	INV00724222	30 Ubiquity Wireless Access Points
Total 420 - IT Replacement Fund					15,747.38

Fund: 430 - Facilities Replacement Fund					
226	6000	Professional Services	7661 FGM Architects Inc	22-3322.01-2	Renovation Design-Fire Station #61 - 01/01-01/28/2022, R-197-21
227	6315	R&M Buildings & Structures	8364 Super Electric Construction Company	41315	Civic Deck Camera/Security Device Installation 08/31/2021
228	6315	R&M Buildings & Structures	8364 Super Electric Construction Company	41316	Exterior Lighting for Civic Center Parking Deck 08/31/2021
229	6315	R&M Buildings & Structures	8364 Super Electric Construction Company	41319	Civic Deck Wireless Antenna/Access Point Install 08/31/2021
230	6315	R&M Buildings & Structures	8364 Super Electric Construction Company	41455	Civic Deck Additional Access Security Installation 10/31/2021
231	6315	R&M Buildings & Structures	8364 Super Electric Construction Company	41456	Additional Camera and Security Lower Level Civic Deck 10/31/2021
232	6315	R&M Buildings & Structures	8364 Super Electric Construction Company	41467	Civic Center/Metro Beacon Lights 10/31/2021
233	6315	R&M Buildings & Structures	8364 Super Electric Construction Company	41468	Additional Security Device Installation at Civic Deck 10/31/2021
234	6315	R&M Buildings & Structures	4583 Argon Electric Company, Inc	9546	Pullbox Install 2nd Floor City Hall 03/01/2022

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Line #	Account	Vendor	Invoice	Invoice Description	Amount
235	7045	Supplies - Building R&M	1187 Scharm Floor Covering	15810 City Hall Second Floor Carpet Squares	2,938.92
236	7045	Supplies - Building R&M	8364 Super Electric Construction Company	41626 Generator Panel Relocation 2nd Floor City Hall	2,480.00
237	7045	Supplies - Building R&M	1047 Home Depot Credit Svcs	8452672 Supplies for 2nd Floor Remodel	206.08
238	7045	Supplies - Building R&M	1057 Menard Incorporated	93643 Electric Supplies Second Floor City Hall	62.03
239	7045	Supplies - Building R&M	1057 Menard Incorporated	93956 Primer for Walls on 2nd Floor Remodel at City Hall	99.99
240	7045	Supplies - Building R&M	1057 Menard Incorporated	94098 Primer, Paint Brush, Paint Trays for 2nd Floor Remodel	213.43
241	7045	Supplies - Building R&M	1057 Menard Incorporated	94304 Sand Paper, Sanding Sponge, Outlets, Joint Tape, Etc.	91.42
242	7045	Supplies - Building R&M	2313 City Electric Supply Company (CES)	DEP/055370 Electric Supplies for 2nd Floor Remodel at City Hall	163.79
243	7045	Supplies - Building R&M	2313 City Electric Supply Company (CES)	DEP/055384 Electric Supplies for 2nd Floor Remodel at City Hall	75.00
244	7045	Supplies - Building R&M	2313 City Electric Supply Company (CES)	GUR/118893 Boxes Cat6 Cable for New Media Service Rooms	2,034.90
Total 430 - Facilities Replacement Fund					127,078.56

Fund: 500 - Water/Sewer Fund						
Non Departmental						
Division: 550 - Water Systems						
245	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	732.12
246	6115	Licensing/Titles	8585 Vargas, Javez	Reimb 02/09/2022	CDL License - Water Operator - 02/09/2022 - Exp 02/02/2025	30.00
247	6115	Licensing/Titles	3657 Niekrasz, James V	Reimb 10/07/2021	CDL License - Water Operator - 10/07/2021 - Exp 10/24/2025	30.00
248	6180	Water Sample Testing	1642 Suburban Laboratories, Inc	199205	IEPA Testing - 01/04-01/28/2022	2,971.54
249	6180	Water Sample Testing	1642 Suburban Laboratories, Inc	200103	IEPA Water Testing - 02/01-02/24/2022	1,140.45
250	6195	Miscellaneous Contractual Services	5995 Wunderlich-Malec Services Inc	19448	SCADA Service Call - 02/10/2022	1,828.15
251	6195	Miscellaneous Contractual Services	5995 Wunderlich-Malec Services Inc	19450	SCADA Service Call - 01/27/2022	769.25
252	6310	R&M Vehicles	4280 Rush Truck Centers of Illinois Inc	3026614086	Drivers Seat & Base Replacement - PW 9032 - 02/16/2022	910.65
253	6310	R&M Vehicles	2016 Signarama	42762	Decal Fabrication & Install - PW 9062 & 9032 - 02/24/2022	264.00
254	7030	Supplies - Tools & Hardware	1057 Menard Incorporated	93545	Hydraulic Cement, Caution Tape, Black Tape, Oil	189.45
255	7035	Supplies - Equipment R&M	1670 Arlington Power Equipment Inc	105728	4 V-Belts - PW Stock	100.95
256	7040	Supplies - Vehicle R&M	6244 Valvoline LLC	133476813	Grease, Gear Oil, & Windshield Washer Fluid	205.54
257	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	820246	4 Brake Chambers - PW 9032	314.88
258	7045	Supplies - Building R&M	8244 Des Plaines Ace Hardware	1727	24 Fasteners - Central	39.36
259	7070	Supplies - Water System Maintenance	8244 Des Plaines Ace Hardware	1726	Valve Tie Downs	177.23
260	7070	Supplies - Water System Maintenance	1709 Ziebell Water Service Products Inc	256770-000	4 Copper Flanges	264.56
261	7070	Supplies - Water System Maintenance	8547 Healy Asphalt Company LLC	30517	1.69 Tons Asphalt - Street Repair - 02/16/2022	236.60
262	7070	Supplies - Water System Maintenance	8547 Healy Asphalt Company LLC	30522	2.66 Tons Asphalt - 02/17/2022	372.40

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Line #	Account		Vendor	Invoice	Invoice Description	Amount
263	7070	Supplies - Water System Maintenance	8547 Healy Asphalt Company LLC	30526	1.62 Tons Asphalt - Street Repair - 02/18/2022	226.80
264	7070	Supplies - Water System Maintenance	1057 Menard Incorporated	92677	Ball Valve, Teflon Tape, & Nipples	50.28
265	7070	Supplies - Water System Maintenance	1057 Menard Incorporated	93942	Parts for Sump Pump Fitting - Central PS	46.08
266	7070	Supplies - Water System Maintenance	1057 Menard Incorporated	94313	4X4 Stakes	93.48
267	7070	Supplies - Water System Maintenance	6992 Core & Main LP	Q336303	9 Repair Clamps	1,249.50
268	7070	Supplies - Water System Maintenance	6992 Core & Main LP	Q356784	6 Repair Clamps	474.00
269	7070	Supplies - Water System Maintenance	6992 Core & Main LP	Q363540	Repair Clamp	366.05
270	7070	Supplies - Water System Maintenance	6992 Core & Main LP	Q414163	Repair Sleeves & Curb Stops	1,448.00
271	7070	Supplies - Water System Maintenance	6992 Core & Main LP	Q415424	3 Lead Packs	163.65
272	7120	Gasoline	8331 Avalon Petroleum Company Inc	576901	4,102 Gals Unleaded Gasoline - 02/18/2022, R-163-20	1,160.91
273	7130	Diesel	8331 Avalon Petroleum Company Inc	029514	2,801 Gals Bio Diesel Fuel- 02/18/2022, R-163-20	683.51
274	7140	Electricity	1033 ComEd	0718079040-02/22	Electricity Service 01/06-02/07/2022	164.64
275	7140	Electricity	1033 ComEd	1602149012-02/22	Electricity Service 01/05-02/04/2022	148.61
276	7140	Electricity	1033 ComEd	2382141015-02/22	Electricity Service 01/06-02/07/2022	59.99
277	7140	Electricity	1033 ComEd	2902009038-02/22	Electricity Service 01/04-02/03/2022	778.93
278	7140	Electricity	1033 ComEd	3526170000-02/22	Electricity Service 01/04-02/03/2022	53.28
279	7140	Electricity	1033 ComEd	4436122006-02/22	Electricity Service 01/14-02/15/2022	9,043.16
280	7140	Electricity	1033 ComEd	5646761001-02/22	Electricity Service 01/04-02/03/2022	23.01
281	7140	Electricity	1033 ComEd	6152054027-02/22	Electricity Service 01/05-02/04/2022	4,615.80
282	7150	Water Treatment Chemicals	1082 Alexander Chemical Corporation	50438	10 Chlorine Cylinders	2,020.00
283	7150	Water Treatment Chemicals	1082 Alexander Chemical Corporation	51087	Chlorine Tank Rental - 01/27-02/27/2022	232.50
284	7150	Water Treatment Chemicals	1082 Alexander Chemical Corporation	51088	Chlorine Tank Rental - 01/27-02/27/2022	111.50
285	8015	Equipment	1322 Insight Public Sector	1100918193	6 Ubiquity Air Fiber Dishes AF24HD	16,584.00
Total 550 - Water Systems						50,374.81

Division: 560 - Sewer Systems						
286	6015	Communication Services	8536 Peerless Network Inc	492294	Communications Services 02/15-03/14/2022	274.63
287	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	309.43
288	6195	Miscellaneous Contractual Services	1025 Bedco Inc	097692	Replace Exhaust Fan Starter - O'Hare Lakes - 02/09/2022	1,965.85
289	6305	R&M Equipment	8443 Buckeye Power Sales Co Inc	PSV269949	Generator Repair - PW 8043 - 02/08/2022	1,104.25
290	7020	Supplies - Safety	2513 Lee Jensen Sales Co	0014685-00	2 Finform Boards for Replacement Shoring	330.00
291	7030	Supplies - Tools & Hardware	8244 Des Plaines Ace Hardware	1751	Measuring Wheel for Sewers	67.49

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Line #	Account		Vendor	Invoice	Invoice Description	Amount
292	7030	Supplies - Tools & Hardware	1057 Menard Incorporated	94070	Tools - Lift Stations	80.96
293	7035	Supplies - Equipment R&M	1564 EJ Equipment Inc	P32690	Cable Assembly for Sewer Camera	195.42
294	7035	Supplies - Equipment R&M	1154 West Side Tractor Sales	W95831	Core Credit - PW 8010	(50.00)
295	7035	Supplies - Equipment R&M	1154 West Side Tractor Sales	W95872	Returned Alternator - PW 8010	(348.12)
296	7040	Supplies - Vehicle R&M	6244 Valvoline LLC	133476813	Grease, Gear Oil, & Windshield Washer Fluid	137.02
297	7040	Supplies - Vehicle R&M	5573 Henderson Products Inc	353323	5 Speed Sensors - PW 8036	702.75
298	7040	Supplies - Vehicle R&M	1071 Pomp's Tire Service Inc	410934437	6 Tires - PW Stock	1,083.62
299	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	820478	Air Filter - PW 8029	25.71
300	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	820785	Brake Pads, Rotors, & Seals - PW 8029	1,134.46
301	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	821011	Spray Gun - PW 9062	27.60
302	7075	Supplies - Sewer System Maintenance	2513 Lee Jensen Sales Co	0014686-00	3 Clevis Sling Hooks	150.00
303	7075	Supplies - Sewer System Maintenance	1072 Prairie Material	890336907	3.5 Cu Yds Concrete - Yale Ct - 12/09/2021	642.38
304	7120	Gasoline	8331 Avalon Petroleum Company Inc	576901	4,102 Gals Unleaded Gasoline - 02/18/2022, R-163-20	425.05
305	7130	Diesel	8331 Avalon Petroleum Company Inc	029514	2,801 Gals Bio Diesel Fuel- 02/18/2022, R-163-20	480.48
306	7140	Electricity	1033 ComEd	0096017042-02/22	Electricity Service 01/06-02/07/2022	1,905.58
307	7140	Electricity	1033 ComEd	0575134020-02/22	Electricity Service 01/04-02/03/2022	197.66
308	7140	Electricity	1033 ComEd	0640144010-02/22	Electricity Service 01/06-02/07/2022	143.02
309	7140	Electricity	1033 ComEd	0762050019-02/22	Electricity Service 01/07-02/08/2022	25.40
310	7140	Electricity	1033 ComEd	2038128006-02/22	Electricity Service 01/04-02/03/2022	150.38
311	7140	Electricity	1033 ComEd	2148094073-02/22	Electricity Service 01/10-02/10/2022	131.92
312	7140	Electricity	1033 ComEd	3240002012-02/22	Electricity Service 01/27-02/25/2022	867.69
313	7140	Electricity	1033 ComEd	3461136053-02/22	Electricity Service 01/05-02/04/2022	36.03
314	7140	Electricity	1033 ComEd	3526009006-02/22	Electricity Service 01/06-02/07/2022	61.26
315	7140	Electricity	1033 ComEd	3657136067-02/22	Electricity Service 01/06-02/07/2022	82.62
316	7140	Electricity	1033 ComEd	4995025051-02/22	Electricity Service 01/05-02/04/2022	27.26
317	7140	Electricity	1033 ComEd	5060090016-02/22	Electricity Service 01/07-02/08/2022	161.47
318	7140	Electricity	1033 ComEd	5814097012-02/22	Electricity Service 01/06-02/07/2022	26.69
319	7140	Electricity	1033 ComEd	6331089024-02/22	Electricity Service 01/04-02/03/2022	101.32
320	7200	Other Supplies	8244 Des Plaines Ace Hardware	1760	Velcro, Adhesive, No Trespass Sign	12.57
Total 560 - Sewer Systems						12,669.85

City of Des Plaines

Warrant Register 03/21/2022

Line #	Account		Vendor	Invoice	Invoice Description	Amount
Division: 580 - CIP - Water/Sewer						
321	6000	Professional Services	4022 M E Simpson Co Inc	38208	2021 Leak Detection Survey - 02/04-02/08/2022, R-136-21	2,560.00
Total 580 - CIP - Water/Sewer						2,560.00
Total 00 - Non Departmental						65,604.66
Department: 30 - Finance						
322	6015	Communication Services	1552 Verizon Wireless	9899500153	Communications Services 01/14-02/13/2022	63.50
323	6025	Administrative Services	7961 BridgePay Network Solutions LLC	9563	Utility Web & Business License Transaction Fee for Feb 2022	247.70
Total 30 - Finance						311.20
Total 500 - Water/Sewer Fund						65,915.86
Fund: 510 - City Owned Parking Fund						
324	6015	Communication Services	8536 Peerless Network Inc	492294	Communications Services 02/15-03/14/2022	354.62
325	6015	Communication Services	8536 Peerless Network Inc	492294	Communications Services 02/15-03/14/2022	1,288.22
326	7140	Electricity	1033 ComEd	0354464001-02/22	Electricity Service 01/06-02/07/2022	5,704.96
327	7140	Electricity	1033 ComEd	2239082030-02/22	Electricity Service 01/06-02/07/2022	1,337.34
328	7140	Electricity	1033 ComEd	4722388001-02/22	Electricity Service 01/06-02/07/2022	19.04
329	7140	Electricity	1033 ComEd	4791127023-02/22	Electricity Service 01/06-02/07/2022	4,404.32
330	7140	Electricity	1033 ComEd	5310303000-02/22	Electricity Service 01/06-02/07/2022	312.17
Total 510 - City Owned Parking Fund						13,420.67
Fund: 520 - Metra Leased Parking Fund						
331	7140	Electricity	1033 ComEd	5222730006-02/22	Electricity Service 01/04-02/03/2022	119.27
Total 520 - Metra Leased Parking Fund						119.27
Fund: 600 - Risk Management Fund						
332	6000	Professional Services	8580 Ready Rebound LLC	2119	Consulting-Orthopedic Patient Navigator Contract Jan-Feb 2022	1,811.48
333	6000	Professional Services	8580 Ready Rebound LLC	2180	Consulting-Orthopedic Patient Navigator Contract March 2022	905.74
Total 600 - Risk Management Fund						2,717.22
Fund: 700 - Escrow Fund						
334	2430	Escrow - Police Items	1320 IL State Police	Cost 01755-01/22	Fingerprint Background Check Services Jan 2022	84.75
335	2493	Escrow - CED Development	1050 Journal & Topics Newspapers	187358	Public Hearing Legal Notice 2/16/2022	112.52
Total 700 - Escrow Fund						197.27
Grand Total						648,410.69

City of Des Plaines

Warrant Register 03/21/2022

Manual Payments

Line #	Account	Vendor	Invoice	Invoice Description	Amount
Fund: 100 - General Fund					
Department: 00 - Non Departmental					
336	4160	Real Estate Transfer Tax	8490 McMahon, Susan	Refund 10/14/21R Real Estate Transfer Tax Refund 10/14/2021-Replaces Ck 143824	660.00
Total 00 - Non Departmental					660.00

Elected Office					
City Administration					
Division: 220 - Legal					
337	6009	Legal Fees - Admin Hearings/Prosecutions	1735 Cohen Law Firm PC	08-21 Administrative Hearings August 5, 17, 19, 2021	900.00
338	6009	Legal Fees - Admin Hearings/Prosecutions	1735 Cohen Law Firm PC	09-21 Administrative Hearings - September 2, 15, 17, 2021	900.00
339	6009	Legal Fees - Admin Hearings/Prosecutions	1735 Cohen Law Firm PC	10-21 Administrative Hearings October 7, 12, 14, 2021	900.00
340	6009	Legal Fees - Admin Hearings/Prosecutions	1735 Cohen Law Firm PC	11-21 Administrative Hearings - November 4, 15, 17, 2021	900.00
341	6009	Legal Fees - Admin Hearings/Prosecutions	1735 Cohen Law Firm PC	12-21 Administrative Hearings - December 2, 14, 17, 2021	900.00
Total 220 - Legal					4,500.00

Division: 230 - Information Technology					
342	6015	Communication Services	1010 AT&T Mobility	28702533395902 22 Communications Services 01/04- 02/03/2022	136.14
Total 230 - Information Technology					136.14

Total 20 - City Administration					136.14
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Public Works & Engineering					
Division: 535 - Facilities & Grounds Maintenance					
343	7110	Natural Gas	1064 Nicor	02/15/22 x600008 Natural Gas Service 01/14- 02/14/2022	49.10
Total 535 - Facilities & Grounds Maintenance					49.10

Division: 540 - Vehicle Maintenance					
344	6195	Miscellaneous Contractual Services	8504 Verizon Connect Fleet USA LLC	611000026563 Vehicle Diagnostic System Feb 2022	1,424.75
Total 540 - Vehicle Maintenance					1,424.75

Total 50 - Public Works & Engineering					1,473.85
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Police Department					
Division: 610 - Uniformed Patrol					
345	6015	Communication Services	1032 Comcast	02/18/22 x6724 Internet/Cable Service Mar 2022	105.10
Total 610 - Uniformed Patrol					105.10

Total 60 - Police Department					105.10
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City of Des Plaines

Warrant Register 03/21/2022

Manual Payments

Line #	Account	Vendor	Invoice	Invoice Description	Amount
Fire Department					
Division: 730 - Emergency Management Agency					
346	6015	Communication Services	1032 Comcast	02/22/22 x6716 Internet/Cable Service Mar 2022	63.06
Total 730 - Emergency Management Agency					63.06

Total 70 - Fire Department	63.06
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Department: 90 - Overhead					
347	6015	Communication Services	1032 Comcast	02/20/22 x6732 Internet/Cable Service Mar 2022	63.10
348	6015	Communication Services	1533 Wide Open West LLC	11526044Feb22A Internet/Cable Service x6044 02/21-03/20/2022	661.37
349	6015	Communication Services	1533 Wide Open West LLC	11526044Feb22B Internet/Cable Service x1245 02/21-03/20/2022	1,880.48
350	6015	Communication Services	1533 Wide Open West LLC	11526044Feb22C Internet/Cable Service x1246 02/21-03/20/2022	1,120.00
351	6015	Communication Services	1533 Wide Open West LLC	11526044Feb22E Internet/Cable Service x5988 02/21-03/20/2022	127.90
352	6015	Communication Services	1032 Comcast	140700284-8482 Internet/Cable Service 02/15-03/14/2022	1,575.00
Total 90 - Overhead					5,427.85

Total 100 - General Fund	12,366.00
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Fund: 205 - TIF #5 Perry/Lee Fund					
353	8100	Improvements	3281 Alliance Contractors Inc	2018 River-P32 F Phase 3 River Rd Recon Payment 32 FINAL R-141-18 Contract 622667	1,125.00
Total 205 - TIF #5 Perry/Lee Fund					1,125.00

Fund: 250 - Grant Projects Fund					
Program: 2520 - Capital Grants					
354	8100	Improvements	3281 Alliance Contractors Inc	2018 River-P32 F Phase 3 River Rd Recon Payment 32 FINAL R-141-18 Contract 622667	756,067.14
Total 2520 - Capital Grants					756,067.14

Total 250 - Grant Projects Fund	756,067.14
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Fund: 400 - Capital Projects Fund					
355	8100	Improvements	3281 Alliance Contractors Inc	2018 River-P32 F Phase 3 River Rd Recon Payment 32 FINAL R-141-18 Contract 622667	49,314.26
Total 400 - Capital Projects Fund					49,314.26

City of Des Plaines

Warrant Register 03/21/2022

Manual Payments

Line #	Account	Vendor	Invoice	Invoice Description	Amount
Fund: 500 - Water/Sewer Fund					
Division: 550 - Water Systems					
356	6015	Communication Services	1533 Wide Open West LLC	11526044Feb22D Internet/Cable Service x0573 02/21-03/20/2022	320.00
Total 550 - Water Systems					320.00
Division: 580 - CIP - Water/Sewer					
357	8100	Improvements	3281 Alliance Contractors Inc	2018 River-P32 F Phase 3 River Rd Recon Payment 32 FINAL R-141-18 Contract 622667	28,885.67
Total 580 - CIP - Water/Sewer					28,885.67
Total 500 - Water/Sewer Fund					29,205.67
Grand Total					848,078.07

City of Des Plaines

Warrant Register 03/21/2022

Summary

	<u>Amount</u>	<u>Transfer Date</u>
Automated Accounts Payable	\$ 648,410.69 **	3/21/2022
Manual Checks	\$ 848,078.07 **	3/4/2022
Payroll	\$ 1,277,830.56	3/11/2022
RHS Payout		
Electronic Transfer Activity:		
JPMorgan Chase Credit Card		
Chicago Water Bill ACH	\$ -	
Postage Meter Direct Debits	\$ 2,900.00	3/3/2022
Utility Billing Refunds	\$ 1,572.37	2/24/2022
Debt Interest Payment	\$ -	
RHS Payout	\$ -	
Property Purchase	\$ -	
IMRF Payments	\$ -	
Employee Medical Trust	\$ 714,150.71	3/1/2022
Total Cash Disbursements:	<u>\$ 3,492,942.40</u>	

* Multiple transfers processed on and/or before date shown

** See attached report

Adopted by the City Council of Des Plaines

This Twenty-First Day of March 2022

Ayes _____ Nays _____ Absent _____

Jessica M. Mastalski, City Clerk

Andrew Goczowski, Mayor



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

MEMORANDUM

Date: February 28, 2022

To: Michael G. Bartholomew, MCP, LEED-AP, City Manager

From: Jonathan Stytz, Planner JS

Subject: **1041 North Avenue – Case #22-006-FPLAT**
Approval of a Final Plat of Subdivision at 1041 North Avenue (3rd Ward)

Issue: The petitioner is requesting a Final Plat of Subdivision under Section 13-2-7 of the Subdivision Regulations to subdivide the existing lot into two lots of record and the approval of any other such variations, waivers, and zoning relief as may be necessary. The Tentative Plat of Subdivision was approved June 22, 2021 by the PZB, as were standard variations for lot width (50 feet for both lots to be created, where a minimum 55 is required in the R-1 district).

Address: 1041 North Avenue

Owner: Helen Roman, 5734 W. Warwick Avenue, Chicago, IL 60634

Petitioner: Helen Roman, 5734 W. Warwick Avenue, Chicago, IL 60634

Case Number: 22-006-FPLAT

Real Estate Index Number: 09-17-302-003-0000

Ward: #3, Alderman Sean Oskerka

Existing Zoning: R-1, Single Family Residential District

Existing Land Use: Vacant Lot

Surrounding Zoning: North: M-2, General Manufacturing District
South: R-1, Single Family Residential District
East: R-1, Single Family Residential District
West: R-1, Single Family Residential District

Surrounding Land Use:	North: Manufacturing (Multi-tenant industrial building) South: Single Family Residences East: Single Family Residences West: Single Family Residences
Street Classification:	North Avenue is classified as a local street.
Comprehensive Plan:	The Comprehensive Plan designates the site as Single Family Residential.
Property/Zoning History:	Based on City records, the previous residence was built around 1941 and the detached garage in 1957. Since its construction, the structure has been used for a single-family residence until it was demolished in 2020. Currently, the detached garage, shed, and driveway area remain on the property.

Final Plat of Subdivision Report

Project Description: The petitioner, Helen Roman, is requesting a Final Plat of Subdivision, named Helen Roman Subdivision, for the property located at 1041 North Avenue. The subject property is 14,156-square feet (0.325 acres) in size and is comprised of one lot, which was improved with a single-family residence, detached garage with driveway, sidewalk, and shed as shown in the Plat of Survey (Attachment 3). However, the single-family residence has since been demolished as noted in the Existing Conditions Diagram (Attachment 4).

The petitioner is proposing to subdivide the existing lot into two lots of record, each at 7,070.50 square feet, which is conforming for the R-1 District. The existing detached garage, shed, and other pavement on the subject property will be removed as part of this request. The petitioner's Final Plat of Helen Roman Subdivision shows the subdivision of the existing lot into two 7,050-square foot, 50-foot wide lots. A ten-foot public utility easement is proposed for the rear of each property and five-foot utility easement proposed for the sides of each lot as shown in the Final Plat of Subdivision (Exhibit A). A 25-foot building setback line is proposed for each lot in conformance with the minimum front yard setback requirements for the R-1 Single Family District. Note that the Final Engineering Plans (Attachment 5) have been approved by staff and all engineering comments have been addressed.

Compliance with the Comprehensive Plan

There are several parts of the 2019 Des Plaines Comprehensive Plan that align with the proposed project. Those portions are as follows:

- Under Overarching Principles:
 - The Comprehensive Plan seeks to promote a wider range of housing options and to encourage the reinvestment and preservation of established Des Plaines neighborhoods through the addition of new housing to fit diverse needs. The proposal seeks to reinvest in this vacant lot and provide additional housing options in this established neighborhood.
- Under Land Use Plan:
 - A primary goal of the Comprehensive Plan is to preserve and enhance established single-family neighborhoods while also expanding newer housing options. The proposal matches the existing character of the neighborhood and provides modern housing options that are prevalent in the immediate vicinity.

- Under Future Land Use Map:
 - The property is marked for Single-Family Residential land uses. These areas are designated for detached single-family residences to maintain and improve housing options for residents. The proposed use will transform an existing residential lot and provide an additional single-family housing option for the community as a whole.

While the aforementioned bullet points are only a small portion of the Comprehensive Plan, there is a large emphasis on maintaining detached single-family zoning areas and promoting the expansion of these developments to increase housing options for residents. The petitioner is proposing to take a 0.325-acre parcel for future development of two new residences for the community.

PZB Recommendation and Condition: The PZB met on February 23, 2022 to consider the Final Plat of Subdivision request to split an existing lot into two new lots of record in the R-1 zoning district at 1041 North Avenue. The PZB *recommended* (5-0) that the City Council *approve* the request as presented without any conditions. The Board's rationale for variation is included in the attached excerpt from the draft meeting minutes. The PZB review is also summarized in the attached Chairman Szabo memo.

Attachments:

Attachment 1: Project Narrative

Attachment 2: Location Map

Attachment 3: Plat of Survey

Attachment 4: Existing Conditions

Attachment 5: Select Final Engineering Plans¹

Attachment 6: Site and Context Photos

Attachment 7: Chairman Szabo Memo

Attachment 8: Excerpt of Approved Minutes from the February 23, 2022 PZB Meeting

Resolution R-64-22

Exhibit A: Final Plat of Subdivision

¹ Full submittal available upon request to City staff.



B O N O C O N S U L T I N G , I N C .

February 8, 2022

City of Des Plaines
Community and Economic Development Department

RE: Project Narrative
Proposed 2-Lot Subdivision
1041 North Avenue
Des Plaines, IL 60016

To Whom It May Concern,

The owner of this property wishes to subdivide the existing lot into two new, separate lots using Des Plaines' two-step process for subdivision development. Both parcels would be vacant and available for development of a single family residence.

A variation has already been approved (case# 21-017-TSUB-V) due to the proposed lot widths (50' each) being below the minimum lot width (55') for the R-1 zoning district as outlined in the City's zoning code.

The vacant lots resulting from the subdivision will provide the opportunity for a builder or user to purchase the vacant lots and construct new homes. This would add quality new construction to the neighborhood, evincing confidence in the area and supporting investment in existing homes.

There is no immediate plan to develop the vacant lots. The site plan included in the submittal is not specific to particular proposed structures, but the structures shown were sized to be about the maximum building size for the lots so that the subdivision engineering design would be for the maximum. When the lots are proposed for development, the site plan and landscaping proposed in conjunction with the construction of the single family homes would have to comply with the City of Des Plaines ordinances.

The owner, Helen Roman, will also be the petitioner. Attached with this letter you will find copies of the final plat of subdivision and the approved, final engineering drawings.

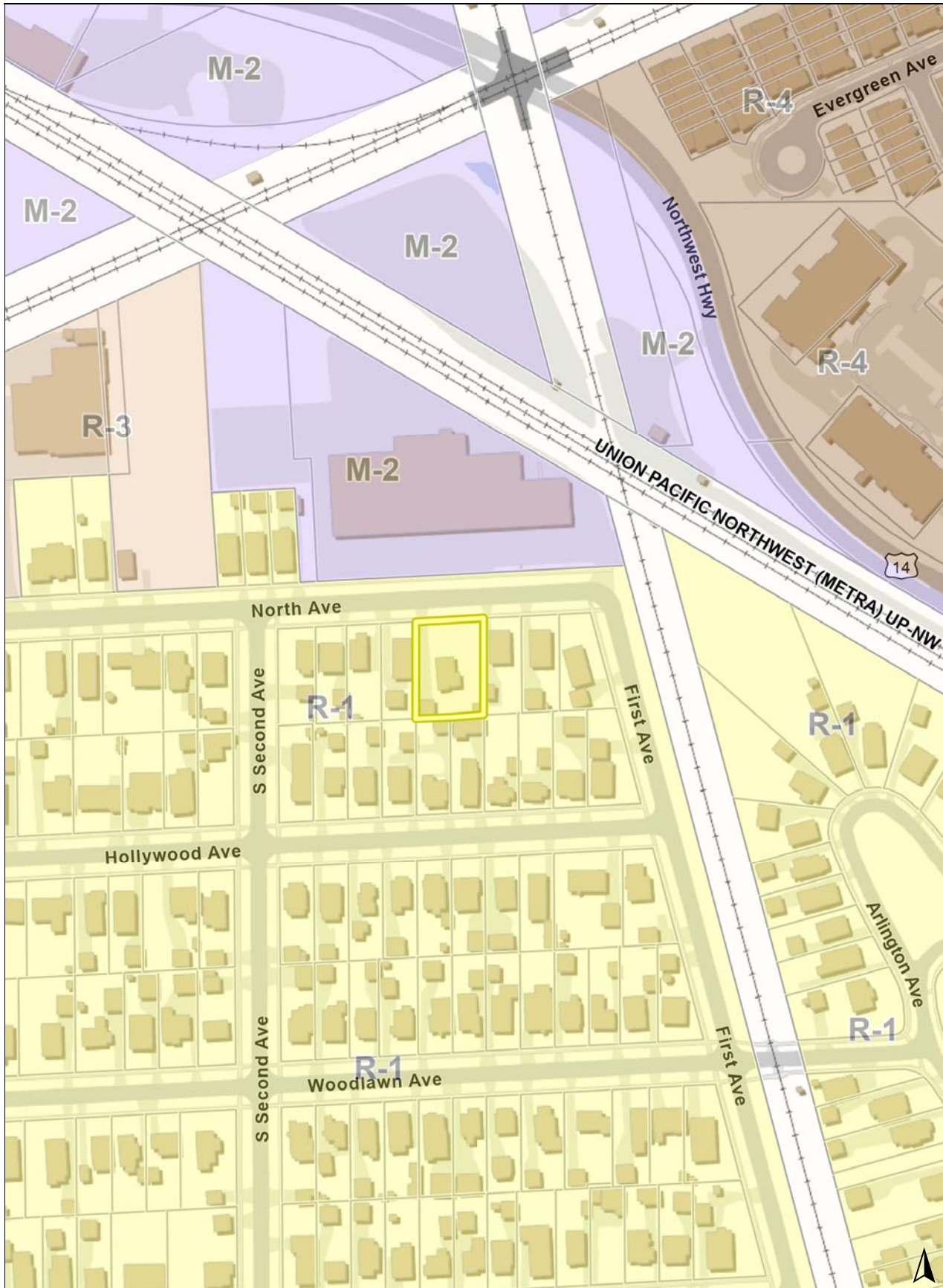
Civil Engineers Specializing In Drainage & Grading Plans
1018 Busse Highway • Park Ridge, Illinois 60068 • Phone (847) 823-3300 • Fax (847) 823-3303

If you have any questions regarding the drawings, please contact me at (847) 823-3300 or whepburn@bonoconsulting.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Will Hepburn".

Will Hepburn, P.E.
Engineer II



Legend

Zoning and Development

Zoning

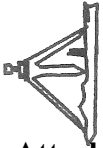
- M-2: General Manufacturing
- R-1: Single Family Residential
- R-3: Townhouse Residential
- R-4: Central Core Residential

Print Date: 2/16/2022

Notes

0 300 600
ft

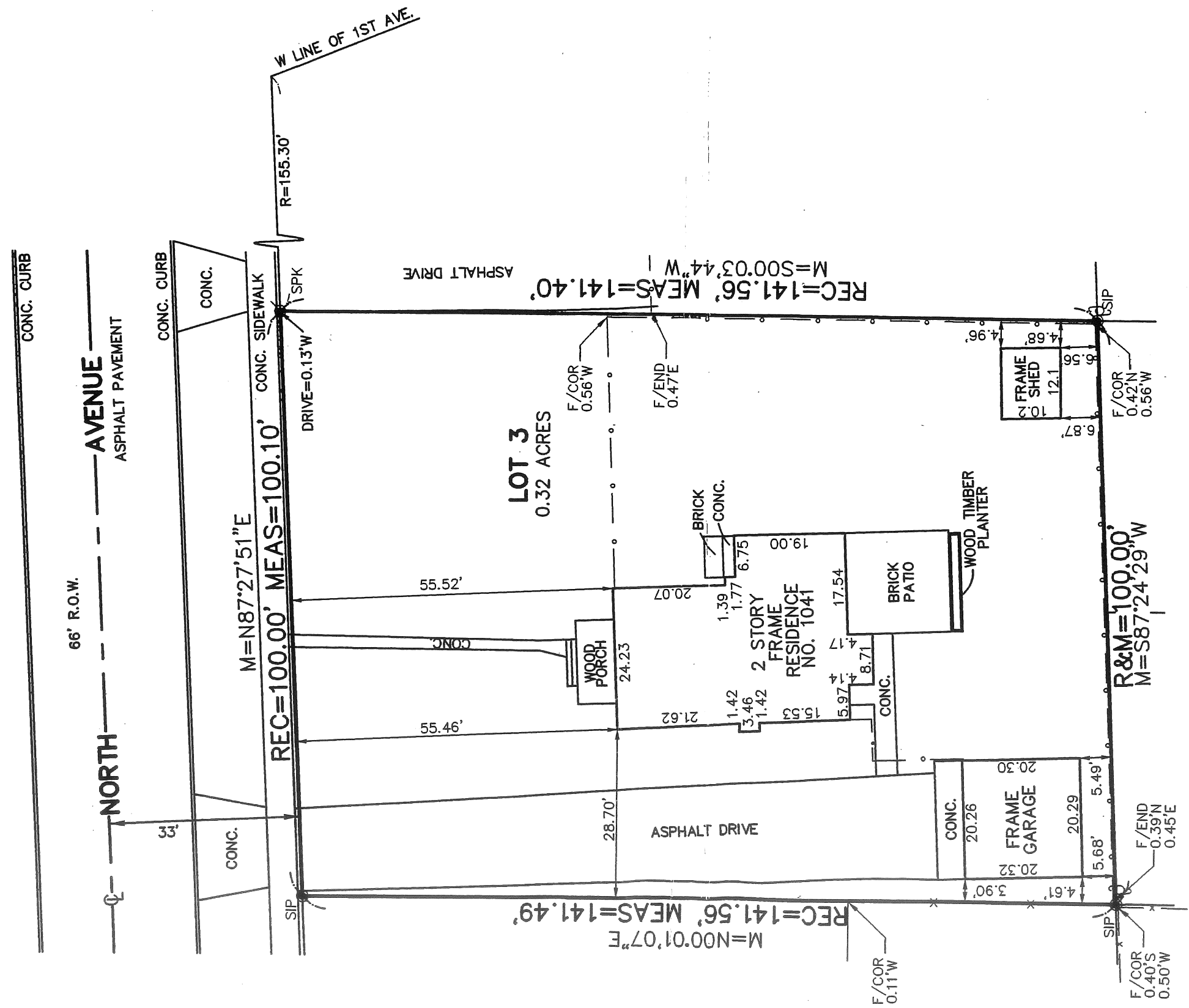
Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



PLAT OF SURVEY



LOT 3 IN BLOCK 12 IN DES PLAINES MANOR TRACT NO. 2, BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



PRECISION LAND SURVEYORS, INC.
d.b.a. TERATEK, INC.
SURVEYORS-ENGINEERS-CONSULTANTS
PROFESSIONAL DESIGN FIRM
LICENSE #184-004383 EXPIRES: 4/30/2019
9003 E. BURNETT ROAD
ISLAND LAKE, IL. 60042
(847) 487-0500

DRAWING NO.: P180109B
ORDERED BY: KSN LAW
DRAWN BY: TG
FIELDWORK COMPLETED: 11/10/2018
RECORDS FROM: PUBLIC RECORDS
BASIC OF DESIGN: ASSUMED

LEGEND

FIP FOUND IRON PIPE
FIR FOUND IRON ROD
SPK SET PK NAIL
SIP SET IRON PIPE
P POWER POLE
W WOOD FENCE
X CHAINLINK FENCE

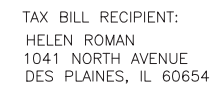
COMPARE LEGAL DESCRIPTION ABOVE AND DRAWING WITH DEED, FOR BUILDING RESTRICTIONS AND EASEMENTS NOT SHOWN, REFER TO DEED, TITLE COMMITMENT

STATE OF ILLINOIS)
COUNTY OF LAKE) S.S.

I, DAVID A. HEMBRID, AN ILLINOIS REGISTERED LAND SURVEYOR, CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND THAT THE PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 11TH DAY OF JANUARY, 2018.
DAVID A. HEMBRID

BEING A SUBDIVISION OF LOT 3 IN BLOCK 12 IN DES PLAINES MANOR TRACT NO. 2, BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



PROPOSED 2-LOT SUBDIVISION OF EXISTING RESIDENTIAL LOT
SITE DEVELOPMENT PLAN
1041 NORTH AVE., DES PLAINES, ILLINOIS

SECTION: 17
TOWNSHIP: 41N
RANGE: 12E

PIN(S):
09-17-302-003

BENCHMARK INFO
SITE BENCHMARK IS CUT CROSS IN SIDEWALK NEAR THE
NORTHWEST CORNER OF THE EXISTING PROPERTY, ELEV. 641.80.
TRANSFERRED FROM DES PLAINES BM 62, ELEV. 641.03 NAVD 88.

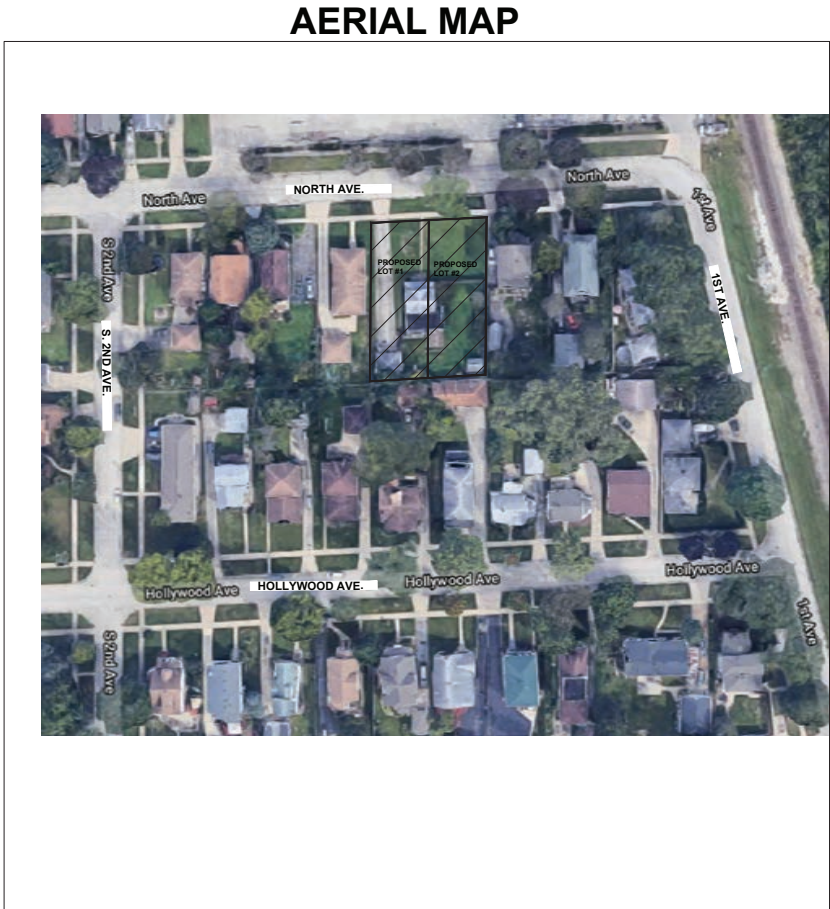
DRAWING INDEX:

- (C-1) 1. TITLE SHEET, LEGEND, SITE LOCATION, & AERIAL MAP
(C-2) 2. EXISTING TOPOGRAPHY, TREE PROTECTION & DEMOLITION PLAN
(C-3) 3. PROPOSED GRADING & UTILITY PLAN – NEW LOTS 1 & 2
(C-4) 4. SITE PLAN & GEOMETRIC PLAN – ENTIRE SUBDIVISION
(C-5) 5. CITY OF DES PLAINES STANDARD DETAILS
(C-6) 6. CITY OF DES PLAINES STANDARD DETAILS CONT.

PROJECT DESCRIPTION

THE EXISTING PROPERTY AT 1041 NORTH AVENUE WILL BE SPLIT DOWN THE MIDDLE TO CREATE TWO (2) NEW LOTS. A VARIATION WILL BE REQUESTED DUE TO THE PROPOSED LOT WIDTHS OF 50' BEING BELOW THE MINIMUM OF 55' FOR THE ZONING DISTRICT. MANY SURROUNDING PROPERTIES ARE ALREADY BELOW THE REQUIRED 55' LOT WIDTH.

PROPOSED LOT SIZES:
LOT 1 NORTH AVENUE – 7,070.50 S.F.
LOT 2 NORTH AVENUE – 7,070.50 S.F.



LEGEND:		
	EXISTING	PROPOSED
PROPERTY LINE	---	---
SANITARY SEWER LINE	---	---
WATER LINE	---	---
STORM SEWER LINE	---	---
STORM MANHOLE	○	●
SANITARY MANHOLE	⊙	⊙
COMBINED SEWER	---	---
COMBINED MANHOLE	⊙	⊙
CATCH BASIN	●	●
INLET	○	■
WATER VALVE VAULT	⊙	⊙
WATER VALVE	⊙	⊙
GRADE	---	---
DRAINAGE DIVIDE	---	---
CURB & GUTTER	---	---
CLEANOUT	---	---
DOWNSPOUT (ROOF DRAINS)	---	---
WATER B. BOX	---	---
TREE PROTECTION FENCE	---	---
CONSTRUCTION FENCE	---	---
INLET FILTER BASKET	---	---
TRAFFIC DIRECTION PAVEMENT MARKING	---	---
FIRE HYDRANT	---	---
RETAINING WALL WRAILING	---	---
TOP OF CURB	T/C XXXXX	T/C XXXXX
BOTTOM OF CURB	B/C XXXXX	B/C XXXXX
TOP OF CURB	T/C XXXXX	T/C XXXXX
BOTTOM OF GUTTER	B/G XXXXX	B/G XXXXX
WALK	W XXXXX	W XXXXX
BOTTOM OF WALK	B/W XXXXX	B/W XXXXX
DESPRESSED CURB	D/C XXXXX	D/C XXXXX
BOTTOM OF GUTTER	B/G XXXXX	B/G XXXXX
MOUNTABLE CURB	M/C XXXXX	M/C XXXXX
BOTTOM OF GUTTER	B/C XXXXX	B/C XXXXX

CITY OF DES PLAINES NOTES:

1. CITY STANDARDS SUPERCEDE ALL OTHERS
2. A \$20,000 STREET OPENING BOND IS NEEDED
3. CALL AT LEAST 48 HOURS IN ADVANCE FOR INSPECTION
4. AFTER FOUNDATION SPOT SURVEY IS APPROVED, STORM SEWER MUST BE CONSTRUCTED BEFORE ANY STICK WORK
5. AFTER STORM SEWER IS CONSTRUCTED, TELEWISE AND GIVE DIGITAL MEDIA TO CITY FOR APPROVAL

NOTE

The location of existing underground utilities, such as water mains, sewers, gas lines, etc., as shown on the plans, has been determined from the best available information and is given for the convenience of the Contractor. However, the Owner and the Engineer do not assume responsibility in the event that during construction, utilities other than those shown may be encountered, and that the actual location of those which are shown may be different from the location as shown on the plans.

Bono Consulting, Inc. is not responsible for the safety of any party at or on the construction site. Safety is the sole responsibility of the contractor and any other person or entity performing work or services. Neither the owner nor engineer assumes any responsibility for the job site safety of persons engaged in the work or the means or methods of construction.

Current Standard Specifications of the Judicial Authority shall apply to the construction on this project.

Note: The exact location of all utilities shall be verified by the contractor prior to construction activities. For utility locations call: J.U.L.I.E. 1 (800) 892-0123

DES PLAINES DRAINAGE STATEMENT:

"TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF THE SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS PROJECT OR ANY PART THEREOF, OR, THAT IF DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS APPROVED FOR USE BY THE DIRECTOR OF PUBLIC WORKS AND ENGINEERING, AND THAT SUCH SURFACE WATERS ARE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO ADJOINING PROPERTIES BECAUSE OF THE CONSTRUCTION OF THIS DEVELOPMENT."



(SEAL)

Ashutosh Veer

REGISTERED PROFESSIONAL ENGINEER

OWNER

ADDRESS

TITLE SHEET, LEGEND, SITE LOCATION MAP, &

AERIAL MAP

PROPOSED 2-LOT SUBDIVISION OF EXISTING LOT
1041 NORTH AVE., DES PLAINES, IL 60016

COPYRIGHT:
THIS DRAWING SHALL NOT BE USED,
REPRODUCED, MODIFIED OR SOLD EITHER
WHOLLY OR IN PART, EXCEPT WHEN
AUTHORIZED IN WRITING BY THE ENGINEER.

PROJECT NUMBER: 21091

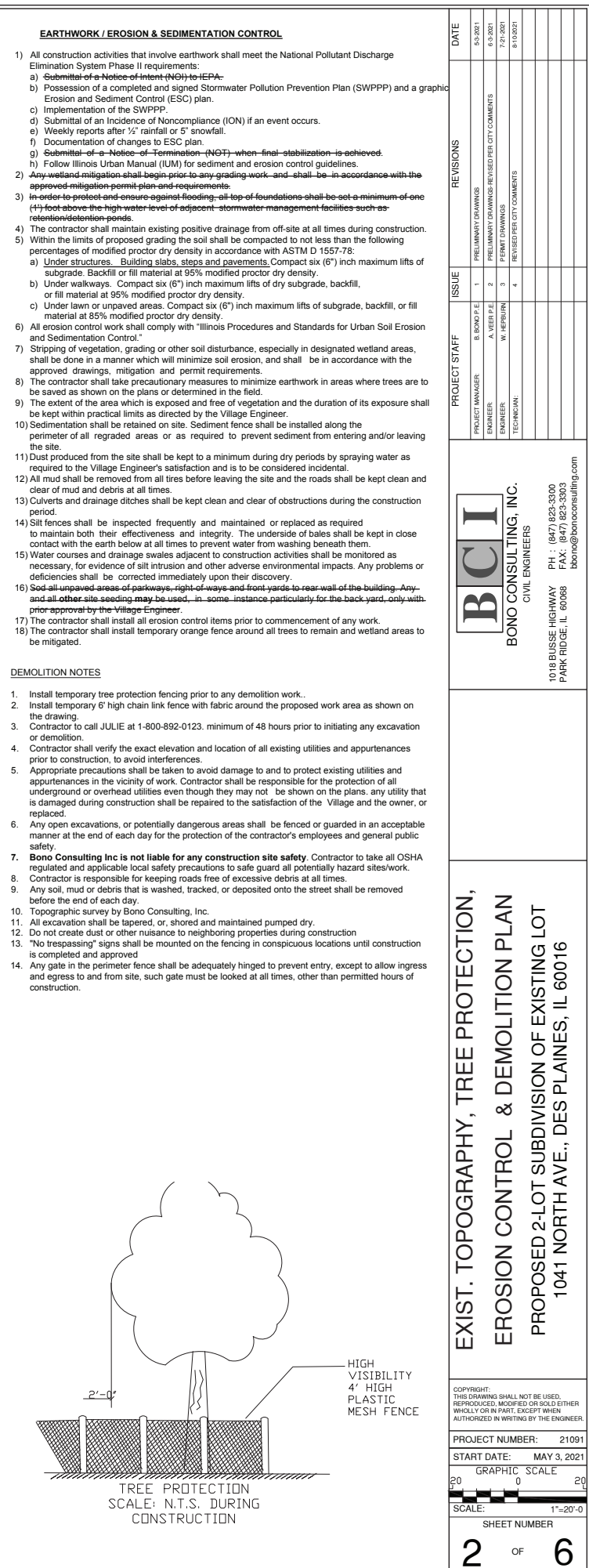
START DATE: MAY 3, 2021

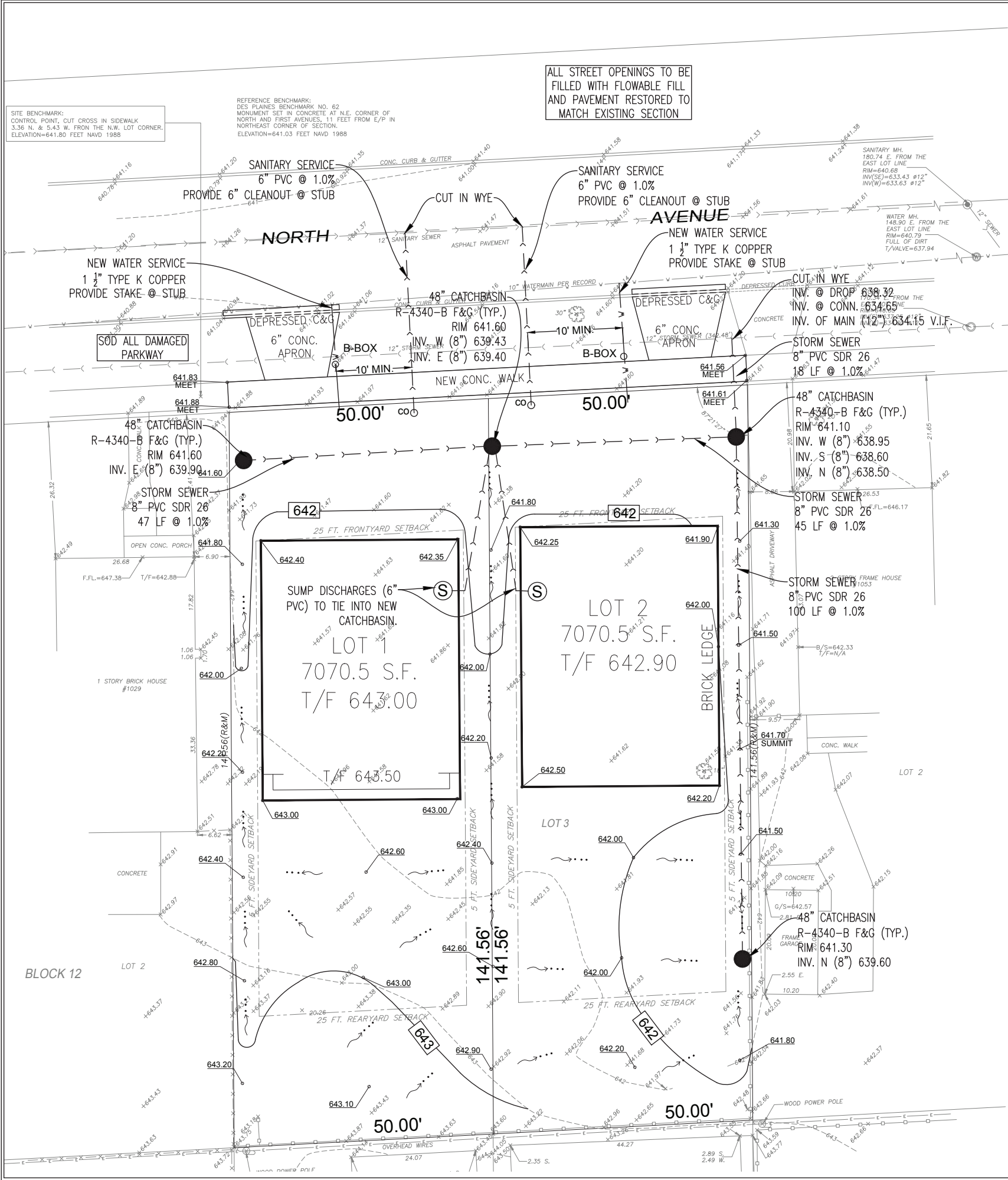
GRAPHIC SCALE:

SCALE: NTS

SHEET NUMBER

1 OF 6





- CITY OF DES PLAINES NOTES
- NOTE THAT THE APPROVAL OF THE ENGINEERING PLANS ONLY INCLUDES THE APPROVAL OF ALL ENGINEERING ITEMS AS SHOWN ON THE FINAL ENGINEERING PLANS. THE REMAINING STRUCTURES, SURFACES, MECHANICAL EQUIPMENT AND ANY OTHER IMPROVEMENT ON THE PROPERTIES INDICATED ON THIS PLAN MUST COMPLY WITH ALL APPLICABLE CITY OF DES PLAINES CODES AND BE APPROVED THROUGH THE BUILDING PERMIT PROCESS.
 - ALL LOTS SHALL CONFORM TO THE ZONING ORDINANCE, SUBDIVISION REGULATIONS, AND ALL OTHER APPLICABLE CITY OF DES PLAINES CODES. PLEASE BE ADVISED OF THE FOLLOWING ITEMS:
 - SIDEWALKS CANNOT EXCEED 4' IN WIDTH. PLEASE ENSURE THIS IS ADDRESSES AT TIME OF BUILDING PERMIT.
 - ONLY ONE GARAGE (ATTACHED OR DETACHED) IS PERMITTED ON A SINGLE LOT. PLEASE ENSURE THIS IS ADDRESSES AT TIME OF BUILDING PERMIT.
 - ALL RESIDENCES SHALL CONFORM TO THE BULK REGULATIONS IN SECTION 12-7-2(J) OF THE ZONING ORDINANCE. ENSURE THAT BOTH RESIDENCES DO NOT ENCR OACH INTO ANY REQUIRED YARDS.
 - DRIVEWAYS SHALL BE SETBACK A MINIMUM OF 2' FROM ALL PROPERTY LINES AND CONFORM TO THE REGULATIONS IN SECTION 12-9-8(B) OF THE ZONING ORDINANCE.
 - FOUNDATION LANDSCAPING WILL BE REQUIRED AROUND BOTH RESIDENCES WITH EMPHASIS ON STREET FACING ELEVATIONS. A MINIMUM OF 25% OF THE FOUNDATION SHALL BE IMPROVED WITH LANDSCAPING. LANDSCAPE DETAILS, INCLUDING PLANT TYPES, NAMES, AND QUANTITIES WILL BE REQUIRED AT TIME OF BUILDING PERMIT.
 - ADDITIONAL NOTES AND CORRECTIONS MAY APPLY BASED ON PERMIT SUBMITTAL.



BONO CONSULTING, INC.
CIVIL ENGINEERS
PH: (847) 823-3300
FAX: (847) 823-3303
bbono@bonoconsulting.com

PROPOSED GRADING & UTILITY PLAN
PROPOSED 2-LOT SUBDIVISION OF EXISTING LOT
1041 NORTH AVE., DES PLAINES, IL 60016

COPYRIGHT: THIS DRAWING SHALL NOT BE USED, REPRODUCED, MODIFIED OR SOLD EITHER WHOLLY OR IN PART, EXCEPT WHEN AUTHORIZED IN WRITING BY THE ENGINEER.	
PROJECT NUMBER:	21091
START DATE:	MAY 3, 2021
GRAPHIC SCALE	1"=10'-0"
SHEET NUMBER	3 OF 6



1041 North Ave – Public Notice



1041 North Ave – Looking South at Subject Property



1041 North Ave – Looking Southeast at Subject Property



1041 North Ave – Looking Southwest at Subject Property

CITY OF DES PLAINES

RESOLUTION R - 64 - 22

**A RESOLUTION APPROVING A FINAL PLAT OF
SUBDIVISION FOR THE SUBDIVISION LOCATED AT 1041
NORTH AVENUE, DES PLAINES, ILLINOIS.**

WHEREAS, Helen Roman ("**Petitioner**") is the owner of that certain 14,161-square-foot parcel of real property commonly known as 1041 North Avenue in the City ("**Subject Property**"); and

WHEREAS, the Subject Property is located in the R-1 Single Family Residential District of the City ("**R-1 District**"); and

WHEREAS, the Petitioner desires to subdivide the Subject Property into two lots of record; and

WHEREAS, pursuant to Title 13 of the City Code of the City of Des Plaines, as amended ("**Subdivision Regulations**"), the Petitioner submitted an application ("**Application**") to the City of Des Plaines Department of Community and Economic Development ("**Department**") for the approval of a final plat of subdivision for the Subject Property ("**Final Plat**"); and

WHEREAS, on February 23, 2022, the Planning and Zoning Board of the City of Des Plaines ("**PZB**") held a public hearing to consider approval of the Final Plat and after considering the facts and reviewing the Final Plat, the PZB voted, by a vote of 5-0, to recommend approval of the Final Plat; and

WHEREAS, pursuant to Section 13-2-8.A and 13-2-6 of the City Code of the City of Des Plaines, the City Council has the power to approve, by resolution duly adopted, the Final Plat, with all improvements, conditions, variations, public ways and recorded easements and documents pertaining to the subdivision platted thereon, and the Subdivision Variations; and

WHEREAS, the City Council has determined it is in the best interest of the City and the public to approve the Final Plat and the Subdivision Variations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Resolution as the findings of the City Council.

SECTION 2: APPROVAL; AUTHORIZATION; RECORDATION OF FINAL PLAT.

A. Approval of Final Plat. The City Council hereby approves the Final Plat of Subdivision for the Subject Property, titled “Final Plat of Helen Roman Subdivision,” prepared by Geodetic Survey LTD, consisting of one sheet, and with a final revision date of February 17, 2022, a copy of which is attached to and made a part of this Resolution as *Exhibit A*.

B. Authorization. The Mayor and City Clerk are, subject to the satisfaction of the Conditions set forth in Section 4 below, hereby authorized and directed to execute and seal, on behalf of the City, the Final Plat, following execution by the Petitioner and any other party with an interest in the Subject Property and subject to certification by the Office of the Cook County Clerk that there are no property tax delinquencies, as well as all other certifications as necessary.

C. Recordation. The City Manager is hereby authorized and directed to record the Final Plat with the Office of the Cook County Recorder upon satisfactory completion of all administrative details relating thereto.

SECTION 3: CONDITIONS. Notwithstanding any use or development right that may be applicable or available pursuant to the provisions of the City Code of the City of Des Plaines, as amended, (“*City Code*”) or the Subdivision Regulations or any other rights the Petitioner may have, the approvals granted in Section 2 of this Resolution are hereby expressly subject to and contingent upon the conditions, concepts, restrictions, limitations, and provisions set forth in this Section (collectively, the “*Conditions*”).

A. Compliance with Regulations. The redevelopment, use, operation, and maintenance of the Subject Property shall comply with all applicable City codes and ordinances

as the same have been or may be amended from time to time, except to the extent specifically provided otherwise in this Resolution.

B. Recording Fees. All fees incurred by the City associated with the recordation of the Final Plat in accordance with Section 2 of this Resolution must be reimbursed by the Petitioner.

SECTION 4: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

MEMORANDUM

Date: March 10, 2022

To: Michael G. Bartholomew, City Manager

From: John T. Carlisle, AICP, Director of Community and Economic Development (CED) *JTC*

Subject: Business Assistance Grant Request – 1090 E. Oakton Street: Charcoal Delights (5th Ward)

Issue: The Business Assistance Program requires City Council approval for all awards greater than \$10,000. The applicant seeks an Interior Build-Out grant not to exceed \$15,000, which is the typical maximum award.

Analysis: The Katsis family (through Chardel Enterprises, LLC) owns Charcoal Delights at 1090 E. Oakton Street. The restaurant, which has been at its current location since 1995, has applied for a \$15,000 grant to remodel the existing dining room. In 2019 they received a total of \$28,474 from the Awning, Façade Improvement, and Outdoor Seating grants. Now the applicant is proposing an interior remodeling of more than \$80,000, with \$73,000 toward eligible permanent improvements. These include new and more energy-efficient lighting, permanent seating (booths and tables), countertops, and drywall/ceiling. In the attached question-and-answer (Q&A), the applicant shares why they phased their improvements (exterior vs. interior) over multiple years. They also cover the effects of the COVID-19 pandemic, increased material costs, and City assistance as a motivating factor for reinvesting.

The “build-out” title in the grant implies the assistance is aimed toward establishing a business’s interior initially instead of remodeling after being already built out. Further, the grant guidelines signal it may be targeted at businesses *not* currently in Des Plaines (i.e. intended as a recruitment tool) or those businesses in Des Plaines but looking to move or open up an additional location. However, the City Council has the authority to interpret the intent more broadly to include reinvestments in existing businesses. The Council may find this practice, especially through relatively small awards such as this request, as an effective retention and business-support strategy. The applicant – a restaurant – generates food and beverage tax.

City Council Action: If the Council agrees the proposal is aligned with and appropriate for the Interior Build-Out grant, it may adopt Resolution R-65-22, which approves a \$15,000 award, reimbursable to the applicant after project completion. All grant types under the Business Assistance Program are disbursed from the same fund, which has been initially allocated \$250,000 for 2022.

Attachments:

Attachment 1: Application, including project budget and contractor estimates
Attachment 2: Q&A with ownership
Attachment 3: Photo page

Resolution R-65-22

INTERIOR BUILD-OUT PROGRAM GUIDELINES

Overview

The City's Interior Build-Out Program allows businesses to be reimbursed for up to 50% of costs incurred to locate a business within the City of Des Plaines. The maximum Interior Build-Out Program award amount is \$15,000 per business. Project awards over \$10,000 must be approved by the City Council. The Community and Economic Development Department (CED) shall review and may approve project awards of \$10,000 or less. CED is responsible for the developing procedures and general administration of this program.

Qualifications

Applicants must be locating a business within the City limits. Applicants must demonstrate that they are in the process of applying for a new Business Registration Certificate.

Limits to Participation

- ✓ Applicants must install at least \$1,500 in eligible improvements.
- ✓ Businesses may apply for one grant award per business over the life of the program. (If there is a compelling need for more than one grant City Council approval is required)
- ✓ Businesses have twelve (12) months after the "Letter of Approval" to complete the project.
- ✓ Businesses must generate retail sales tax and/or food and beverage tax.
- ✓ If any business chooses to accept the grant award they must agree not to remove improvements for any reason without limitation for a period of (5) five years after receiving the grant money.
- ✓ If any business removes the improvements for any reason in this (5) five year period they must re pay the entire grant award in full with-in (30) thirty days of removal.

Eligible Improvements

Improvements include but are not limited to;

- Hard cost for tenant build out (all fixtures must be permanent).
- Physical improvements to the interior of a building (must be permanently installed).

All eligible improvements are subject to approval by the (CED) Department.

Property Owner's Consent

Those businesses that are tenants of commercial buildings are eligible if the property owner's consent is provided in writing.

Proof of Ownership/Leasing Requirement

All applicants must show proof of a signed, written lease agreement for a period of no less than one year at the time of application or provide proof of ownership for the subject property.

Ineligible Projects

Construction of the program applicable improvements shall not commence until the applicant has received an official "Letter of Approval and Notice to Proceed."

Approval for the program does not constitute a right to begin work. The City will take efforts to coordinate the issuance of building permits and grant approval; however, it is fully the applicant's responsibility to obtain the necessary permits prior to the start of work. It is strongly advised that the applicant apply for the grant program prior to, or concurrently with the application for building permits.

****Disclaimer***

All grant awards are subject to funding by City Council during the budget process in each fiscal year. City Council reserves the right to discontinue this program at any time for any reason without notice.

INTERIOR BUILD-OUT PROGRAM ADMINISTRATIVE PROCEDURE

Step (1) Submittal of Application

Applications should be completed and submitted to the Community and Economic Development (CED) Department on the 3rd floor of City Hall for review and approval by staff. The following items are required at the time of application:

- Application Forms
- Letter of Property Owner Consent (if applicable);
- Proof of at least a one year lease at the subject property or proof of ownership;
- Contractor's work proposal (including a detailed cost estimate and diagram of improvements).

Pre-Application Conference

Prospective applicants who are considering improvements are encouraged to request a pre-application conference with (CED) Department staff.

Prioritizing Submittals

If more applications are received than current funding levels can accommodate, the CED Department will prioritize them on the basis of the date of receipt of the completed application process.

Approvals needed

If the total award amount is estimated to be \$10,000 or less then CED will approve or deny the application.

If the total award amount estimated to be over \$10,000 then the applicant must receive approval from the City Council.

Waivers

When the requested grant amount is less than \$10,000, waivers of the "Eligible Projects," "Ineligible Projects," and "Project Classifications and Reimbursement Limits" provisions of this program may be presented to the City's Economic Development Commission for consideration and approval.

When the requested grant amount exceeds \$10,000, waivers of the “Eligible Projects,” “Ineligible Projects,” and “Project Classifications and Reimbursement Limits” provisions of this program may be presented to the City’s Economic Development Commission for recommendation to the Mayor and City Council.

Step (2) Begin Work

If CED approves the grant request, a “Letter of Approval” will be sent to the applicant by the CED Department, including an estimate of the total grant amount the applicant is eligible to receive.

Required Permits

At this time the applicant should secure the services of the appropriate contractors needed to complete the work. All contractors must be properly registered, licensed, and bonded as required by law. It is the applicant’s responsibility to ensure that the selected contractors secure all required sign, building and/or construction related permits from the City. The selected contractors will be expected to complete the project in accordance with the approved plans, all applicable codes and ordinances, and standard building practices. Assuming the City has issued all necessary permits, work may begin. Sign and/or building permit applications can be submitted to the Building Division located on the 3rd floor of City Hall.

Completion within Twelve (12) Months

All work must be started within six (6) months, and completed within twelve (12) months from receiving “Letter of Approval”. If the applicant cannot complete the work detailed on the application within twelve (12) months of receiving “Letter of Approval”, the applicant has the ability to request a single, (6) six month extension from the CED Department. Prior to, or during construction, any on-the-job changes to the design must be reviewed and approved by the CED Department.

Step (3) Completion of the Job

Upon completion of the project, the work is to be approved by an inspector in the Building Division of the CED Department for compliance with the original design drawing and design notes, including initialed changes, City building codes, zoning ordinances, and sign ordinances. Only that work for which the permit was issued will be inspected.

Step (4) Payment of the Grant

Applicant must submit;

- Notarized Paid-in-Full receipt (copy or original).
- Notarized Final Waiver of Lien (completed by contractor).
- Completed IRS W-9 form

Forms can be notarized in the City Clerk’s office on the 6th floor of City Hall. Checks will be authorized for reimbursement by the CED Department after the work has been inspected and certified as to its completion and compliance, after the applicant has completed an IRS W-9 form, and after City Council approval via the warrant register at a City Council meeting.

We plan on starting a renovation at Charcoal Delights in Des Plaines in the upcoming weeks in which we will completely redo our dining room to create a more pleasant atmosphere. With the help of our contractors we hope to redo the ceiling to a more modern, Drywall and drop ceiling combination, Install new quartz countertops, Refresh our walls with new wallpaper and tiles, Replace our permanent booths and tables, Update our portable tables and chairs, Install new LED light fixtures throughout the dining area and better insulate our dining room for maximum energy efficiency.

Project Budget, 2022 Interior Build-Out for Charcoal Delights				
1090 E Oakton Street, Des Plaines IL				
Time of scope: Spring 2022				
Desired renovation compl May 6, 2022				
ELIGIBLE				
Type of Work	Contractor	Date_Invoice or Quote	COST	Notes
New Drywall/ Drop Ceiling	JRG Handyman Services	2/1/22	\$ 16,194.00	
New Permanent Booths	E-J Industries	2/11/22	\$ 17,110.00	
Lighting	G Vlahos Electric	2/14/22	\$ 7,950.00	
Countertops	DTK Stoneworks	2/15/22	\$ 10,087.00	
Permanent Tables	Factory Agency Inc	2/15/22	\$7,000.00	Tables to be mounted in ground
Materials			\$15,000.00	New Wall Tiles, Drop Ceiling Grid, Drop Ceiling Tiles
TOTAL ELIGIBLE			\$ 73,341.00	
INELIGIBLE				
Type of Work	Contractor	Date_Invoice or Quote	COST	Notes
Portable Tables and Chairs	Factory Agency Inc	2/15/22	\$ 7,000.00	These tables and Chairs will have portable bases
TOTAL			\$ 7,000.00	
PROJECT TOTAL			\$ 80,341.00	



ESTIMATE

EST-000142

Estimate Date: Feb 01, 2022

Expiry Date: Feb 15, 2022

FROM:**JRG Handyman Services**

License: Village Hall

28 4th Avenue

Arlington Heights, IL, 60005

Email: jrghandymanagementservices@gmail.com

Phone: (224) 595-0602

TO:**Charcoal Delights**

Attn: Dimitry

1090 East Oakton Street

Des Plaines, IL, 60018

Phone: (847) 274-9078

JOB LOCATION:**Charcoal Delights**

1090 East Oakton Street

Des Plaines, IL, 60018

Phone: (847) 274-9078

JOB:

#	Services	Qty	Price	Total
1	Remove existing drop ceiling tile and metal frame on 1st, 2nd vestibule and hallway	1.00	\$625.00	\$625.00
2	Remove wall paper, haft wall with plywood boards and trim 1st, 2nd and hallway vestibule.	1.00	\$675.00	\$675.00
3	Will apply skim coat mod, all walls on 2nd and hallway vestibule	1.00	\$1,200.00	\$1,200.00
4	Repair water damage drywall on 2nd vestibule	1.00	\$185.00	\$185.00
5	Install new drop ceiling 2x2 tile with metal framing on 1st, 2nd and hallway	248.00	\$8.00	\$1,984.00
6	Install two metal doors	2.00	\$285.00	\$570.00
7	Remove old drywall and install new one on 1st vestibule	1.00	\$765.00	\$765.00

8	Dining room demo drop ceiling, wallpaper, trim board and haft wall trim	1.00	\$2,675.00	\$2,675.00
9	Remove existing hanging lights, speaker, and recessed light	1.00	\$875.00	\$875.00
10	Build frame for ceiling design drywall on Dinning room	1.00	\$2,750.00	\$2,750.00
11	Install new drop ceiling on dining room	300.00	\$6.00	\$1,800.00
12	Install wall paper haft wall on vestibules and dining areas	1.00	\$1,150.00	\$1,150.00
#	Materials	Qty	Price	Total
13	Rent of dumpster 20 ton one time only	1.00	\$465.00	\$465.00
14	Material cost for drywall, screws, compound.	1.00	\$475.00	\$475.00
			Subtotal	\$16,194.00
			Grand Total (\$)	\$16,194.00
			Deposit Due	\$8,097.00

Accepted payment methods

Credit Card, Check, Cash, Credit Note/E-Gift Card, Direct Deposit

Business powered by Markate.com



E-J INDUSTRIES, INC

DEDICATED TO THE FOODSERVICE, LODGING, CONTRACT, AND INSTITUTIONAL ENVIRONMENT SINCE 1942

1275 SO. CAMPBELL AVE. • CHICAGO, ILLINOIS 60608

(312) 226-5023 • FAX: (312) 226-5976

www.ejindus.com

PRICING INFORMATION

DEMETRI KATSIS
CHARCOAL DELIGHTS
1090 EAST OAKTON STREET
DES PLAINES, ILLINOIS 601

QUOTATION #: EJ-24952

DATE: February 11, 2022

PROJECT NAME: CHARCOAL DELIGHTS
DES PLAINES, ILLINOIS

WE THANK YOU FOR THE OPPORTUNITY TO QUOTE ON YOUR
FIXED SEATING REQUIREMENTS.

PRICES IN THIS QUOTATION ARE NET, F.O.B. OUR FACTORY,
UNCRATED AND UNCARTONED

THESE PRICES WILL REMAIN FIRM PROVIDING SHIPMENT IS
MADE NOT LATER THAN **MARCH 31, 2022**

PREPARATION OF SHOP DRAWINGS FOR YOUR APPROVAL
WILL REQUIRE **3 TO 4** WEEKS AFTER RECEIPT OF
PURCHASE ORDER.

FABRICATING TIME WILL REQUIRE **4 TO 6** WEEKS AFTER
RECEIPT OF APPROVED SHOP DRAWINGS & FINAL DIMENSIONS.

(FOR EXTENDED PRICE PROTECTION, PLEASE CONTACT THIS
OFFICE.)

BY STEVE ZUCKER
EJ INDUSTRIES, INC.



E-J INDUSTRIES, INC

DEDICATED TO THE FOODSERVICE, LODGING, CONTRACT, AND INSTITUTIONAL ENVIRONMENT SINCE 1942

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PRICING INFORMATION

DATE:

February 11, 2022

REFERENCE NO.

EJ-24952

EST. PREPARED BY

STEVE ZUCKER

When placing order, indicate
reference no. above.

TO: CHARCOAL DELIGHTS
ADDRESS: 1090 EAST OAKTON STREET
DES PLAINES, ILLINOIS 601
ATTENTION: DEMETRI KATSIS
PROJECT NAME: CHARCOAL DELIGHTS
PROJECT LOCATION: DES PLAINES, ILLINOIS

ITEM	QUAN.	DESCRIPTION	UNIT PRICE	AMOUNT
	2	STRAIGHT SETTEES - 11'-3" +/- LONG OVERALL - UPHOLSTERED OUTSIDE BACKS AND SIDES		
	2	SINGLE BOOTHS		
	5	DOUBLE BOOTHS		
		6 SETS - FOURSOME BOOTHS - 4'-0" LONG OVERALL EACH		
		<u>UPHOLSTERY BY/US</u>		
		<u>BACK:</u> MOMENTUM, CANTER, EPU, NIMBUS		
		<u>SEAT:</u> SYMPHONY, VINTAGE, PRETZEL		
		<u>SPECIFICATIONS #1</u>		
		ALL HARDWOOD FRAMES GLUED AND REINFORCED WITH GLUE BLOCKS THROUGHOUT HEIGHT 3'-0" (OVERALL) WIDTH 2'-0" OVERALL (SECTION THRU) STRAIGHT TOP MEMBER & OUTSIDE BACK DROPPED FRONT SEAT WOOD TOP TRIM - RED OAK WOOD FRONT TRIM - RED OAK ENCLOSED BLACK-VINYL KICKBASE - 6" HIGH <u>UPHOLSTERY - BY/US, AS INDICATED ABOVE</u> UPHOLSTERY MATERIAL PULLED OVER TOP AND AROUND ENDS AND FASTENED ON BACKSIDE BACKS UPHOLSTERED PLAIN-SMOOTH 2" THICK FOAM FILLING COIL SPRING-REMOVABLE- SEATS- <u>SOFT EDGE</u> 1-1/2" THICK FOAM IN SEATS OVER COIL SPRINGS SEAT COVER APPLIED IN WATERFALL STYLE. SEWN ONLY ON END(S) WITH SADDLE SEATING SEATS FINISHED 1'-6" HIGH OFF FLOOR ALL FOAM TO BE FLAME RETARDANT CODE YELLOW		
		CONTINUED ON PAGE 3		



E-J INDUSTRIES, INC

DEDICATED TO THE FOODSERVICE, LODGING, CONTRACT, AND INSTITUTIONAL ENVIRONMENT SINCE 1942

1275 SO. CAMPBELL AVE. • CHICAGO, ILLINOIS 60608

(312) 226-5023 • FAX: (312) 226-5976

www.ejindus.com

PRICING INFORMATION

DATE:

February 11, 2022

REFERENCE NO.

EJ-24952

EST. PREPARED BY

STEVE ZUCKER

When placing order, indicate

reference no. above.

TO: CHARCOAL DELIGHTS
ADDRESS: 1090 EAST OAKTON STREET
DES PLAINES, ILLINOIS 601
ATTENTION: DEMETRI KATSIS
PROJECT NAME: CHARCOAL DELIGHTS
PROJECT LOCATION: DES PLAINES, ILLINOIS

ITEM	QUAN.	DESCRIPTION	UNIT PRICE	AMOUNT
		CONTINUED		
		NET COST F.O.B CHICAGO FACTORY UNCRATED AND UNCARTONED		\$17,110.00
		ILLINOIS SALES TAX:		\$ 1,754.00
		TERMS: 50% DEPOSIT, BALANCE DUE UPON COMPLETION		
		NOTES: 1. SALES TAX, FIELD DIMENSIONS, PROTOTYPES, SHIPPING INSTALLATION AND A FLAME BARRIER TO MEET TB 133 <u>ARE NOT INCLUDED.</u> 2. WE RESERVE THE RIGHT TO FINAL PRICING AFTER RECEIPT OF FINAL DIMENSIONS AND / OR DETAILS. SHIPPING AND HANDLING CHARGES TO <u>DES PLAINES, ILLINOIS</u> VIA FURNITURE VAN, BLANKET WRAPPED, INCLUDES UNLOADING AND SETTING INTO PLACE BY UNION PERSONNEL DURING NORMAL WORKING HOURS MONDAY - FRIDAY 7AM -2PM		\$900.00

Service Area (#446,0)
<i>Includes template and installation of...</i>

	\$3,765.00
--	------------

Includes template and installation of countertops

DTK does not provides supports. All supports needed will determined at the measure.

All seam/s location/s will be determined after field measure.

All counters to be single thickness unless otherwise noted.

Silestone Quartz 3cm: Grey Expo | R/J - 3cm

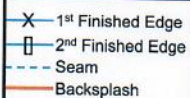
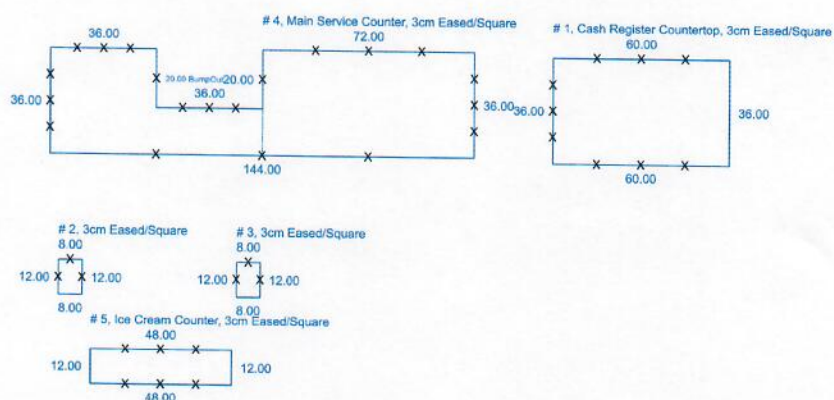
Edge Profile: 3cm Eased/Square



Drawing Items: Notch

Price Difference for Alternative Edges:

Service Area (#446,0)



Bar Area (#471,0)	Includes template and installation of
-------------------	---------------------------------------

\$5,860.00

Includes template and installation of countertops

DTK does not provides support. All supports needed will determined at the measure.

All seam/s location/s will be determined after field measure.

All counters to be single thickness unless otherwise noted.

Silestone Quartz 3cm: Grey Expo | R/J - 3cm

Edge Profile: 3cm Eased/Square

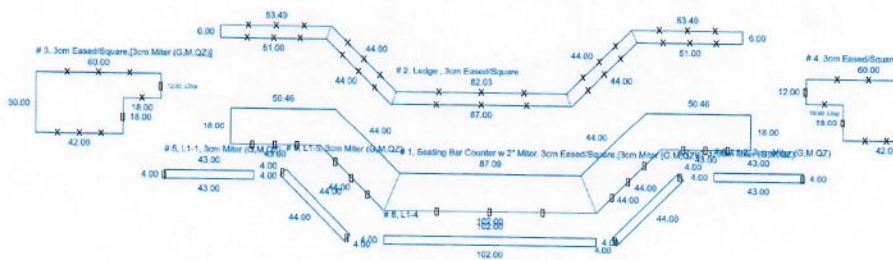





Edge Profile: 3cm Miter (G,M,QZ)

Drawing Items: L-Top

Price Difference for Alternative Edges:

Bar Area (#471,0)



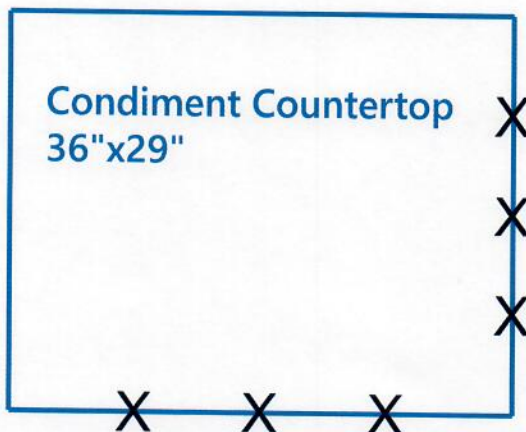
- 1st Finished Edge
-  2nd Finished Edge
-  Seam
-  Backsplash

Condiment Countertop (#476,0)**\$462.00**

Includes template and installation of countertops
Silestone Quartz 3cm: Grey Expo | R/J - 3cm
Edge Profile: 3cm Eased/Square

**Price Difference for Alternative Edges:****Condiment Countertop (#476,0)**

Condiment Countertop
36"x29"



X 1st Finished Edge
□ 2nd Finished Edge
--- Seam
--- Backsplash

Total: **\$10,087.00****Prior Payments:** **\$0.00****Remaining Balance:** **\$10,087.00****Deposit Request:** **\$5,043.50****Balance After Deposit:** **\$5,043.50**

Please make checks payable to:

DTK STONE WORKS

G VLAHOS ELECTRIC, INC.

1707 North Dale Avenue
Arlington Heights, Illinois 60004
847-920-4449

PROPOSAL

Proposal Date		Estimate #
Good For 60 days from Proposal Date	2/14/2022	142

PROPOSAL SUBMITTED TO:

Charcoal Delights
1090 E Oakton St
Des Plaines, IL 60018

WORK TO BE PERFORMED AT:

Charcoal Delights
1090 E Oakton St
Des Plaines, IL 60018

Work Proposal Description

Work to be performed at:
Charcoal Delights
Des Plaines
Front dining area lighting.

7,950.00

Work requested by: Demo Katsis

Scope of Work: Interior lighting for front dining area, counter, vestibules, and hallway according to plans, using existing lighting feeds.
Supply and install 13 6" LED recessed lights in hallway and two vestibules drop ceiling.
Supply and install 6 4" recessed lights in new soffit over front counter.
Supply and install 19 6" LED recessed lights in soffit in ding area.
Supply and install 10 2x2 LED flat panel lights in dining area drop ceiling.
Replace 2 exit signs with 2 LED combo emergency/exit signs at exterior doors.
Replace 2 emergency lights with 2 new LED emergency lights in front dining room wall.
All new LED lights to be 4000K color and white trims/baffles.

Total budget for above work: \$7950.00 (Includes labor and materials. License and permit fees extra, to be paid by owner)

50% w/signed proposal
25% upon completion
25% upon final inspection.

TERMS & CONDITIONS:

License and permit fees extra.

RETURNS/EXCHANGES: All sales are final.

ACCEPTANCE OF PROPOSAL

PRINTED NAME: _____ SIGNED: _____ DATE: _____

February 22, 2022

QUESTION AND ANSWER WITH OWNERSHIP OF CHARCOAL DELIGHTS

Responses from Demetri Katsis

Q: Explain why you broke out the business upgrades into two steps – doing the outdoor café and façade/exterior work in 2019 and this interior work now.

A: We decided to break the renovation into two parts to minimize the disruption in our day to day operations. By completing the exterior in 2019 this allowed the construction crew to focus on one area at a time. When it comes to our upcoming interior renovation now with everything else completed we project to only close our dining room for about a week. Also, the 2019 project cost ended up being almost double from what we had originally been quoted for so it helped to break the project into two parts financially as well.

Q: Explain the long-term business plan for this site, how it's been affected by the pandemic, and why you're doubling-down on wanting to make this more than \$80,000 investment now.

A: Charcoal Delights has been a family owned and operated restaurant for over 3 generations and we plan on keeping it this way for many more to come. With this interior renovation we plan on focusing on the customers experience by giving them a more pleasant and comfortable overall dining environment. We also plan on making the building more environmentally friendly by increasing the amount of insulation and installing more efficient lighting fixtures throughout. The pandemic forced us to shut down our dining room for many months and this greatly impacted our business. This showed us how important it is to have a functioning and comfortable dining room for when our business returns to full force. In 2019 we spent hundreds of thousands of dollars on the first stage of the renovation to give the outside of our building a facelift and add an outdoor patio. Now the time has come to do the same with the dining room, with this interior renovation we are doubling down and making another large investment in our business for many years to come.

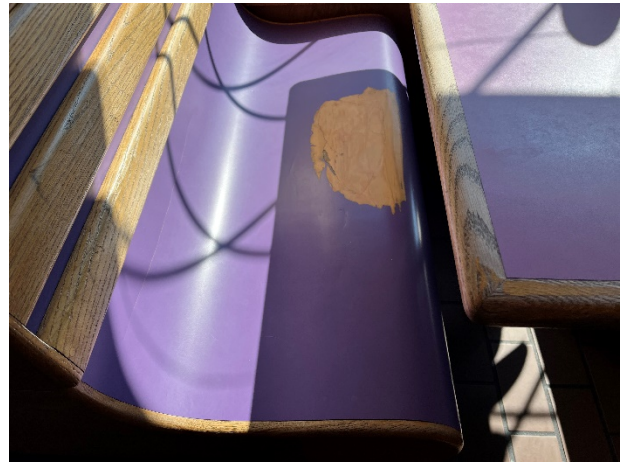
Q: Explain the need/substantial benefit of City assistance in making this investment. You're asking for \$15,000, so identify why that makes a difference in whether or not you move forward with the renovation.

A: The help from the city is a big part of why we want to go ahead and complete this renovation now. As I mentioned before our business was greatly impacted by the pandemic and this business assistance grant would help us create the dining experience we have envisioned for our customers since we first came to Des Plaines over 25 years ago. With the recent material and labor costs increases our renovation budget has increased drastically and we wouldn't really be able to go ahead without it.

Interior Photos Taken by Staff: March 8, 2022



Dining room wide view



Worn existing seating



Existing ceiling and lighting



Existing ceiling and lighting

CITY OF DES PLAINES

RESOLUTION R - 65 - 22

**A RESOLUTION APPROVING A BUSINESS ASSISTANCE
PROGRAM GRANT FOR INTERIOR IMPROVEMENTS AT
1090 EAST OAKTON STREET.**

WHEREAS, the City has appropriated funds for use by the Department of Community and Economic Development during the 2022 fiscal year for the disbursement of grants through the Business Assistance Program ("*Program*"); and

WHEREAS, the Program offers grants to reimburse owners of eligible commercial properties within the City for up to 50 percent of the cost of improving or rehabilitating the interior of the properties, up to a total amount of \$15,000 ("*Interior Build-Out Grant*"); and

WHEREAS, Chardel Enterprises, LLC ("*Applicant*") owns the property commonly known as 1090 East Oakton Street in the City ("*Subject Property*") and operates a restaurant at the Subject Property known as the Charcoal Delights, which has been in operation at this location since 1995; and

WHEREAS, the Applicant has applied for an Interior Build-Out Grant to install new and more energy-efficient lighting, permanent seating (booths and tables), countertops, and drywall/ceiling at the Subject Property (collectively, "*Interior Improvements*"); and

WHEREAS, the estimated cost of the Interior Improvements, based on contractor quotes, is \$80,341; and

WHEREAS, the City Council has determined that it is in the best interest of the City to approve and authorize the Interior Build-Out Grant to reimburse the Applicant for up to 50 percent of the cost of the Interior Improvements at the Subject Property in an amount not to exceed \$15,000;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DES PLAINES, COOK COUNTY, ILLINOIS, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the City Council.

SECTION 2: APPROVAL OF INTERIOR BUILD-OUT GRANT. The City Council hereby approves the Interior Build-Out Grant to reimburse the Applicant for 50 percent of the cost of the Interior Improvements at the Subject Property in accordance with the Program guidelines and in an amount not to exceed \$15,000.

SECTION 3: AUTHORIZATION TO DISBURSE GRANT. The City Council hereby authorizes and directs the City Manager or his designee to take all necessary and appropriate action

{00125377.1}

in accordance with the Program guidelines to reimburse the Applicant for up to 50 percent of the cost of the Interior Improvements at the Subject Property in an amount not to exceed \$15,000.

SECTION 5: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES _____ NAYS _____ ABSENT _____

MAYOR

ATTEST:

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Resolution Approving the BAP Grant for 1090 East Oakton Street (Interior Build-Out) 2022



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

MEMORANDUM

Date: March 10, 2022

To: Michael G. Bartholomew, City Manager

From: John T. Carlisle, AICP, Director of Community and Economic Development *JTC*
Emily Shaw, Management Analyst

Subject: Class 6b – Seefried Industrial Properties, Inc., at 190 E. Touhy Ave. (5th Ward)

Issue: Applicant Seefried Industrial Properties, Inc. is the contract purchaser of 190 E. Touhy Ave. from seller Schamim's, LLC. The applicant is requesting a resolution supporting a Cook County Class 6b Property Tax Incentive (6b), which is designed to encourage industrial investment by reducing the assessment level of eligible properties for 12 years. Qualified industrial properties are assessed at 10% of market value for the first 10 years, 15% in the 11th year and 20% in the 12th year. Normally such properties are assessed at 25% of market value. This application is based on the New Construction eligibility criterion.

Analysis: The subject property consists of a 3.8-acre undeveloped site. The land is currently zoned M-2 General Manufacturing District and allows for a number of industrial uses. If approved the applicant intends to purchase the property and construct a new approximately 68,000-square-foot speculative industrial building. The applicant projects the property value after full construction at approximately \$7.6 million, which is the \$1.1 million current property value plus a \$6.5 million building construction cost. These values far exceed the minimum \$10 per square foot in required investment for City support (approximately \$96 per building square foot). The proposed facility will face Touhy Avenue and include 75 parking spaces, 16 exterior dock doors, and two drive-in overhead doors.

The applicant does not yet have a tenant for the property but plans to lease the proposed facility to one or more suitable industrial users. The applicant expects that once stabilized, the industrial users' employment numbers could be between 20-50 full time employees, but they are comfortable committing only to 20.

City policy on 6b review is that the minimum number of employees generated by a new construction project should be at least 50 within two years after operations begin. However, the City Council has the discretion to waive this requirement. The applicant is requesting a waiver, pledging 20 employees. They state they have found difficulty in the past marketing similar properties – particularly to warehouse/distribution users – where there was a job requirement in the range of 50.

The attached application contains a sheet called "12-Year Tax Estimates," which highlights scenarios based on current market values and Tax Year 2020 Rates. The applicant contends the investment in the property will not be feasible without approval of a 6b (Scenario No. 3) and projects that Scenario No. 2 will result in an *additional* approximately \$3.1 million in property tax revenue over the 12-year life of the incentive.

Tax Impact Scenarios (First 10 Years):

1. Estimated annual taxes as is (no improvements, no 6b): \$84,685
2. Estimated annual taxes with proposed improvements *with* a 6b: \$230,300
3. Estimated annual taxes with proposed improvements *without* a 6b: \$575,750

City Council Action: The Council may choose to approve Resolution R-66-22, supporting and consenting to a Class 6b Application at 190 E. Touhy Avenue for Seefried Industrial Properties, Inc.. The resolution contains a waiver of the City policy for minimum projected employment.

Attachments:

Attachment 1: Class 6b Property Tax Incentive Application

Resolution R-66-22

Exhibit A: Legal Description



33 NORTH LASALLE STREET, 28TH FLOOR CHICAGO, ILLINOIS 60602
BRIAN P. LISTON (312) 580-1594 PETER TSANTILIS (312) 604-3808 FACSIMILE (312) 580-1592

November 23, 2021

VIA MAIL & EMAIL

John Carlisle
Economic Development Manager
City of Des Plaines 1420 Miner Street
Des Plaines, IL 60016

RE: Class 6b Application
Seefried Industrial Properties, Inc., or its assignee
190 E. Touhy Avenue
Des Plaines, IL 60018
PINs: 09-30-301-002-0000

Dear John,

Seefried Industrial Properties, Inc., or its assignee (the "Applicant" or "Seefried") is the contract-purchaser of the above- referenced property (the "Subject Property"), and is requesting:

1. A Resolution from the City of Des Plaines supporting and consenting to a Class 6b Tax Incentive for the Subject Property based on New Construction and Substantial Rehabilitation.

The Subject Property currently consists of a vacant site including 166,064 square feet of raw land. The site is zoned M-2 General Manufacturing, and will allow for a number of industrial uses. The Applicant plans to purchase the property and construct a new, approximately 71,472 square foot speculative industrial facility. The proposed facility will face Touhy Avenue and include 75 parking spaces, 16 exterior dock doors, and two (2) drive-in overhead doors.

Potential Occupants and Job Creation

The Applicant does not yet have a tenant for the property, but plans to lease the proposed facilities to one or more suitable industrial users. The two new buildings will be constructed for a variety of potential industrial uses, with parking spaces for 50+ employees. Depending on the ultimate end user, the Applicant expects full time employment number to be anywhere from 20-50 full time employees upon stabilization. The Applicant also expects the improvements described below to result in approximately 150 temporary construction jobs.

Subject Property Improvements & Real Estimate Taxes

The Applicant is still in the progress of receiving estimates, but expects the building shell construction to cost approximately \$6,500,000, or around \$95 per square foot. Including the acquisition cost, design and build-out, the total costs of the project will likely be closer to \$175 per square foot, or around \$12,000,000. After the purchase and subsequent construction, the Applicant expects the property to have a stabilized market value of around \$7,630,940, which would generate approximately \$3,109,051 in

taxes over the life of the incentive (or \$230,300 per year). Without the incentive, the Applicant will not purchase the property and it will remain a vacant lot and generate only \$1,016,223 in taxes over the life of the incentive (or \$84,685 per year). Therefore, should the Class 6b be approved, the subject property would generate an approximately **\$2,092,827** in additional real estate taxes over the life of the Class 6b Tax Incentive. Please see the attached "12 Year Tax Comparison Chart." In addition to the improvements above, the Applicant also expects the eventual occupant to invest in further improvements to bring the facility up to the particular industry's standard.

Further Economic Analysis

Without the assistance from the 6b incentive, the Applicant will not purchase the property; the Applicant has determined that without the incentive the heavy Cook County property tax burden may require it to bring its operations to a neighboring county, state or community. In the event the Applicant does not close on the property, it will remain a vacant lot and generate minimal taxes for the community. In addition to increased property tax revenues, the eventual occupant's employees and visitors will significantly benefit the local community. Each of the occupant's employees will frequent City restaurants, gas stations, stores and more. The Applicant also expects the occupant will attract new business and clients who will also frequent nearby establishments. According to the attached employee economic impact chart, a projected 30 full time employees are estimated to spend approximately **\$127,125** per year in the City on gas, entertainment, groceries, etc. Including the increased property tax revenue, the project will generate over total of **\$3,500,000** in additional revenue over the life of the incentive.

"But-For" Condition Statement

The purchase and sales agreement for the Subject Property is contingent on the purchaser receiving the class 6b incentive. The Applicant has determined that without the incentive, the heavy Cook County property tax burden will make the development infeasible, and will force it to move the project to a neighboring county or state. In the event that the Applicant does not purchase the Subject Property, it will remain vacant and produce no new employment or City revenue.

Conclusion

Based on the foregoing, the Applicant requests that the City of Des Plaines review its Class 6b Tax Incentive request and approve a Resolution supporting and consenting to a Class 6b Tax Incentive for the Subject Property based on New Construction and Substantial Rehabilitation. Should you need any additional documentation or have any questions or concerns, do not hesitate to contact me at (312) 604-3898 or via email at mrogers@ltlawchicago.com.

Respectfully Submitted,



Mark Rogers

Potential Growth & Property Improvements

190 E. Touhy Avenue,
Des Plaines, Illinois 60018
PIN: 09-30-301-002-0000

The Subject Property currently consists of a vacant site including 166,064 square feet of raw land. The site is zoned M-2 General Manufacturing, and will allow for a number of industrial uses. The Applicant plans to purchase the property and construct a new, approximately 71,472 square foot speculative industrial facility. The proposed facility will face Touhy Avenue and include 75 parking spaces, 16 exterior dock doors, and two (2) drive-in overhead doors. Depending on the ultimate end user, the Applicant expects full time employment number to be anywhere from 20-50 full time employees upon stabilization.

The Applicant is still in the progress of receiving estimates, but expects the building shell construction to cost approximately \$6,500,000, or around \$95 per square foot. Including the acquisition cost, design and build-out, the total costs of the project will likely be closer to \$175 per square foot, or around \$12,000,000. After the purchase and subsequent construction, the Applicant expects the property to have a stabilized market value of around \$7,630,940, which would generate approximately \$3,109,051 in taxes over the life of the incentive (or **\$230,300** per year).

Without the incentive, the Applicant will not purchase the property and it will remain a vacant lot and generate only \$1,016,223 in taxes over the life of the incentive (or **\$84,685** per year). Therefore, should the Class 6b be approved, the subject property would generate an approximately **\$2,092,827** in additional real estate taxes over the life of the Class 6b Tax Incentive. Please see the attached "12 Year Tax Comparison Chart." In addition to the improvements above, the Applicant also expects the eventual occupant to invest in further improvements to bring the facility up to the particular industry's standard. Including the revenue from the new employees, the project will generate over total of **\$3,500,000** in additional revenue over the life of the incentive.

SEEFRIED - PROJECT BUDGET

190 East Touhy
Des Plaines, IL
March 2, 2022

SEEFRIED

68,532 SF

3.87 AC

14 Docks

SITE WORK		BUDGET	\$ / SF	Labor	Material
2050	DEMOLITION/MISC SITE WORK	\$ 10,785	\$ 0.16	100%	0%
2200	GRADING	\$ 252,477	\$ 3.68	95%	5%
2250	GEOPIERS	\$ 89,623	\$ 4.26	90%	10%
2500	BITUMINOUS WORK	\$ 188,908	\$ 2.76	65%	35%
2700	EXTERIOR UTILITIES	\$ 333,127	\$ 4.86	55%	45%
2750	UNDERGROUND DETENTION	\$ 448,262	\$ 6.54	55%	45%
2900	LANDSCAPING	\$ 67,324	\$ 0.98	60%	40%
2950	CRASH GATES	\$ 7,540	\$ 0.11	40%	60%
2950	SOIL REMEDIATION AND HAUL OFF	\$ 375,587	\$ 5.48	80%	20%
3000	EXTERIOR CONCRETE WORK	\$ 147,345	\$ 2.15	65%	35%
SITE SUBTOTAL:		\$ 1,920,979	\$ 28.03		

SHELL BUILDING		BUDGET	\$ / SF	Labor	Material
3000	CONCRETE	\$ 528,414	\$ 7.71	65%	35%
3910	PRECAST WALLS	\$ 970,692	\$ 14.16	65%	35%
5100	STRUCTURAL STEEL	\$ 1,379,357	\$ 20.13	60%	40%
5130	MISC METALS	\$ 47,834	\$ 0.70	65%	35%
6000	CARPENTRY	\$ 9,500	\$ 0.14	55%	45%
6201	DOORS AND FRAMES	\$ 16,483	\$ 0.24	55%	45%
7500	ROOFING	\$ 434,855	\$ 6.35	60%	40%
8400	OVERHEAD DOORS	\$ 36,734	\$ 0.54	50%	50%
8800	GLASS	\$ 101,901	\$ 1.49	50%	50%
9900	PAINT	\$ 26,123	\$ 0.38	70%	30%
9960	PAINT PRECAST	\$ 51,976	\$ 0.76	70%	30%
9800	SPECIAL FLOORS	\$ 11,605	\$ 0.17	70%	30%
11160	DOCK EQUIPMENT	\$ 123,940	\$ 1.81	50%	50%
15400	PLUMBING	\$ 83,470	\$ 1.22	60%	40%
15300	FIRE SPRINKLER	\$ 193,121	\$ 2.82	60%	40%
15500	HVAC	\$ 132,288	\$ 1.93	60%	40%
16100	ELECTRIC	\$ 194,476	\$ 2.84	65%	35%
17000	SINGLE HOLE, UNISEX WASHROOM	\$ 65,938	\$ 0.96	75%	25%
17001	OFFICE AND WAREHOUSE TENANT IMPROVEMENT ALLOWANCE	\$ 845,625	\$ 12.34	65%	35%
1052	FINAL CLEAN	\$ 2,048	\$ 0.03	95%	5%
1020	WINTER CONDITIONS & TEMP UTILITIES	\$ 135,849	\$ 1.98	15%	85%
SHELL BUILDING SUBTOTAL:		\$ 5,392,230	\$ 78.68		

SITE WORK & SHELL BUDGET TOTAL:		\$ 7,313,209	\$ 106.71		
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1000	GENERAL CONDITIONS	\$ 191,700	\$ 2.80		
1001	SURVEYING	\$ 13,004	\$ 0.19		
2800	NPDES/SWPPP REPORTING AND COMPLIANCE	\$ 10,609	\$ 0.15		
1046	PERMITS	\$ 84,563	\$ 1.23		
1048	INSURANCE	\$ 63,117	\$ 0.92		
1096	CONTINGENCY	\$ -	\$ -		
1057	QUALITY CONTROL TESTING	\$ 82,311	\$ 1.20		
1082	DESIGN SERVICES	\$ -	\$ -		
17000	PREMIER DESIGN + BUILD GROUP OH&P	\$ 227,494	\$ 3.32		

PROJECT TOTAL:		\$ 7,986,007	\$ 116.53		
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APPLICANT'S FINAL ESTIMATE OF PROJECT COST		\$6,500,000			
STAFF NOTE: Applicant separates out site work (\$1,920,979) and shell building (\$5,392,230). Final estimate of hard construction costs includes the entire shell costs but only some of the site work. Therefore, \$6,500,000 in hard costs is a reasonable projection.					

F67:F68

12 Year Tax Estimates

190 E. Touhy
Des Plaines, IL 60018
PIN: 09-30-301-002-0000

Estimated Taxes Based on:
Estimated Taxes based on the Current Market Value, \$6,500,000 in Hard Costs and a 6b
Compared to
Estimated Market Value Based on the Current Market Value, No Development and no 6b

				Current Market Value + \$6,500,000 in Hard Costs and a 6b				Estimated Market Value Based on the Current Market Value, No Development and no 6b				Current Market Value + \$6,500,000 in Hard Costs and no 6b			
Tax Year	2020 Tax Rate	2020 Multiplier	Estimated Effective Tax Rate*	Estimated Market Value	Assessment Level with a Class 6b**	Estimated Assessed Value With a Class 6b	Estimated Tax With a Class 6b	Estimated Market Value	Assessment Level With NO Class 6b	Estimated Assessed Value Without a Class 6b	Estimated Taxes Without a Class 6b	Estimated Market Value	Assessment Level With NO Class 6b	Estimated Assessed Value Without a Class 6b	Estimated Taxes Without a Class 6b
2022	9.375%	3.2234	30.219%	\$7,620,940	10%	\$762,094	\$230,300	\$1,120,940	25%	\$280,235	\$84,685	\$7,620,940	25%	\$1,905,235	\$575,750
2023	9.375%	3.2234	30.219%	\$7,620,940	10%	\$762,094	\$230,300	\$1,120,940	25%	\$280,235	\$84,685	\$7,620,940	25%	\$1,905,235	\$575,750
2024	9.375%	3.2234	30.219%	\$7,620,940	10%	\$762,094	\$230,300	\$1,120,940	25%	\$280,235	\$84,685	\$7,620,940	25%	\$1,905,235	\$575,750
2025	9.375%	3.2234	30.219%	\$7,620,940	10%	\$762,094	\$230,300	\$1,120,940	25%	\$280,235	\$84,685	\$7,620,940	25%	\$1,905,235	\$575,750
2026	9.375%	3.2234	30.219%	\$7,620,940	10%	\$762,094	\$230,300	\$1,120,940	25%	\$280,235	\$84,685	\$7,620,940	25%	\$1,905,235	\$575,750
2027	9.375%	3.2234	30.219%	\$7,620,940	10%	\$762,094	\$230,300	\$1,120,940	25%	\$280,235	\$84,685	\$7,620,940	25%	\$1,905,235	\$575,750
2028	9.375%	3.2234	30.219%	\$7,620,940	10%	\$762,094	\$230,300	\$1,120,940	25%	\$280,235	\$84,685	\$7,620,940	25%	\$1,905,235	\$575,750
2029	9.375%	3.2234	30.219%	\$7,620,940	10%	\$762,094	\$230,300	\$1,120,940	25%	\$280,235	\$84,685	\$7,620,940	25%	\$1,905,235	\$575,750
2030	9.375%	3.2234	30.219%	\$7,620,940	10%	\$762,094	\$230,300	\$1,120,940	25%	\$280,235	\$84,685	\$7,620,940	25%	\$1,905,235	\$575,750
2031	9.375%	3.2234	30.219%	\$7,620,940	10%	\$762,094	\$230,300	\$1,120,940	25%	\$280,235	\$84,685	\$7,620,940	25%	\$1,905,235	\$575,750
2032	9.375%	3.2234	30.219%	\$7,620,940	15%	\$1,143,141	\$345,450	\$1,120,940	25%	\$280,235	\$84,685	\$7,620,940	25%	\$1,905,235	\$575,750
2033	9.375%	3.2234	30.219%	\$7,620,940	20%	\$1,524,188	\$460,600	\$1,120,940	25%	\$280,235	\$84,685	\$7,620,940	25%	\$1,905,235	\$575,750
				Total Estimated Taxes (2022 to 2033)			\$3,109,051	Total Estimated Taxes (2022 to 2033)			\$1,016,223	Total Estimated Taxes (2022 to 2033)			\$6,909,001

Property Tax Revenue Generated from the Property's Class 6b Tax Incentive:	\$2,092,827
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Notes:

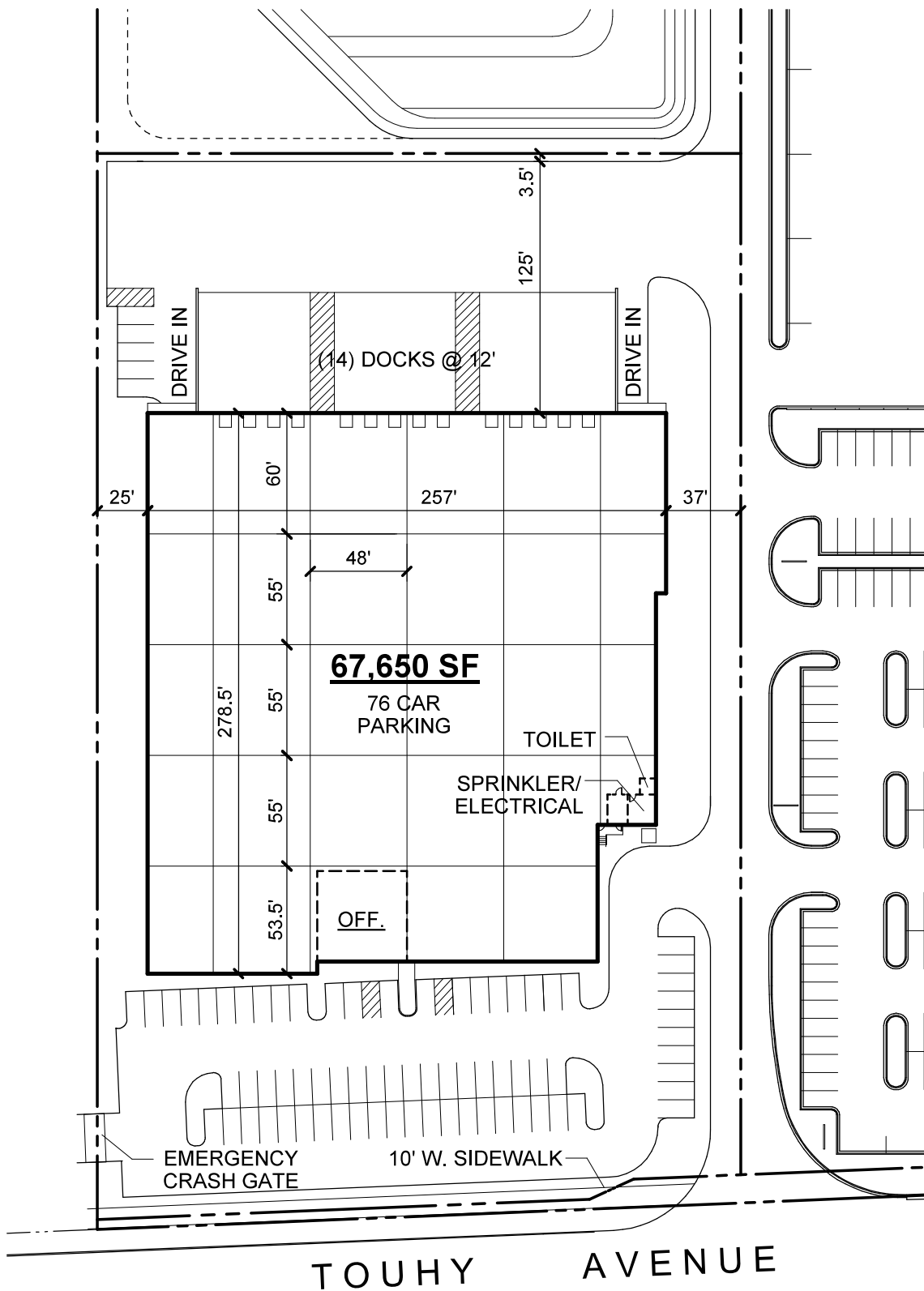
* The 2020 Tax Rate (the 2020 tax rate x the 2020 multiplier) was used. It does not take into account any increases or decreases in the Effective Tax Rate between 2022 and 2033.

**The above is based on the assumption that the Class 6b Tax Incentive for the subject property will be granted in 2021 and activated in 2022 or 2023

The above estimates are speculative, and should be treated as such.







BUILDING SITE AREA (±3.87 AC.)
 BUILDING AREA FOOTPRINT
 CAR PARKING
 DRIVE IN OVERHEAD DOORS
 EXTERIOR DOCKS

168,462 SF
 67,650 SF
 76 CARS
 2 DOORS
 14 DOCKS

CONCEPTUAL NEW FACILITY FOR:
190 E. TOUHY AVE.
 DES PLAINES, ILLINOIS

SITE PLAN

12-20-2021

0 25 50 100



Employment Justification

190 E. Touhy Avenue,
Des Plaines, Illinois 60018
PIN: 09-30-301-002-0000

The Applicant does not yet have a tenant for the property but plans to lease the proposed facilities to one or more suitable industrial users. The new facility will be constructed for a variety of potential industrial uses, with parking spaces for 50+ automobiles. Depending on the ultimate end user, the Applicant expects full time employment number of approximately twenty to fifty (20-50) within the first two years of the incentive. The Applicant acknowledges the employment numbers may reach the upper limits of the range but cannot guarantee such without significant detriment to the marketing process. At this time the Applicant is comfortable with creating at least **20** full time jobs. The rationale for reducing the required job amount from 50 to 20 requires the project to meet one or more of the factors below:

- 1) There are physical constraints to the subject property that prohibit the applicant/subject occupant to reasonably accommodate the additional criteria in the submitted cover letter;
- 2) An alternative effort will be made to improve the subject property, employment opportunities and other community benefit; and
- 3) The additional criteria for employment cannot be accommodated at the time of application, but an update on employment figures shall be provided within six months of completing all permitted construction activities.

(1)

The Subject Property currently consists of 3.82 acres of raw land. Despite being located in an advantageous location, the property has been marketed without success for a number of years. Due to the increasing Cook County tax rate and multipliers (30.22% effective tax rate) as well as the global supply shortage, construction of new industrial facilities in the County without a tax incentive is infeasible.

Seefried Industrial Properties is under contract to purchase the land and construct a new 67,650 square foot industrial facility, subject to receiving the 6b tax incentive. Due to the proximity to major roadways and O'Hare airport, the facility will attract a wide variety of users. If the Applicant finds a major manufacturing tenant, then 50 jobs is possible. However if the tenant is more of a warehouse/distribution type user, we anticipate approximately 21 jobs based on similar buildings. This number is calculated based on the following ratios: 2-3% office space x 4 employees per 1,000 SF of office + 1 employee per 5,000 SF of warehouse. In the case of our building, the math equates to $67,650 \times 3\% \times 4 / 1,000 + 67,650 \times 97\% \times 1 / 5,000 = 21$ employees. Keeping the job requirement at 50 will result in the Applicant having to turn away otherwise qualified tenants with high paying jobs, based solely on the fact they don't employ a

large quantity of employees. The additional car parking spaces is meant to provide flexibility for shift change overlap, maintenance personnel, snow plowing room and other temporary personnel.

(2)

In addition to the creation of 20+ jobs, the Applicant is far exceeding the required costs PSF for an incentive on a new build. The building shell alone will cost approximately \$95-100 PSF; including the acquisition, design, and build-out, the total costs of the project will be approximately \$175 PSF. Unlike an incentive based on re-occupation, the Subject Property has never supported any employees nor produced any meaningful tax revenue, averaging only \$27,000 over the past five (5) years, despite its ideal location.

Not only will the Applicant bring a number of new jobs to the City, but a number of well-paying, high *quality* jobs. Based on the enclosed Employee Impact Chart, 20 full time employees are estimated to spend approximately \$84,750 per year on Village services, which alone is about what the property generated in property taxes over the past five (5) years. Per the enclosed 12 Year Estimate chart, development and occupation of the proposed facility would generate over \$2,000,000 in additional tax revenue as compared to its current state.

(3)

For the Subject Property, rationale three (3) is the most relevant. Since the project is a speculative build, it is difficult for the Applicant to guarantee, and monitor the numbers of employees for potential tenants. Based on past experiences, twenty employees is a number the Applicant feels comfortable and confident in achieving but anything higher than that would limit the marketability of the space. The investment team needs to know the project is fully marketable in order to commit to the development. We are not able to fund the construction of the facility prior to a commitment on the 6B limitations.

Industrial Use:

190 E. Touhy Avenue,
Des Plaines, Illinois 60018
PIN: 09-30-301-002-0000

Seefried Industrial Properties, Inc., or its assignee (the "Applicant" or "Seefried") is the contract-purchaser of the above- referenced property (the "Subject Property"), and is requesting a resolution from the City of Des Plaines supporting and consenting to a Class 6b Tax Incentive for the Subject Property based on New Construction and Substantial Rehabilitation.

The Subject Property currently consists of a vacant site including 166,064 square feet of raw land. The site is zoned M-2 General Manufacturing, and will allow for a number of industrial uses. The Applicant plans to purchase the property and construct a new, approximately 71,472 square foot speculative industrial facility. The proposed facility will face Touhy Avenue and include 75 parking spaces, 16 exterior dock doors, and two (2) drive-in overhead doors.

The Applicant does not yet have a tenant for the property, but plans to lease the proposed facilities to one or more suitable industrial users. The two new buildings will be constructed for a variety of potential industrial uses, with parking spaces for 50+ employees. Depending on the ultimate end user, the Applicant expects full time employment number to be anywhere from 20-50 full time employees upon stabilization. The Applicant also expects the improvements described below to result in approximately 150 temporary construction jobs.

For more information on the Applicant and its previous projects, visit
<https://www.seefriedproperties.com/>

Employment Opportunities

190 E. Touhy Avenue,
Des Plaines, Illinois 60018
PIN: 09-30-301-002-0000

The Applicant does not yet have a tenant for the property, but plans to lease the proposed facilities to one or more suitable industrial users. The two new buildings will be constructed for a variety of potential industrial uses, with parking spaces for 50+ employees. Depending on the ultimate end user, the Applicant expects full time employment number to be anywhere from 20-50 full time employees upon stabilization. The Applicant also expects the improvements described below to result in approximately 150 temporary construction jobs.

In addition to increased property tax revenues, the eventual occupant's employees and visitors will significantly benefit the local community. Each of the occupant's employees will frequent City restaurants, gas stations, stores and more. The Applicant also expects the occupant will attract new business and clients who will also frequent nearby establishments. According to the attached employee economic impact chart, a projected 30 full time employees are estimated to spend approximately **\$127,125** per year in the City on gas, entertainment, groceries, etc.

Purchase	Emp.	%	Exp./Week	Weeks	Total
Lunch	30	55%	\$55	50	\$45,375
Grocery	30	30%	\$50	50	\$22,500
Consumer Goods	30	25%	\$35	50	\$13,125
Entertainment	30	15%	\$55	50	\$12,375
Auto-Gas	30	75%	\$30	50	\$33,750
TOTAL					\$127,125

Legal Description, Site and Building Square Footage

190 E. Touhy Avenue,
Des Plaines, Illinois 60018
PIN: 09-30-301-002-0000

The Subject Property currently consists of a vacant site including 166,064 square feet of raw land. The site is zoned M-2 General Manufacturing, and will allow for a number of industrial uses. The Applicant plans to purchase the property and construct a new, approximately 71,472 square foot speculative industrial facility. The proposed facility will face Touhy Avenue and include 75 parking spaces, 16 exterior dock doors, and two (2) drive-in overhead doors.

Attached hereto please find:

- Survey
- Legal description
- Aerial of Subject Property
- Street View of the Subject Property
- Proposed Site Plan

CITY OF DES PLAINES APPLICATION FOR
COOK COUNTY REAL ESTATE CLASSIFICATION 6B, 7A, AND 7B

This original, signed application and all supporting documents must be completed to be considered for City approval. Please attach the application fee to the original submittal. Please type or print.

APPLICANT INFORMATION:

NAME OF APPLICANT: Seefried Industrial Properties, LLC, or its assignee

APPLICABLE ENTITY:

Corporation ☒ LLC ☐ Partnership ☐ Non-Profit ☐

DATE OF INCORPORATION: 6/16/2003

STATE OF INCORPORATION: Georgia

PHONE: (847) 298-1122 E-MAIL: doughouser@seefriedproperties.com

ADDRESS: 3333 Riverwood Pkwy
Atlanta, GA 30339

NAME OF AGENT/REPRESENTATIVE (if applicable):

NAME: Doug Houser

PHONE: (847) 298-1122 E-MAIL: doughouser@seefriedproperties.com

ADDRESS: 8745 West Higgins Suite 220
Chicago, IL 60631

REQUESTED PROPERTY TAX INCENTIVE: 6B ☒ 7A ☐ 7B ☐

DESCRIPTION OF SUBJECT PROPERTY:

See attached.

STREET ADDRESS: 190 E. Touhy Avenue
Des Plaines, IL 60018

PERMANENT REAL ESTATE INDEX NUMBER(S): 09-30-301-002-0000

ATTACH THE FOLLOWING:

- ☐ EXHIBIT A: COVER LETTER
- ☐ EXHIBIT B: LEGAL DESCRIPTION
- ☐ EXHIBIT C: SITE DIMENSION & SQUARE FOOTAGE/PLAT OF SURVEY
- ☐ EXHIBIT D: BUILDING DIMENSIONS/SITE PLAN
- ☐ EXHIBIT E: CITY OF DES PLAINES ECONOMIC DISCLOSURE FORM
- ☐ EXHIBIT F: COMPLETE LIST OF ALL OWNERS, DEVELOPERS, OCCUPANTS,
AND OTHER INTERESTED PARTIES (INCLUDING ALL BENEFICIAL
OWNER OF A CORPORATION AND/OR LAND TRUST) IDENTIFIED BY
NAMES AND ADDRESSES HAVING AN INTEREST IN THE SUBJECT
PROPERTY AND THE PROPOSED USER AND THE NATURE AND
EXTENT OF THIS INTEREST
- ☐ EXHIBIT G: DESCRIPTION OF PRECISE NATURE AND EXTENT OF THE
INDUSTRIAL USE OF THE SUBJECT PROPERTY. SPECIFY, WHERE
APPLICABLE, THE AMOUNT/PERCENTAGE OF FLOOR AREA
DEVOTED TO MANUFACTURING, WAREHOUSE/DISTRIBUTION,
OTHER INDUSTRIAL, AND NON-INDUSTRIAL USES
- ☐ EXHIBIT H: ANALYSIS OF TAXES GENERATED BY THE NEW DEVELOPMENT
WITH AND WITHOUT THE ABATEMENT INCENTIVE (12 YEAR PROJECTION)

CURRENT ZONING OF PROPERTY: M-2

IF ZONING AMENDMENTS, VARIATIONS, OR OTHER ZONING RELIEF WILL BE REQUIRED, SPECIFY
PROPOSED CHANGES:

None

ESTIMATED AMOUNT OF NEW EQUALIZED ASSESSED VALUATION (EAV) GENERATED BY THE NEW DEVELOPMENT: \$2,456,533

ESTIMATED NUMBER OF FULL-TIME AND PART-TIME JOBS ON PREMISES AS RESULT OF THE NEW DEVELOPMENT:

FULL-TIME Approx. 20-50 PART-TIME TBD

SIGNATURE: 

DATE: 11/23/21

E. The information provided in this EDS must be kept current. In the event of changes, the Undersigned must supplement this EDS up to the time the City takes action on the Matter and recertify the supplemental matters.

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Applicant, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

Seefried Industrial Properties, Inc., or its assignee

(Print name of individual or legal entity submitting this EDS)

Date: 11/23/21

By:

(Sign here)

Doug Houser

Print name of signer

Development Manager

Title of signer

SUBSCRIBED and SWORN to before
me this 23, day of November, 2021.

Susan March
NOTARY PUBLIC

(SEAL)





CLASS 6B

ELIGIBILITY APPLICATION

Carefully review the Class 6B Eligibility Bulletin before completing this Application. For assistance, please contact the Assessor's Office, Development Incentives Department (312) 603-7529. This application, *a filing fee of \$500.00*, and supporting documentation (*except drawings and surveys*) must be filed as follows:

This application must be filed **PRIOR TO** the commencement of New Construction or **PRIOR TO** the commencement of Substantial Rehabilitation Activities or **PRIOR TO** the commencement of Reoccupation of Abandoned Property.

Applicant Information

Name: Seefried Industrial Properties, Inc. or its assignee Telephone: (847) 298-1122
Company: Seefried Industrial Properties, Inc.
Address: 8745 W. Higgins Road, Suite 220
City: Chicago State: IL Zip Code: 60631
Email: doughouser@seefriedproperties.com

Contact Person (if different than the Applicant)

Name: Doug Houser Telephone: (847) 298-1122
Company: Seefried Industrial Properties, Inc.
Address: 8745 W. Higgins Road, Suite 220
City: Chicago State: IL Zip Code: 60631
Email: doughouser@seefriedproperties.com

Property Description (per PIN)

If you are applying for more than three different PINs, please submit the additional PIN information in an attachment.

Street Address: (1) 190 E. Touhy Road
Permanent Real Estate Index Number: 09-30-301-002-0000
(2) _____
Permanent Real Estate Index Number: _____
(3) _____
Permanent Real Estate Index Number: _____
City: Des Plaines State: IL Zip Code: 60018
Township: Maine Existing Class: 1-00

Attach legal description, site dimensions and square footage and building dimensions and square footage.

Identification of Person Having an Interest in the Property

Attach a complete list of all owners, developers, occupants and other interested parties (*including all beneficial owners of a land trust*) identified by names and addresses, and the nature and extent of their interest.

Industrial Use

Attach a detail description of the precise nature and extent of the intended use of the subject property, specifying in the case of the multiple uses the relative percentages of each use.

Include copies of materials, which explain the occupant's business, including corporate letterhead, brochures, advertising material, leases, photographs, etc.

Nature of Development

Indicate nature of proposed development by checking the appropriate space:

- ☒ New Construction (**Read and Complete Section A**)
- ☒ Substantial Rehabilitation (**Read and Complete Section A**)
Incentive only applied to the market value attributable to the rehabilitation
- ☐ Occupation of Abandoned Property - No Special Circumstance
(**Read and Complete Section B**)
- ☐ Occupation of Abandoned Property - With Special Circumstance
(**Read and Complete Section C**)
- ☐ Occupation of Abandoned Property - (**TEERM Supplemental Application**)
(**Read and Complete Section C**)
- ☐ Occupation of Abandoned Property - (**CEERM Supplemental Application**)
(**Read and Complete Section C**)

SECTION A (NEW CONSTRUCTION/SUBSTANTIAL REHABILITATION)

If the proposed development consists of *New Construction* or *Substantial Rehabilitation*, provide the following information:

Estimated date of construction
commencement (*excluding demolition, if any*): Approx. October, 2022

Estimated date of construction completion: Approx May, 2023

Attach copies of the following:

1. Specific description of the proposed *New Construction* or *Substantial Rehabilitation*
2. Current Plat of Survey for subject property
3. 1st floor plan or schematic drawings
4. Building permits, wrecking permits and occupancy permits (*including date of issuance*)
5. Complete description of the cost and extent of the *Substantial Rehabilitation* or *New Construction* (*including such items as contracts, itemized statements of all direct and indirect costs, contractor's affidavits, etc*)

EMPLOYMENT OPPORTUNITIES

How many construction jobs will be created or maintained as a result of this development? Approx. 150

How many new permanent full-time and part-time employees do you now employ in Cook County?

Full-time: N/A Part-time: N/A

How many new permanent part-time jobs will be created as a result of this proposed development?

TBD

How many new permanent full-time jobs will be created as a result of this proposed development?

Approx. 20-50

LOCAL APPROVAL

A certified copy of a resolution or ordinance from the municipality in which the real estate is located (*or the County Board, if the real estate is located in an unincorporated area*) should accompany this Application. *The ordinance or resolution must expressly state that the municipality supports and consents to this Class 6B Application and that it finds Class 6B necessary for development to occur on the subject property.* If a resolution is unavailable at the time the application is filed, a letter from the municipality or the County Board, as the case may be, stating that a resolution or ordinance supporting the incentive has been requested may be filed with this application instead. If the applicant is seeking to apply based on the reoccupation of abandoned property and will be seeking a finding of “special circumstances” from the municipality, in addition to obtaining a letter from the municipality confirming that a resolution or ordinance supporting the incentive has been requested, the applicant must file a letter from the County Board confirming that a resolution validating a municipal finding of special circumstances has been requested. If, at a later date, the municipality or the County Board denies the applicant’s request for a resolution or ordinance, the applicant will be deemed ineligible for the Class 6B incentive, whether or not construction has begun. In all circumstances, the resolution must be submitted by the time the applicant files an “Incentive Appeal”.

I, the undersigned, certify that I have read this Application and that the statements set forth in this Application and in the attachments hereto are true and correct, except as those matters stated to be on information and belief and as to such matters the undersigned certifies that he/she believes the same to be true.



Signature

Doug Houser
Print Name

11/23/21

Date

Development Manager
Title

03/05/2021

EDS AFFIDAVIT

I, Dave Riefe as agent for Seefried Industrial Properties, Inc., or its assignee (the "Applicant") does hereby certify that it would attest to the following facts as required by Sections 74-46 and 74-62 through 74-73 of the Cook County Code if called to testify:

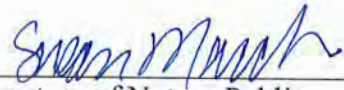
1. That I am a duly authorized agent for Applicant, who is the contract purchaser of the property located at located at 190 E. Touhy, Des Plaines, Illinois 60018 (PIN: 09-30-301-002-0000) (the "Subject Property").
2. Applicant's eventual assignee will not own any property in Cook County
3. Applicant's ownership is as follows (5% or greater interest):
 - a. Ferdinand C. Seefried (44.14% Ownership)
3333 Riverwood Pkwy SE – Suite 200
Atlanta, GA 30339
 - b. Robert S. Rakusin (21.46% Ownership)
3333 Riverwood Pkwy SE – Suite 200
Atlanta, GA 30339
 - c. James M. Condon (12.70% Ownership)
3333 Riverwood Pkwy SE – Suite 200
Atlanta, GA 30339
 - d. Gregory F. Herren (12.70% Ownership)
3333 Riverwood Pkwy SE – Suite 200
Atlanta, GA 30339
 - e. Jason J. Quintel (6.00% Ownership)
2201 E. Camelback Rd. – Suite 225B
Phoenix, AZ 85016
4. To my knowledge and after reviewing the Applicant's records, Applicant is not delinquent in the payment of any property taxes administered by Cook County or by a local municipality.

Further Affiant Sayeth Not



Date: 11/23/21

Subscribed and sworn before me
This 23 day of November 2021


Signature of Notary Public



Identification of Persons Having an Interest in the Property

190 E. Touhy Avenue,
Des Plaines, Illinois 60018
PIN: 09-30-301-002-0000

Applicant: Seefried Industrial Properties Inc., or its assignee

Ferdinand Seefried – 100%
3333 Riverwood Pkwy
Atlanta, GA 30339

Occupant: TBD

The Applicant does not yet have a tenant for the property, but plans to lease the proposed facilities to one or more suitable industrial users. The two new buildings will be constructed for a variety of potential industrial uses, with parking spaces for 50+ employees. Depending on the ultimate end user, the Applicant expects full time employment number to be anywhere from 20-50 full time employees upon stabilization. The site is zoned M-2 General Manufacturing, and will allow for a number of industrial uses.

PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT (the “Contract”) is made this 1st day of October, 2021 (the “Effective Date”), between SEEFRIED INDUSTRIAL PROPERTIES, INC., a Georgia corporation (“Purchaser”), and SHAMIM’S LLC, an Illinois limited liability company (“Seller”) (Purchaser and Seller, collectively, the “Parties”).

RECITALS:

Seller is the owner of all that parcel or tract of real property lying and being in Cook County, Illinois, containing approximately 3.818 acres, having an address of 200 E. Touhy Avenue, Des Plaines, Illinois 60018, as more particularly described on Exhibit A, together with all permits, privileges, rights, members, and appurtenances thereto and together with all improvements, fixtures, personal property, trees, timber and other crops and plants located thereon (the “Property”). Purchaser desires to purchase the Property, and Seller desires to sell the Property to Purchaser, subject to and upon the terms and conditions of this Contract.

AGREEMENT

NOW, THEREFORE, in consideration of the agreements contained herein, Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Property. Seller agrees to sell the Property to Purchaser, and Purchaser agrees to purchase the Property from Seller.

2. Earnest Money. Purchaser shall deliver to First American Title Insurance Company (hereinafter, “Escrow Agent” or “Title Company”) within three (3) Business Days after the Effective Date the sum of FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00) by wire transfer of immediately available funds as earnest money. Such sum, together with any interest earned thereon and any addition thereto pursuant to the terms of Section 6, is hereinafter referred to as the “Earnest Money”. The Earnest Money shall be held in an interest bearing account and shall be retained or refunded, as the case may be, in accordance with the terms of this Contract and shall be applied as a credit against the cash portion of the Purchase Price at Closing (as such terms are defined herein).

3. Purchase Price. The purchase price (the “Purchase Price”) of the Property shall be THREE MILLION FIVE HUNDRED SEVENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$3,575,000.00), payable at Closing, as adjusted by the closing prorations and adjustments specified herein, by wire transfer of funds or other immediately available funds.

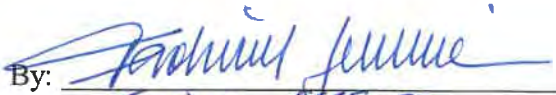
4. Deliveries. Seller agrees to provide the following to Purchaser within three (3) Business Days after the Effective Date legible copies of the following:

(a) any environmental reports pertaining to the Property in Seller’s possession or reasonably available to Seller;

IN WITNESS WHEREOF, the Parties have set their hands and seals hereto as of the Effective Date.


PURCHASER:

SEEFRIED INDUSTRIAL PROPERTIES, INC.,
a Georgia corporation

By: 
Name: FERDINAND SEEFRIED
Title: EXEC. CHAIRMAN

SELLER:


SHAMIM'S LLC,
an Illinois limited liability company

By: 
Name: Karim Lakhani
Title: Director of Operations & Development

**RECEIPT OF ONE (1) EXECUTED COUNTERPART OF
THIS CONTRACT IS HEREBY ACKNOWLEDGED:**

TITLE COMPANY:

FIRST AMERICAN TITLE INSURANCE COMPANY

By: 
Name: Jon D. Uhlir
Its: Vice President
Date: October 1, 2021

CITY OF DES PLAINES

RESOLUTION R - 66 - 22

**A RESOLUTION SUPPORTING AND CONSENTING TO
APPROVAL OF CLASS 6b CLASSIFICATION FOR THE
PROPERTY AT 190 E. TOUHY AVENUE.**

WHEREAS, Seefried Industrial Properties, Inc. ("***Applicant***") is the contract purchaser of that certain property commonly known as 190 E. Touhy Avenue in the City and legally described in **Exhibit A** attached to, and by this reference made a part of, this Resolution ("***Subject Property***"); and

WHEREAS, the Subject Property consists of approximately 3.8 acres and is currently unimproved; and

WHEREAS, the Applicant intends to construct a new 68,000-square-foot industrial building on the Subject Property ("***Proposed Improvements***") and plans to lease the new facility to an industrial user ("***Proposed Use***"); and

WHEREAS, the Applicant estimates that the Proposed Improvements will cost approximately \$6,500,000 and will constitute new construction on the Subject Property; and

WHEREAS, the Applicant estimates the Proposed Use will generate at least 20 new full-time positions; and

WHEREAS, pursuant to the City's policy, the City requires that the Proposed Use will require at least 50 full-time employees as a condition of supporting the approval of a Class 6b Classification for a new construction project ("***Minimum Employee Requirement***"); and

WHEREAS, according to the Applicant, the Proposed Use will require at least 20 workers and, therefore, requests a waiver of the Minimum Employee Requirement because of the long-term underutilization of the site, substantial physical investment in the site, and inability to commit to workforce size because of the range of employment demand between potential tenant users; and

WHEREAS, pursuant to Section 74-62(b) of the Cook County Real Property Assessment Classification Ordinance ("***County Classification Ordinance***"), the Applicant intends to file with the Office of the Assessor of Cook County an application for Class 6b classification of the Subject Property under the eligibility criteria of "new construction"; and

WHEREAS, the Class 6b classification temporarily reduces the property tax assessment of qualifying properties in order to promote industrial projects which would not be economically feasible without assistance; and

WHEREAS, the Applicant would be unable to justify the investments necessary to complete the Proposed Improvements and cause the Subject Property to be constructed for the Proposed Use but for the classification of the Subject Property as Class 6b under the Classification Ordinance; and

WHEREAS, in order to qualify for the 6b Classification, the Applicant must receive the consent of the City in the form of a resolution from the City Council; and

WHEREAS, as part of the Class 6b application filed with the City for the Subject Property, the Applicant filed a Cook County compliant Economic Disclosure Statement with the City; and

WHEREAS, the City Council hereby finds that it is in the best interest of the City and the public to waive the Minimum Employee Requirement, consent and approve the Applicant's request for a Class 6b classification for the Subject Property, and support Cook County's exercise of its home rule authority to grant the Class 6b classification.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the City Council.

SECTION 2: DETERMINATION OF ELIGIBILITY AND APPROPRIATENESS. The City Council hereby waives the Minimum Employee Requirement and finds and determines that: (a) the Subject Property is appropriate for the Class 6b classification pursuant to the Classification Ordinance; (b) Class 6b classification of the Subject Property is necessary for the new construction and occupation of the Subject Property; and (c) the new construction of the Proposed Improvements on the Subject Property constitutes an extraordinary and special circumstance warranting the grant of the Class 6b classification.

SECTION 3: SUPPORT AND CONSENT TO CLASS 6b CLASSIFICATION. Pursuant to the County Classification Ordinance, the City Council hereby approves, consents to, and supports the classification of the Subject Property as Class 6b property, subject to the conditions set forth in Section 4 of this Resolution.

SECTION 4: CONDITIONS OF CITY'S CONSENT; REVOCATION. The consent granted in Section 3 of this Resolution is expressly conditioned upon the occurrence and/or satisfaction by the Applicant of the following conditions:

- A. The Applicant will complete construction of the Proposed Improvements no later than December 31, 2023; and
- B. The Applicant has evidenced a commitment to construct the Proposed Improvements in the amount of no less than \$6,500,000.

The Applicant agrees and acknowledges that the conditions set forth in this Section 4 have not been satisfied, the City Council shall have the option, in its sole and exclusive discretion, to revoke the consent granted in Section 3 by resolution duly adopted in accordance with the procedures set forth in Section 74-73 of the Cook County Code of Ordinances. In the event that the City Council revokes its consent, the City Clerk is directed to promptly deliver notice of such

revocation to the Board of Commissioners of Cook County and the Office of the Cook County Assessor along with certified copies of the revoking resolution.

SECTION 5: DELIVERY. The City Clerk is hereby directed to transmit a certified copy of this Resolution to the Applicant. The Applicant shall be responsible for presenting such certified copy to the Board of Commissioners of Cook County and filing such certified copy with the Office of the Cook County Assessor.

SECTION 6: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law and the satisfaction of the conditions set forth in Section 4 above.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Resolution Supporting Class 6b Classification for 190 E Touhy

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

PARCEL 1:

LOT 2 IN 200 EAST TOUHY RESUBDIVISION, BEING A RESUBDIVISION OF LOT 1 IN SYMONS CORPORATION SUBDIVISION, IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 18, 2015 AS DOCUMENT NUMBER 1526113088, IN COOK COUNTY, ILLINOIS. EXCEPTING THAT PART CONVEYED TO THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY IN THE SPECIAL WARRANTY DEED RECORDED JUNE 28, 2017 AS DOCUMENT 1717908197.

PARCEL 2:

PRIVATE NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 1 FOR WATERMAIN, STORM SEWER AND STORMWATER EASEMENTS OVER THOSE PORTIONS OF LOT 1 AS SHOWN ON AND CREATED BY 200 EAST TOUHY RESUBDIVISION, BEING A RESUBDIVISION OF LOT 1 IN SYMONS CORPORATION SUBDIVISION, IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 18, 2015 AS DOCUMENT NUMBER 1526113088, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

PRIVATE NON-EXCLUSIVE CROSS ACCESS EASEMENTS FOR THE BENEFIT OF PARCEL 1 OVER THOSE PORTIONS OF LOT 1 FOR INGRESS AND EGRESS AS SHOWN ON AND CREATED BY 200 EAST TOUHY RESUBDIVISION, BEING A RESUBDIVISION OF LOT 1 IN SYMONS CORPORATIONS SUBDIVISION, IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 18, 2015 AS DOCUMENT NUMBER 1526113088, IN COOK COUNTY, ILLINOIS.

Commonly known as 190 E. Touhy, Des Plaines, Illinois 60018

PIN: 09-30-301-002-0000



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

MEMORANDUM

Date: March 10, 2022

To: Michael G. Bartholomew, MCP, LEED-AP, City Manager

From: John T. Carlisle, AICP, Director of Community & Economic Development (CED) *JTC*
Jonathan Stytz, Planner (CED) *JS*

Cc: Vickie Baumann, Licensing Technician / Building & Code Division (CED)
Brooke Lenneman, Elrod Friedman, Counsel for City of Des Plaines

Subject: **Adult Day Service Centers (Adult Daycare) and City Code Amendments Regarding Licensing of Childcare Centers:** Consideration of Zoning Text Amendments to Establish the "Adult Day Service Center Use," Conditional Use (Zoning) for a Proposed Adult Day Service Center at 2514 Ballard Road, and Licensing Amendments

Issue: A zoning petitioner has filed multiple requests under the Zoning Ordinance. First, they request the following text amendments: (i) Section 12-7-3(K) to establish Adult Day Service Center (day services and care for older adults) as a conditional use in the C-1 Neighborhood Shopping, C-2 Limited Office Commercial, C-3 General Commercial, C-4 Regional Shopping, and C-5 Central Business Districts; (ii) Section 12-8-7 to add Adult Day Service Center to the existing Use Standard for Childcare Centers; (iii) Section 12-9-7 to establish minimum off-street parking requirements for adult day service centers; and (iv) Section 12-13-3 to add a definition for "Center, Adult Day Service" and adjust the existing term for childcare center to "Center, Child Care." The petitioner is also requesting a conditional use permit to allow an adult day service center to be located in the C-1 Neighborhood Shopping District at 2514 Ballard Road.

Concurrent to and inspired by the zoning petition, staff has analyzed the existing Daycare Center license under Title 4, Chapter 12 of the City Code and proposes amendments. In summary, these are (i) to add language to the business registration regulations, clarifying a need to comply with state and/or federal requirements with necessary licensing or certification; and (ii) to repeal the local Daycare Center license. A local license would not be added for Adult Day Service Centers.

ZONING REQUESTS

PIN: 09-15-308-017-0000

Petitioner: Phil Joo Yum, 2501 Independence Avenue, Glenview, IL 60026

Owner: Phil Joo Yum, 2501 Independence Avenue, Glenview, IL 60026

Case Number: #22-005-TA-CU

Ward Number: #1, Alderman Mark A. Lysakowski

Existing Zoning: C-1, Neighborhood Shopping District

Surrounding Zoning: North: R-1, Single Family Residential District
South: C-3, General Commercial / R-1, Single Family Residential Districts
East: R-1, Single Family Residential District
West: C-1, Neighborhood Shopping District

Surrounding Land Uses: North: Single Family Residences
South: Restaurant & Bar / Single Family Residences / Apartments
East: Single Family Residence
West: Single Family Residence

Street Classification: Ballard Road is classified as a major collector, and Good Avenue is classified as a local street.

Comprehensive Plan : Commercial is the recommended use of the property

Property/Zoning History: The subject property was purchased by the petitioner in 2000. A conditional use was granted through Ordinance Z-17-00 to allow an office, clinic, and child day care in the existing one-story building located on site. However, records indicate there was not a business license issued for this use. Similarly, two separate conditional use permits were applied for in 2009 and 2012 for an office use, but there was no business license found for this use. The building was demolished in 2015, and the site has been vacant since.

Request Summary:

Zoning Text Amendments

The petitioner, Phil Joo Yum, is proposing to amend the Zoning Ordinance to create an Adult Day Service Center term and use (commonly called “adult day care”). The new definition would create a business or organization type that could be permitted and would provide day activities and care for older adults. The new use would be a conditional use in the C-1 Neighborhood Shopping, C-2 Limited Office Commercial, C-3 General Commercial, C-4 Regional Shopping, and C-5 Central Business Districts under Section 12-7-4(K). With the exception of the C-7 High Density Campus District, where childcare centers are permitted when accessory to an office or hotel and where adult day service is not proposed to be established, the rest of the use table would be the same for child and adult day cares.

According to the Illinois Department on Aging, adult day service – which is the exact term used by the Department – under the Community Care Program is designed for older people who want to remain in the community but who cannot be home alone during the day due to physical, social, and/or mental impairment. Services range from health monitoring, medication supervision, personal care, and recreation/therapeutic activities¹. These types of facilities are required to

¹ Adult Day Service. Illinois Department on Aging. Accessed at <https://www2.illinois.gov/aging/programs/Pages/adult-day.aspx>

be certified by the State and must adhere to the regulations under Section 240: Community Care Program. A few key regulations are outlined below:

- **Staffing Requirements:** Six full-time staff (qualified adult day service staff, trained volunteers or substitutes) or full-time equivalent for 36 to 45 participants and one additional staff member for each seven additional participants²
- **Age Requirement:** Participants must be at least 60 years old³ (there is a separate day service program under the Illinois Department of Human Services to provide care for adults under this age with a developmental disability⁴)
- **Minimum Activity Area:** A minimum of 40 square feet of activity area is required for every adult under care.

The Proposed Text Amendments in Ordinance Z-6-22 are:

- Establish adult day service center under Section 12-7-3(K) as a conditional use in the C-1 Neighborhood Shopping, C-2 Limited Office Commercial, C-3 General Commercial, C-4 Regional Shopping, and C-5 Central Business Districts;
- Adjust Section 12-8-7 to add a new subsection for adult day service center, new subsection for childcare center, and new subsection regarding general compliance with local, county, state, and federal laws;
- Adjust parking requirements for childcare center under Section 12-9-7 to accommodate adult day service center;
- Add a definition for adult day service center under Section 12-13-3; and
- Adjust the existing term for childcare center to “Center, Child Care” for the purpose of placing adult and childcare centers next to each other in the alphabetized terms section.

Project Description:

Conditional Use

The following description and analysis assume approval of the requested text amendments as submitted.

The petitioner is also proposing a conditional use to allow an Adult Day Service Center in the C-1 Neighborhood Shopping District at 2514 Ballard Road. The 20,228-square-foot (0.46-acre) subject property consists of one parcel and is located at the northeast corner of Ballard Road and Good Avenue. A 30-foot-wide unimproved alley is located directly north of the subject property. The Plat of Survey (Attachment 4) shows the condition of the property in 2012 improved with a one-story building, parking area, and fenced area. Since the demolition of the building in 2015, the property is now vacant and improved with a solid wood fence on all four property lines as indicated in the Site and Context Photos (Attachment 11). Since the existing corner lot fronts two streets,

² Section 240.1555 General Adult Day Service Staff Requirements. Joint Committee on Administrative Rules. Accessed at <https://ilga.gov/commission/jcar/admincode/089/089002400015550R.html>

³ Section 240.710 Age. Joint Committee on Administrative Rules. Accessed at <https://ilga.gov/commission/jcar/admincode/089/089002400G07100R.html>

⁴ Day Services. Illinois Department of Human Services. Accessed at <https://www.dhs.state.il.us/page.aspx?item=32641>

the lot line fronting a street with the shorter length is designated as the front (Good Avenue side, west lot line). The east lot line is the rear, and the north and south lot lines are the sides. This is important to note given the subject property is adjacent to residential districts on all sides but the east side, which is zoned commercial. The rear line being adjacent to commercial instead of residential affects the required building setbacks as indicated in the Commercial Bulk Matrix table on the following page. The petitioner wishes to redevelop the subject property with a one-story, 5,688-square-foot building, a surface parking lot, dumpster enclosure, landscaping along the perimeter of the parking lot area, new parkway trees, building foundation landscaping beds, new turf areas, and fencing around the entire property at varying heights as indicated on the Site Plan (Attachment 5). If the proposed text amendments are approved, the Adult Day Service Center use will follow the same parking minimum as a childcare center: one space for every 15 children or adults under care, plus one space for every employee. As stated in the Project Narrative (Attachment 1), the petitioner plans to provide day services to 80 participants, which requires a minimum of 11 full-time staff members pursuant to the Illinois Department of Aging's Community Care Program. The minimum parking required is eighteen spaces, including one accessible space. The Site Plan (Attachment 5) accommodates nineteen 90-degree parking spaces including one accessible space, which would meet this requirement. Pursuant to Sections 12-9-6 and 12-9-8 of the Zoning Ordinance, 90-degree parking spaces must be a minimum of 8.5 feet wide by 18 feet long and handicap accessible spaces shall be a minimum of 16 feet wide and 18 feet long. The proposed parking space length is labeled as 18.5 feet, but the proposed parking space width is not labeled. Thus, staff has added a condition that the Site Plan is revised to add these details prior to the City Council meeting. The proposed building will be constructed to meet the required bulk regulations for the C-1 district as illustrated in this table:

<i>Regulation</i>	<i>Required</i>	<i>Proposed</i>
Maximum height	35 feet	27.00 feet
Minimum front yard (West) (adjacent to residential)	Front yard setback of adjacent residential district: 25 feet	49.32 feet
Minimum side yard (North) (adjacent to residential)	Side yard setback of adjacent residential district: 5 feet	14.08 feet
Minimum side yard (South) (adjacent to non-residential)	5 feet (abuts a street)	69.06 feet
Minimum side yard (East) (adjacent to non-residential)	5 feet	5.27 feet

The proposed floor plan includes 5,100 square feet on the first level and 588 square feet on the partial mezzanine level, totaling 5,688 square feet in gross floor area. The first level of the proposed building will consist of a 3,200-square-foot activity area for adult day service participants, offices for staff, restrooms, sitting areas, kitchenette area with seating, utility area as indicated on the Floor Plans (Attachment 6). The partial mezzanine level is currently proposed to be open space for the day service center operations.

The exterior of the proposed 27-foot-tall building will be constructed with face brick on all elevations as indicated in the Elevations (Attachment 7). Given that this development includes new construction, the proposed building must

comply with the Building Design Standards pursuant to Section 12-3-11 of the Zoning Ordinance for both exterior building materials and transparency. The building design standards for a commercial building allow face brick, stucco, metal, and concrete masonry units as permitted ground story materials. As the face brick is a permitted ground story material for a commercial building, the proposal meets this requirement. As for transparency, the Building Design Standards enforce blank wall limitations to restrict the amount of windowless area permitted on a building façade with street frontage with these standards:

- No rectangular area greater than 30 percent of a story's façade, as measured from the floor of one story to the floor of the next story, may be windowless; and
- No part a story's façade may be windowless for a horizontal distance greater than 15 feet.

For the proposed building, the south and west elevations will face a street and will need to meet these regulations. Based on the Elevations (Attachment 7), the south building elevation does not meet the first transparency regulation and the west building elevation does not meet either transparency regulation. Thus, staff has added a condition that the Elevation drawings are revised to comply with the Building Design Standards for all street facing elevations.

The petitioner has also submitted a Photometric Plan (Attachment 9) indicating the foot-candle measurements along the property lines and throughout the site. Pursuant to Section 12-12-10 of the Zoning Ordinance, the foot-candle limits are restricted to 0.1 foot-candles along portions of the property lines abutting single family residential districts and 2.0 foot-candles along portions of the property lines abutting commercial districts. Given that the subject property abuts single family residences on its north (side) property line, west (front) property line, and southeast portion of the south (side) property line, the foot-candle limit for these areas is restricted to 0.1. The east (rear) property line and southwest portion of the south (side) property line abuts commercially zoned property and is limited to 2.0 foot-candles at the property line. The Photometric Plan shows measurements in excess of both foot candle limits described above and will require revisions. Thus, staff has added a condition that the Photometric Plan is revised to comply with Section 12-12-10 of the Zoning Ordinance at time of building permit.

The petitioner intends to maximize the available space of the proposed 5,688-square-foot building to provide care for up to 80 participants, allocating 3,200 square feet on the first level for interior activity area in conformance with the Illinois Department of Aging Community Care Program's 40 square foot activity area requirement for every participant. In addition, up to 11 staff members will be available on site to provide care to meet the required staffing ratio pursuant to Illinois Department of Aging's Community Care Program. The hours of operation for this use will be 8 a.m. to 2:30 p.m. Monday through Friday and closed on the weekends. During the hours of operation, the proposed activities performed on site are bingo, group discussions, lunch, and similar group activities inside the building and occasionally walks outside the building. The petitioner plans to operate a bus service to transport participants to and from the subject property. See the Project Narrative (Attachment 1) for details.

PZB Recommendation and Conditions: The PZB met on February 8, 2022 to consider city-wide text amendments to add an Adult Day Service Center use and a Conditional Use for Adult Day Service Center use in the C-1 zoning district at 2514 Ballard Road, which are captured in the excerpt to the draft minutes of the February 8, 2022 meeting (Attachment 8). The PZB *recommended* (7-0) that the City Council *approve* both requests as presented.

Pursuant to Sections 12-3-4.D.4 and 12-3-7.D.4 of the Zoning Ordinance, the City Council may vote to approve, approve with modifications, or deny the requests. The Council has final authority over the text amendments and variation. Two ordinances are attached: Ordinance Z-6-22 would approve the zoning text amendments and Ordinance Z-7-22 would approve the conditional use. Each requires a separate motion and vote. Should the City Council vote to approve the request, the PZB and staff recommend the following conditions for the conditional use:

Conditions of Approval:

1. The petitioner shall revise and resubmit the Photometric Plan to comply with the Environmental Performance Standards in Section 12-12-10 of the Zoning Ordinance at time of building permit.
2. Plans may need to be revised further at time of building permit to meet all applicable City regulations.

CITY CODE AMENDMENTS

Proposed Amendments: Title 4 of the City Code establishes Business Regulations. These are split between business *registrations* (Chapter 1) and business *licenses* (Chapters 2-21). Business licenses are intended to identify certain types of businesses where a separate and unique local license is required to operate—in addition to a business registration, zoning approval, and any requirement of an external agency, such as county, state, or federal government.

Currently the City does not regulate adult day care, but it does license childcare centers. In researching and crafting a regulatory framework for adult day service centers (adult day care), staff considered proposing adding an additional adult day care license to City Code. The childcare center process was viewed as a model for how to regulate a newly established adult day service business type. However, upon consulting with the City’s legal counsel, it became clear that not only was it possible or even preferable not to license adult day service but also it was possible to eliminate the childcare center local license in favor of the following:

- Strengthened language in Chapter 1 (Business Registration) that address compliance with local, state, and federal laws, rules, or regulations;
- Additional language to tie business registrations to obtaining all required licenses or certificates required by the State of Illinois; and
- Additional language in the Zoning Ordinance (Title 12) under the Use Standards for Childcare and Adult Day Service Centers to fortify compliance with all local, county, state, and federal licensing requirements.

As detailed earlier in this report, the proposed Adult Day Service Center would be certified by the Illinois Department of Aging. Childcare centers in Illinois are licensed by the Department of Child and Family Services (DCFS).

Eliminating the local child care license would not prevent the City from conducting inspections or investigating complaints regarding either childcare or adult day service centers. Further, passage of these amendments would not eliminate the requirement for having and maintaining business registrations.

Based on staff research, there are 10 active childcare center licensed businesses, all of which pay a \$200 annual license fee (4-18-1 of the City Code). While the \$2,000 does generate revenue to the City, the Council may view eliminating the process and fee as a business-friendly measure that does not compromise the City's authority or public safety.

City Council Action: The Council should consider individual motions on each of the following:

- Ordinance Z-6-22, which amends the Zoning Ordinance;
- Ordinance Z-7-22, which grants a conditional use permit for an adult day service center at 2514 Ballard Road; and
- Ordinance M-9-22, which amends the City Code (Business Regulations).

Attachments:

Attachment 1: Petitioner's Responses to Standards for Amendments and Conditional Uses
Attachment 2: Location/Zoning Map
Attachment 3: Plat of Survey
Attachment 4: Landscape Plan
Attachment 5: Photometric Plan
Attachment 6: Site and Context Photos
Attachment 7: Chairman Szabo Memo to Mayor and City Council
Attachment 8: Draft Excerpt of Minutes from the February 8, 2022 Planning and Zoning Board Meeting

Ordinance Z-6-22

Ordinance Z-7-22

Exhibit A: Project Narrative
Exhibit B: Site Plan
Exhibit C: Floor Plan
Exhibit D: Elevations
Exhibit E: Unconditional Agreement and Consent

Ordinance M-9-22



COMMUNITY AND ECONOMIC DEVELOPMENT
1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5306
desplaines.org

STANDARDS FOR MAP AND TEXT AMENDMENTS

The Planning and Zoning Board and City Council review the particular facts and circumstances of each proposed Map or Text Amendment in terms of the following standards. Keep in mind that in responding to the items below, you are demonstrating that a proposed Map Amendment is appropriate for the site and will not have a negative impact on surrounding properties and the community. For Text Amendments, you must demonstrate that the proposed text change is appropriate for the entire jurisdiction, not just a particular site. Please answer each item completely and thoroughly (two to three sentences each).

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan, as adopted and amended from time to time by the city council

The ordinance does allow child day care and it would make sense to accept adult day care as well. We have found many communities already include this occupancy.

2. Whether the proposed amendment is compatible with current conditions and the overall character of existing development in the immediate vicinity of the subject property

The previous use of the property was a child day care facility. We feel this is compatible use to the neighborhood.

3. Whether the proposed amendment is appropriate considering the adequacy of public facilities and services available to this subject property

The site is already served by utilities and the site engineering as designed will facilitate site drainage to the existing storm water system.

4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction

This type of use is an asset to the community.

5. Whether the proposed amendment reflects responsible standards for development and growth

The care of people of all ages in the community is a responsibility that is addressed by this development

STANDARDS FOR CONDITIONAL USES

The Zoning Board of Appeals and the City Council review the particular facts and circumstances of each proposed Conditional Use in terms of the following standards. Because of this, please answer all questions in detail. "Yes" and "No" answers will not be accepted, and if used, may delay your hearing.

- A. Is the proposed conditional use, in fact, a conditional use established within the specific zoning district involved? **(Please explain in detail)**

Currently the zoning code does not identify the Adult Day Care as a listed occupancy.

- B. Is the proposed conditional use in accordance with the objectives of the City's Comprehensive Plan and this Ordinance? **(Please explain in detail)**

The Code does indicate that child day care is a conditional use and we feel this is very similar.

- C. Is the proposed conditional use designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity? **(Please explain in detail)**

General vicinity is commercial on Ballard Road and residential off the main road. The toned down type of building will be blending in with the commercial and residential areas.

- D. Is the proposed conditional use not hazardous or disturbing to existing neighboring uses? **(Please explain in detail)**

The use will have limited impact and the adult activities during daytime are not hazardous or disturbing.

- E. Is the proposed conditional use to be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, waste and sewer, and schools; or the persons or agencies responsible for the establishment of the proposed conditional use shall provide adequately any such services? **(Please explain in detail)**

The site is already served by utilities and the site engineering as designed will facilitate site drainage to the existing storm water system.

- F. Does the proposed conditional use does create excessive additional requirements at public expense for public facilities and services and not be detrimental to the economic welfare of the community? **(Please explain in detail)**

This occupancy is low impact to the public facilities and the services provided are an asset to the community.

- G. Does the proposed conditional use involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors? **(Please explain in detail)**

As an adult activity center there are no manufacturing uses creating any environmental concerns.

- H. Does the proposed conditional use provide vehicular access to the property designed that does not create an interference with traffic on surrounding public thoroughfares? **(Please explain in detail)**

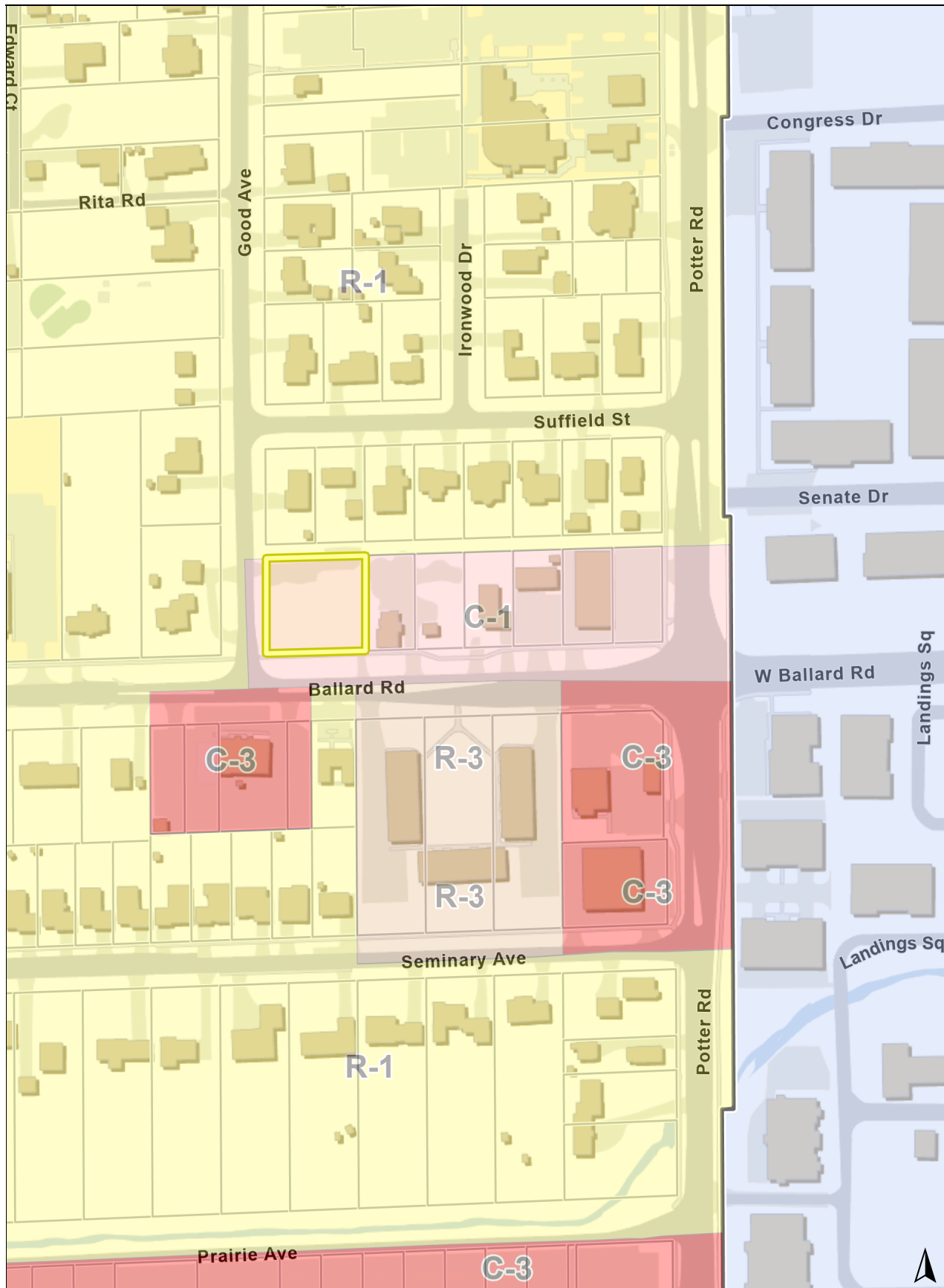
The building clients will be picked up at their homes by a mini-bus and returned home to limit vehicular access to a minimum of the staff.

- I. Does the proposed conditional use result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance? **(Please explain in detail)**

The site is vacant and the building and landscape proposed with enhance the property.

- J. Does the proposed conditional use comply with all additional regulations in this Ordinance specific to the conditional use requested? **(Please explain in detail)**

We believe that this use complies with all specific and intended regulations of the ordinance.



Legend

Zoning and Development

Zoning

- C-1: Neighborhood Shopping
- C-3: General Comm
- R-1: Single Family Residential
- R-3: Townhouse Residential

Notes

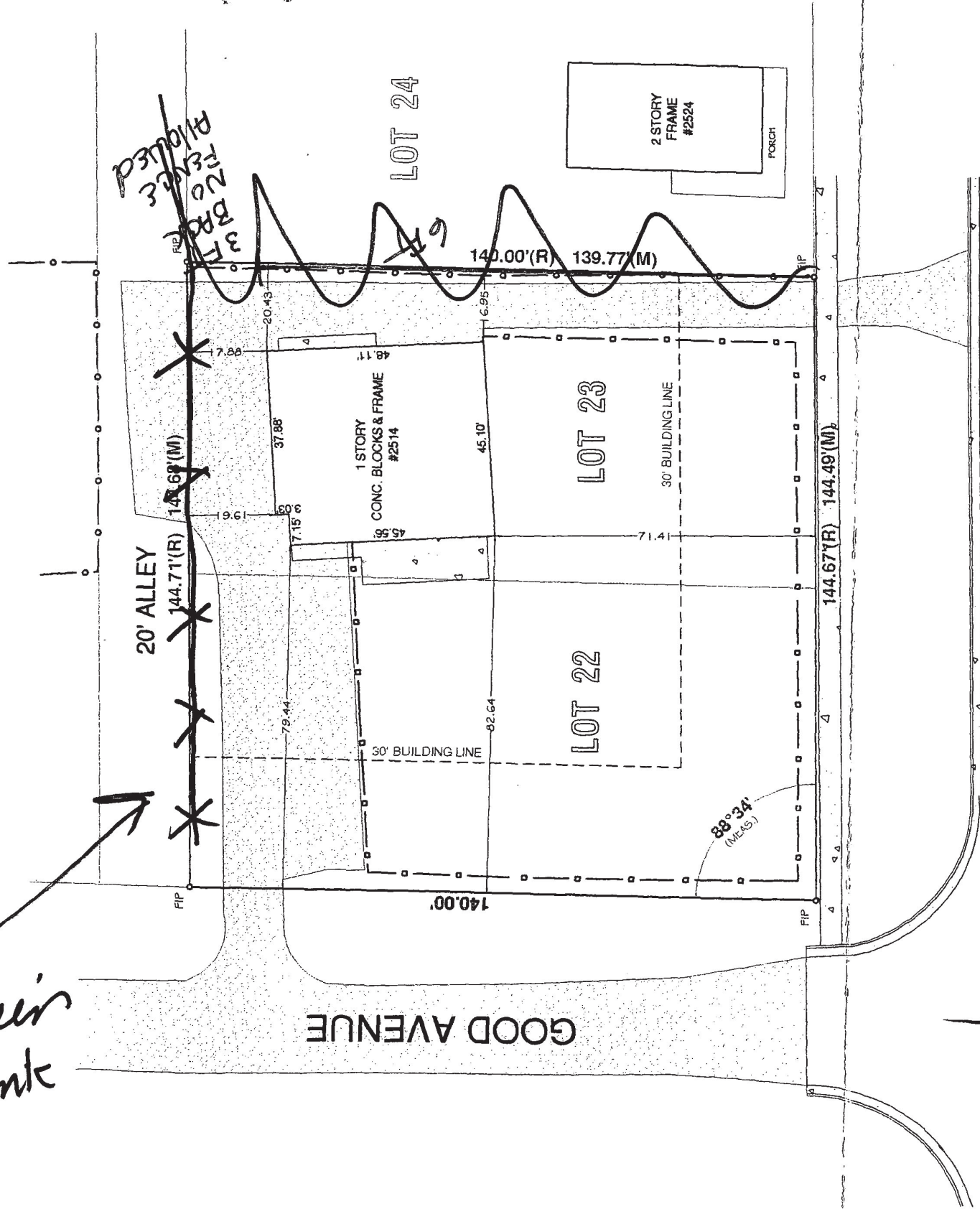
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Print Date: 2/3/2022

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

PLAT OF SURVEY

New
6' chain
link



FILE COPY

BALLARD ROAD

LEGEND

- FIR = FOUND IRON ROD
- FIP = FOUND IRON PIPE
- ✱ FCC = FOUND CUT CROSS
- = BOUNDARY OF SURVEYED PARCEL
- - - = BUILDING LINE
- - - = EASEMENT
- = CHAIN LINK FENCE
- = STOCKADE FENCE
- = WOOD DECK & STAIRS
- = CONCRETE
- = ASPHALT
- = BUILDING

STATE OF ILLINOIS)
COUNTY OF KANE) S.S.

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF A SURVEY PERFORMED AT AND UNDER MY DIRECTION. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

GIVEN UNDER MY HAND AND SEAL THIS 6TH DAY OF MARCH, A.D. 2012.



K. Blando
KRZYSZTOF BLANDO
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3705
LICENSE EXPIRES 1/1/12

ACORN CONSULTANTS LTD.

1340 GIESE ROAD
BATAVIA, ILLINOIS 60510
TEL. (630) 391-1215

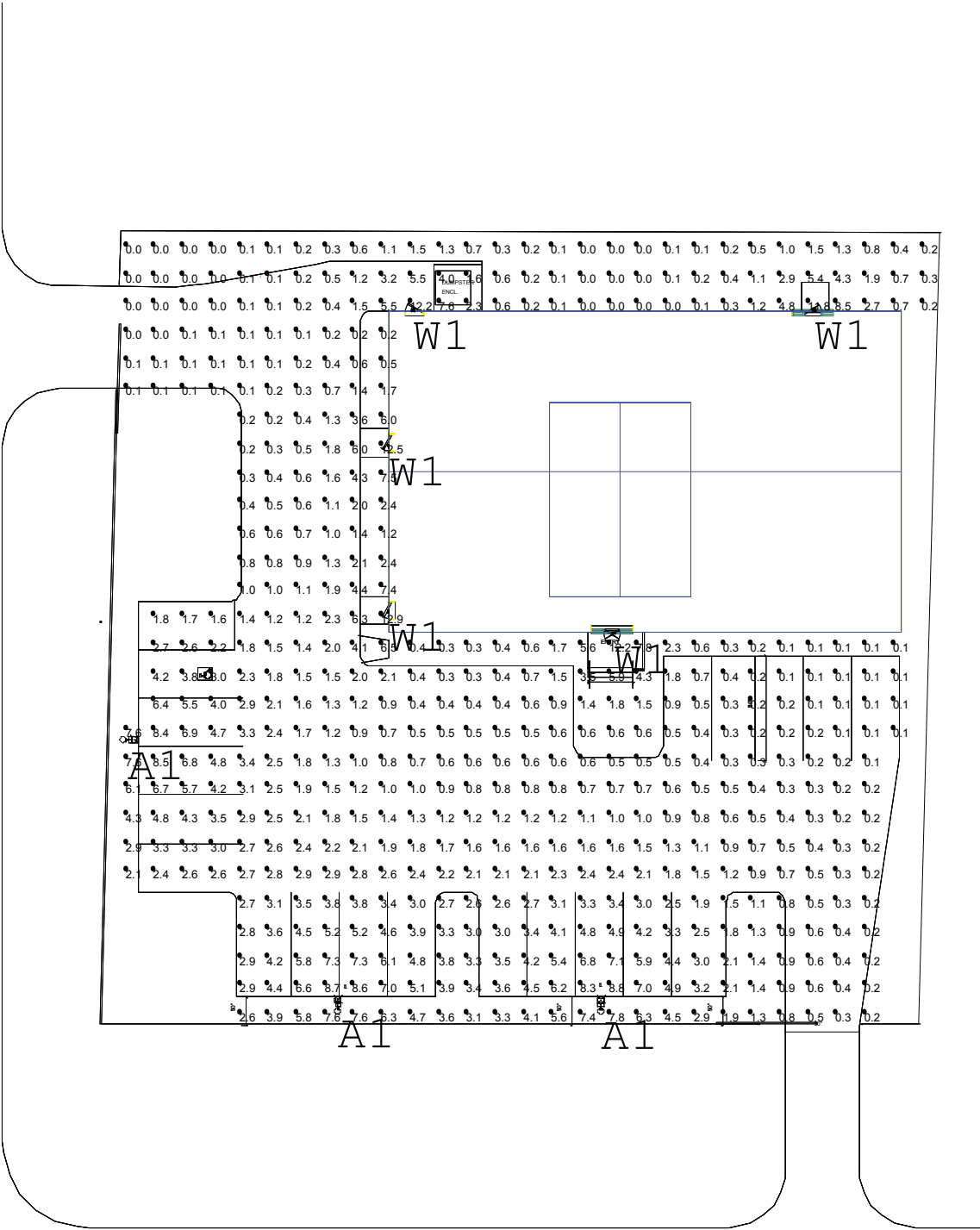
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LOTS 22 AND 23 IN BESTMANN'S ACRES UNIT NUMBER 2, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

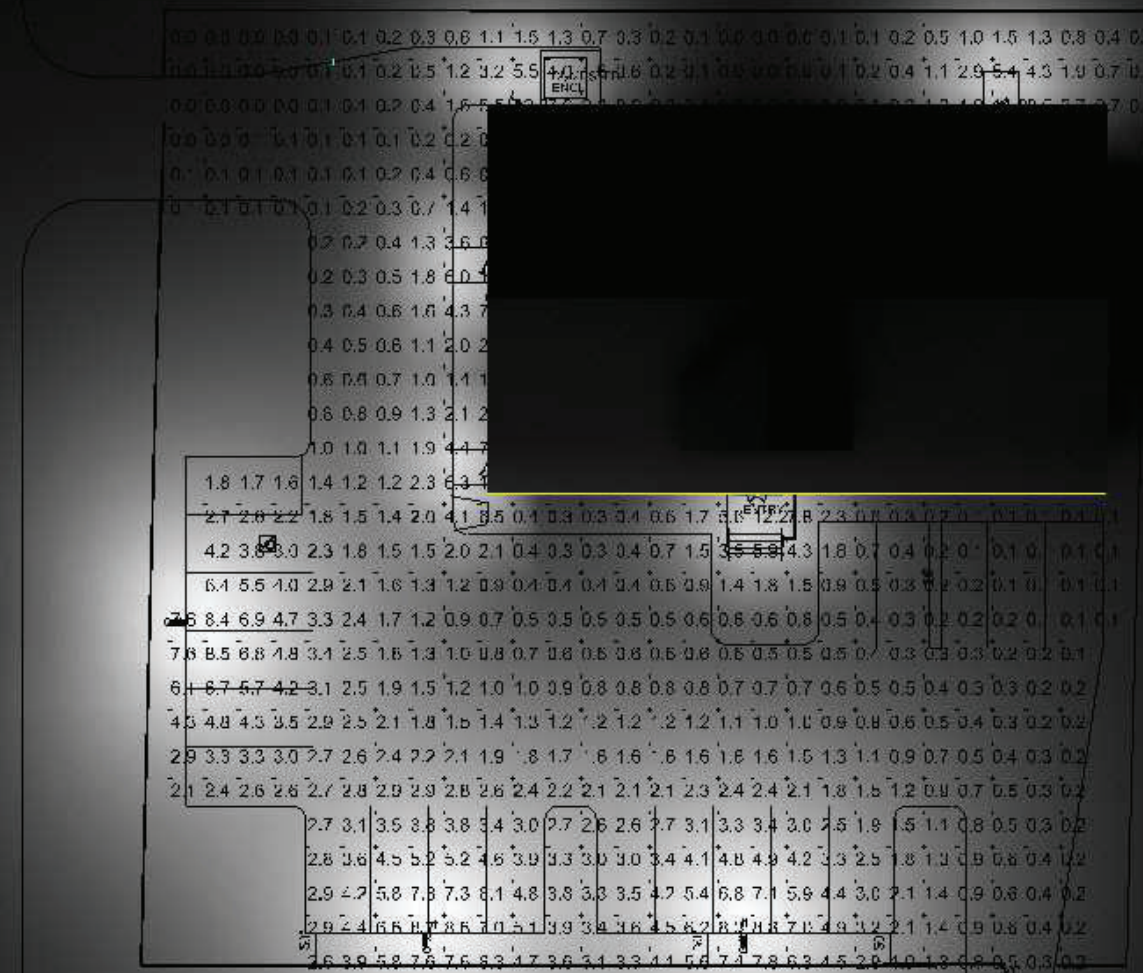
COMMONLY KNOWN AS:

2514 BALLARD ROAD
DES PLAINES, IL 60016

PIN 09-15-308-017-0000

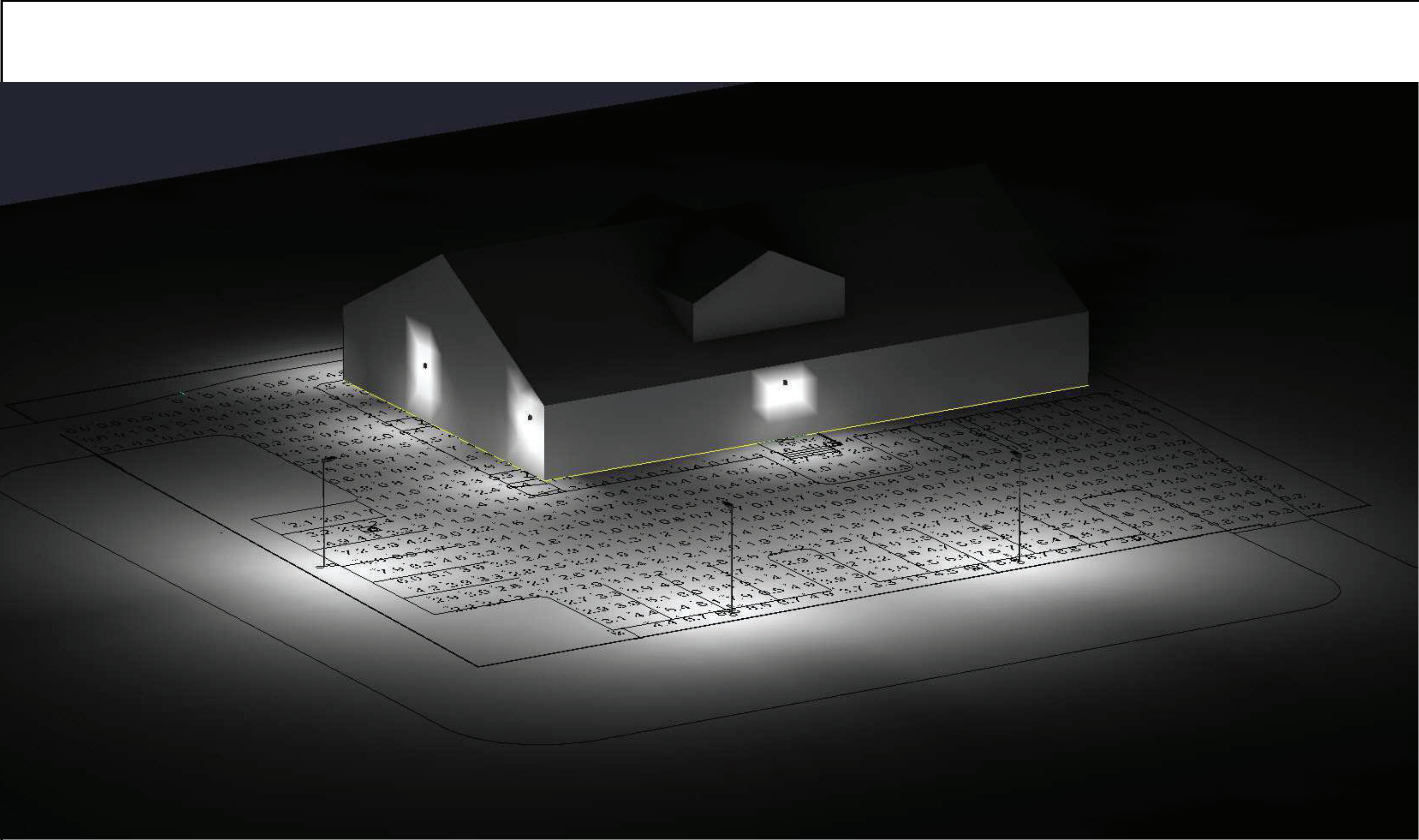
FIELD DATE: 03/01/2012
CHECKED BY: KB
DRAWN BY: IS
SCALE: 1"=30'
JOB # 12-014





Prepared For: Walter	Job Name: 2514 Ballard Road	Scale: as noted	PROJECT #
Prepared By: Casey Electric Sales	Lighting Layout Version A	Date: 11/2/2021	CASE #
		Filename: SingleStoryBuilding.AGI	
		Drawn By: Marie Smith	

Filename: C:\Users\mbecker\Desktop\SingleStoryBuilding.AGI



Prepared For:
Walter

Prepared By:
Casey Electric Sales

Job Name:
2514 Ballard Road

Lighting Layout
Version A

Scale: as noted

Date: 11/2/2021

Filename: SingleStoryBuilding.AGI



Drawn By: Marie Smith

PROJECT #

CASE #

Filename: C:\Users\mbecker\Desktop\SingleStoryBuilding.AGI

Calculation Summary											
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description	PtSpcLr	PtSpcTb	Meter Type
Lot	Illuminance	Fc	2.01	12.9	0.0	N.A.	N.A.		5	5	Horizontal

Luminaire Schedule													
Symbol	Qty	Tag	Label	Arrangement	Lum. Lumens	Arr. Lum. Lumens	LLF	Description	Lum. Watts	Arr. Watts	Total Watts	Filename	BUG Rating
	3	A1	a17-4t70	SINGLE	9798	9798	1.000	A17-4T70	70.82	70.82	212.46	a17-4t70.ies	B2-U0-G2
	5	W1	slim17fa15adj_4k	SINGLE	1761	1761	1.000	SLIM17FA15ADJ_4K	13.98	13.98	69.89999	slim17fa15adj_4k.ies	B1-U1-G0

Expanded Luminaire Location Summary							
LumNo	Tag	X	Y	MTG HT	Orient	Tilt	
1	A1	375.584	1024.503	15	359.887	0	
2	A1	411.281	978.774	15	90.129	0	
3	A1	457.487	978.643	15	89.995	0	
4	W1	459.633	1043.146	8	270	0	
5	W1	420.142	1046.945	8	180	0	
6	W1	420.175	1076.285	8	180	0	
7	W1	424.503	1100.137	8	90	0	
8	W1	495.147	1100.134	8	90	0	
Total Quantity: 8							

NOTES:

* The light loss factor (LLF) is a product of many variables, only lamp lumen depreciation (LLD) has been applied to the calculated results unless otherwise noted. The LLD is the result (quotient) of mean lumens / initial lumens per lamp manufacturers' specifications.

* Illumination values shown (in footcandles) are the predicted results for planes of calculation either horizontal, vertical or inclined as designated in the calculation summary. Meter orientation is normal to the plane of calculation.

* The calculated results of this lighting simulation represent an anticipated prediction of system performance. Actual measured results may vary from the anticipated performance and are subject to means and methods which are beyond the control of RAB Lighting Inc.


* Mounting height determination is job site specific, our lighting simulations assume a mounting height (insertion point of the luminaire symbol) to be taken at the top of the symbol for ceiling mounted luminaires and at the bottom of the symbol for all other luminaire mounting configurations.

* It is the Owner's responsibility to confirm the suitability of the existing or proposed poles and bases to support the proposed fixtures, based on the weight and EPA of the proposed fixtures and the owner's site soil conditions and wind zone. It is recommended that a professional engineer licensed to practice in the state the site is located be engaged to assist in this determination.

* The landscape material shown hereon is conceptual, and is not intended to be an accurate representation of any particular plant, shrub, bush, or tree, as these materials are living objects, and subject to constant change. The conceptual objects shown are for illustrative purposes only. The actual illumination values measured in the field will vary.

* Photometric model elements such as buildings, rooms, plants, furnishings or any architectural details which impact the dispersion of light must be detailed by the customer documents for inclusion in the RAB lighting design model. RAB is not responsible for any inaccuracies caused by incomplete information on the part of the customer, and reserves the right to use best judgement when translating customer requests into photometric studies.

* RAB Lighting Inc. luminaire and product designs are protected under U.S. and International intellectual property laws. Patents issued or pending apply.



Prepared For:
Walter

Prepared By:
Casey Electric Sales

Filename: C:\Users\mbecker\Desktop\SingleStoryBuilding.AGI

Job Name:
2514 Ballard Road

Lighting Layout
Version A

Scale: as noted

Date: 11/2/2021

Filename: SingleStoryBuilding.AGI

Drawn By:
Marie Smith

PROJECT #

CASE #



2514 Ballard Rd – Public Notice



2514 Ballard Rd – Looking North at Front of Subject Property



2514 Ballard Rd – Looking Southeast at Rear of Subject Property



2514 Ballard Rd – Looking Southeast at Side of Subject Property



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

February 14, 2022

Mayor Goczkowski and Des Plaines City Council, CITY OF DES PLAINES

Subject: Planning and Zoning Board, 2514 Ballard Road, Case #22-005-TA-CU (1st Ward)
RE: Consideration of a Final Plat of Subdivision and subdivision variations under Section 13-2 of Subdivision Regulations

Honorable Mayor and Members of the Des Plaines City Council:

The Planning and Zoning Board met on February 8, 2022 to consider the Text Amendment and Conditional Use requests to create a new Adult Day Service Center use and allow a conditional use for an adult day service center use in the C-1 zoning district at 2514 Ballard Road.

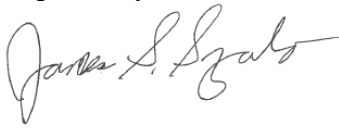
1. The petitioner presented a brief overview of the request for the proposed text amendment and conditional use for a new adult day service center use. She mentioned that she has been running this type of business in Niles, Illinois but is looking to relocate to Des Plaines on the subject property. She handed out brochures detailing the services that they provide to older adults and mentioned that this type of use allows older adults to socialize, have fun, and get the care they need. The petitioner added that multiple government agencies, such as Medicare and Human Services, support this type of use. She briefly mentioned that the day service activities can range from exercise sessions, social activities, and a meal during the day. The architect stated that there will be a small mezzanine level that will allow employees to watch over participants on the first level. He added that all exterior building materials will be masonry—face brick being the primary material—as required by code. He mentioned that they intend to add more windows to increase building transparency.
2. The Planning and Zoning Board (PZB) Members asked if the Niles location would stay open if they opened a location in Des Plaines; if the proposed building will be one-story; if the proposed dormer on the building will be aesthetic; if the exterior building material will be face brick; the current number of participants at the existing Niles location; how the bus service would work, specifically where people would be coming from and their travel distance from their homes to the subject property; how many trees were proposed to be added to the property; if there is an existing adult day care use currently in Des Plaines; the difference between a childcare center and adult day service center, specifically the outdoor space requirement based on number of participants; that if the proposed adult day service center could be changed into a childcare center due to the outdoor activity area space required for childcare centers; how long the Niles location has been open; if the petitioner is aware of the conditions recommended by staff; and if the petitioner has any concerns with the conditions proposed by staff.

The petitioner responded that the existing Niles location would close and their services would be transferred to the Des Plaines location; that the proposed building will be one-story; that the building design with the dormer is required by the Illinois Department of Aging and is better overall for the participants; that the building materials are face brick as required by code; that there are currently 40 participants at the Niles location; that there is no exact answer on where participants would be coming or how large the travel distance would be, but that there is one bus with one driver who currently services Niles as the primary and priority area for their existing Niles location and, with the proposed location in Des Plaines, this service area would be changed to make Des Plaines the primary and priority area for

pick-ups/drop-offs; that there would be several new trees along Good Avenue and Ballard Road as shown on the Landscape Plan; that there are currently no adult day care centers in Des Plaines; that the petitioner is aware of the conditions posed by staff; and that the petitioner is concerned about existing lighting in the area but does not have concerns with any of the conditions posed in the staff report. Staff responded that childcare centers and adult day service centers are governed by two separate agencies and the outdoor space requirement is necessary for childcare centers, but not for adult day service centers. It was added that an adult day service center building could not be repurposed for a childcare center unless the outdoor activity space was provided, which given the proposed development, would likely not be met on the subject property.

3. The Community and Economic Development Department summarized the staff report and noted the six recommended conditions of approval. One condition requires the petitioner to revise and resubmit the Site Plan to provide appropriate labels, dimensions, and details for parking spaces, drive aisle widths, building setbacks, curb-cuts, and signage prior to the City Council meeting. Another condition requires the petitioner to revise and resubmit the Floor Plan to provide details on the uses, dimensions, and areas for all spaces in the proposed building prior to the City Council meeting. A third condition requires the petitioner to revise and resubmit the Elevation drawings to comply with the Building Design Standards in Section 12-3-11 of the Zoning Ordinance prior to the City Council meeting.
4. No members of the public spoke on this request.
5. The Planning and Zoning Board *recommended* (7-0) that the City Council *approve* of the request as presented with the one condition found in the staff report.

Respectfully submitted,



James Szabo,
Des Plaines Planning and Zoning Board, Chairman
Cc: City Officials/Aldermen

2. Addresses: 2514 Ballard Road**Case Number:** 22-005-TA-CU
Public Hearing

The petitioner is requesting text amendments to various sections of the Des Plaines Zoning Ordinance, as amended, to add Adult Day Service as a conditional use in select zoning districts across the City. The petitioner is also requesting a conditional use to allow an Adult Day Service use at 2514 Ballard Road, as well as any other variations, waivers, and zoning relief as may be necessary.

PINs: 09-15-308-017-0000

Petitioner: Phil Joo Yum, 2501 Independence Avenue, Glenview, IL 60026

Owner: Ae Hee Yum, 2501 Independence Avenue, Glenview, IL 60026

Chairman Szabo swore in Ae Hee Yum and Phil Joo Yum, 2501 Independence Ave. Glenview, IL. Currently I am running the business in Niles. I prepared a brochure for all to view to get an idea of what I do. Elderly people would come to the center to get together with friends and the main idea is they can have support and feel life is valuable. We have a lot of support and activities for them to participate in from dancing, reading, and games. It is a great system in place that will help their entire family.

Member Fowler asked if this is a one story building or two story building.

Ae Hee Yum responded it is a one story building but we have to follow the department of aging and it is safer for the elderly.

Member Fowler asked if it is going to be brick.

Ae Hee Yum stated so far yes but it is also up to the architecture and he will present that.

Member Veremis asked how many participants are there now in the Niles location.

Ae Hee Yum said there are forty (40) attendees currently.

Member Hofherr asked if there is a bus service for attendees and from where.

Ae Hee Yum said North shore case managers from Catholic Charities and our bus driver will bring everyone safely.

Walt Dohrmann, Lineworks Architects 3501 Woodhead Dr. Northbrook, IL stated we did review the design and the floor plan is pretty straight forward. The mezzanine will be a good way for employees to use the space and also for supervision so they can see both sides of the entire room when they are up there. Also, I want to note the structure will be brick on the main level and to make it look more residential we will add cement board siding. We also are looking to add more windows to allow more light to flow through.

Case 22-003-FPLAT	2805-2845 Mannheim Road	Final Plat of Subdivision
Case 22-005-TA-CU	2514 Ballard Road	Text Amendment/Conditional Use (Public Hearing)

Member Weaver stated this question is for staff, it looks as though the building is only set up for Adult Day care and not Child care because it would need an outdoor space to be a child care facility due to the requirements.

Community Economics Director Carlisle stated yes, that is correct they are ran by different agencies.

Jonathan Stytz, Planner for CED gave his staff report.

Issue: The petitioner is requesting the following text amendments to the Zoning Ordinance: (i) establish Adult Day Service Center (day services and care for older adults) as a conditional use in the C-1 Neighborhood Shopping, C-2 Limited Office Commercial, C-3 General Commercial, C-4 Regional Shopping, and C-5 Central Business Districts under Section 12-7-4(K); (ii) adjust Section 12-8-7 to add a new subsection for Adult Day Service Center; (iii) establish the minimum off-street parking requirements under Section 12-9-7 for adult day service center; (iv) add a definition for “Center, Adult Day Service” under Section 12-13-3; and (v) adjust the existing term for childcare center to “Center, Child Care.”

The petitioner is also requesting a conditional use permit to allow an adult day service center to be located in the C-1 Neighborhood Shopping District at 2514 Ballard Road.

Owner: Phil Joo Yum, 2501 Independence Avenue, Glenview, IL 60026

Petitioner: Phil Joo Yum, 2501 Independence Avenue, Glenview, IL 60026

Case Number: #22-005-TA-CU

PIN: 09-15-308-017-0000

Ward: #1, Alderman Mark A. Lysakowski

Existing Zoning: C-1, Neighborhood Shopping District

Surrounding Zoning: North: R-1, Single Family Residential District
South: C-3, General Commercial / R-1, Single Family Residential Districts
East: R-1, Single Family Residential District
West: C-1, Neighborhood Shopping District

Surrounding Land Use: North: Single Family Residences
South: Restaurant & Bar / Single Family Residences / Apartments
East: Single Family Residence
West: Single Family Residence

Street Classification: Ballard Road is classified as a major collector, and Good Avenue is classified as a local street.

Comprehensive Plan: Commercial is the recommended use of the property

TEXT AMENDMENT

Project Description: The petitioner, Phil Joo Yum, is proposing to amend the Zoning Ordinance to create an Adult Day Service Center term and use (commonly called “adult day care”). The new definition would create a business or organization type that could be permitted and would provide day activities and care for older adults. The new use would be a conditional use in the C-1 Neighborhood Shopping, C-2 Limited Office Commercial, C-3 General Commercial, C-4 Regional Shopping, and C-5 Central Business Districts under Section 12-7-4(K). With the exception of the C-7 High Density Campus District, where childcare centers are permitted when accessory to an office or hotel and where adult day service is not proposed to be established, the rest of the use table would be the same for child and adult day cares.

According to the Illinois Department on Aging, adult day service – which is the exact term used by the Department – under the Community Care Program is designed for older people who want to remain in the community but who cannot be home alone during the day due to physical, social, and/or mental impairment. Services range from health monitoring, medication supervision, personal care, and recreation/therapeutic activities¹. These types of facilities are required to be certified by the State and must adhere to the regulations under Section 240: Community Care Program. A few key regulations are outlined below:

- **Staffing requirements:** Six full-time staff (qualified adult day service staff, trained volunteers or substitutes) or full-time equivalent for 36 to 45 participants and one additional staff member for each seven additional participants
- **Age Requirement:** Participants must be at least 60 years old (there is a separate day service program under the Illinois Department of Human Services to provide care for adults under this age with a developmental disability)
- **Minimum Activity Area:** A minimum of 40 square feet of activity area is required for every adult under care.

In all, the Proposed Text Amendments (Attachment 10) request the following changes to the Zoning Ordinance:

- Establish adult day service center under Section 12-7-3(K) as a conditional use in the C-1 Neighborhood Shopping, C-2 Limited Office Commercial, C-3 General Commercial, C-4 Regional Shopping, and C-5 Central Business Districts;
- Adjust Section 12-8-7 to add a new subsection for adult day service center and new subsection for childcare center;
- Adjust parking requirements for childcare center under Section 12-9-7 to accommodate adult day service center;
- Add a definition for adult day service center under Section 12-13-3; and
- Adjust the existing term for childcare center to “Center, Child Care” for the purpose of placing adult and childcare centers next to each other in the alphabetized terms section.

CONDITIONAL USE

Project Description: The following description and analysis assumes approval of the requested text amendments as submitted.

The petitioner is also proposing a conditional use to allow an Adult Day Service Center in the C-1 Neighborhood Shopping District at 2514 Ballard Road. The 20,228-square-foot (0.46-acre) subject property consists of one parcel and is located at the northeast corner of the Ballard Road and Good Avenue. A 30- foot-wide unimproved alley is located directly north of the subject property. The Plat of Survey (Attachment 4) shows the condition of the property in 2012 improved with a one-story building, parking area, and fenced area. Since the demolition of the building in 2015, the property is now vacant and improved with a solid wood fence on all four property lines as indicated in the Site and Context Photos (Attachment 11). Since the existing corner lot fronts two streets, the lot line fronting a street with the shorter length is designated as the front (Good Avenue side, west lot line). The east lot line is the rear, and the north and south lot lines are the sides. This is important to note given the subject property is adjacent to residential districts on all sides but the east side, which is zoned commercial. The rear line being adjacent to commercial instead of residential affects the required building setbacks as indicated in the Commercial Bulk Matrix table on the following page.

The petitioner wishes to redevelop the subject property with a one-story, 5,688- square-foot building, a surface parking lot, dumpster enclosure, landscaping along the perimeter of the parking lot area, new parkway trees, building foundation landscaping beds, new turf areas, and fencing around the entire property at varying heights as indicated on the Site Plan (Attachment 5). If the proposed text amendments are approved, the Adult Day Service Center use will follow the same parking minimum as a childcare center: one space for every 15 children or adults under care, plus one space for every employee. As stated in the Project Narrative (Attachment 1), the petitioner plans to provide day services to 80 participants, which requires a minimum of 11 full-time staff members pursuant to the Illinois Department of Aging's Community Care Program. The minimum parking required is eighteen spaces, including one accessible space. The Site Plan (Attachment 5) accommodates nineteen 90- degree parking spaces including one accessible space, which would meet this requirement. Pursuant to Sections 12-9-6 and 12-9-8 of the Zoning Ordinance, 90-degree parking spaces must be a minimum of 8.5 feet wide by 18 feet long and handicap accessible spaces shall be a minimum of 16 feet wide and 18 feet long. The proposed parking space length is labeled as 18.5 feet, but the proposed parking space width is not labeled. Thus, staff has added a condition that the Site Plan is revised to add these details prior to the City Council meeting. The proposed building will be constructed to meet the required bulk regulations for the C-1 district as illustrated in this table:

<i>Regulation</i>	<i>Required</i>	<i>Proposed</i>
Maximum Height	35 Feet	27.00 Feet
Minimum front yard (West) (adjacent to residential)	Front yard setback of adjacent residential district: 25 feet	49.32 feet
Minimum side yard (North) (adjacent to residential)	Side yard setback of adjacent residential district: 5 feet	14.08 feet
Minimum side yard (South) (adjacent to non-residential)	5 feet (abuts a street)	69.06 feet
Minimum side yard (East) (adjacent to non-residential)	5 feet	5.27 feet

The proposed floor plan includes 5,100 square feet on the first level and 588 square feet on the partial mezzanine level, totaling 5,688 square feet in gross floor area. The first level of the proposed building will consist of a 3,200- square-foot activity area for adult day service participants, offices for staff, restrooms, sitting areas, kitchenette area with seating, utility area as indicated on the Floor Plans (Attachment 6). The partial mezzanine level is currently proposed to be open space for the day service center operations. Additional labels and dimensions for each proposed space on the floor plan are necessary, so staff has added a condition that the floor plan is revised to provide details on the uses, dimensions, and areas for all spaces in the proposed building prior to the City Council meeting.

The exterior of the proposed 27-foot-tall building will be constructed with face brick on all elevations as indicated in the Elevations (Attachment 7). Given that this development includes new construction, the proposed building must comply with the Building Design Standards pursuant to Section 12-3-11 of the Zoning Ordinance for both exterior building materials and transparency. The building design standards for a commercial building allow face brick, stucco, metal, and concrete masonry units as permitted ground story materials. As the face brick is a permitted ground story material for a commercial building, the proposal meets this requirement. As for transparency, the Building Design Standards enforce blank wall limitations to restrict the amount of windowless area permitted on a building façade with street frontage with these standards:

- No rectangular area greater than 30 percent of a story's façade, as measured from the floor of one story to the floor of the next story, may be windowless; and
- No part a story's façade may be windowless for a horizontal distance greater than 15 feet.

For the proposed building, the south and west elevations will face a street and will need to meet these regulations. Based on the Elevations (Attachment 7), the south building elevation does not meet the first transparency regulation and the west building elevation does not meet either transparency regulation. Thus, staff has added a condition that the Elevation drawings are revised to comply with the Building Design Standards for all street facing elevations.

The petitioner has also submitted a Photometric Plan (Attachment 9) indicating the foot-candle measurements along the property lines and throughout the site. Pursuant to Section 12-12-10 of the Zoning Ordinance, the foot-candle limits are restricted to 0.1 foot-candles along portions of the property lines abutting single family residential districts and 2.0 foot-candles along portions of the property lines abutting commercial districts. Given that the subject property abuts single family residences on its north (side) property line, west (front) property line, and southeast portion of the south (side) property line, the foot candle limit for these areas is restricted to 0.1. The east (rear) property line and Southwest portion of the south (side) property line abuts commercially zoned property and is limited to 2.0 foot-candles at the property line. The Photometric Plan shows measurements in excess of both foot candle limits described above and will require revisions. Thus, staff has added a condition that the Photometric Plan is revised to comply with Section 12-12-10 of the Zoning Ordinance at time of building permit.

The petitioner intends to maximize the available space of the proposed 5,688- square-foot building to provide care for up to 80 participants, allocating 3,200 square feet on the first level for interior activity area in conformance with the Illinois Department of Aging Community Care Program's 40 square foot

activity area requirement for every participant. In addition, up to 11 staff members will be available on site to provide care to meet the required staffing ratio pursuant to Illinois Department of Aging's Community Care Program. The hours of operation for this use will be 8 a.m. to 2:30 p.m. Monday through Friday and closed on the weekends. During the hours of operation, the proposed activities performed on site are bingo, group discussions, lunch, and similar group activities inside the building and occasionally walks outside the building. The petitioner plans to operate a bus service to transport participants to and from the subject property. See the Project Narrative (Attachment 1) for details.

Standards for Zoning Ordinance Text Amendment: The following is a discussion of standards for zoning amendments from Section 12-3-7(E) of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided. The PZB may use this rationale to adopt findings of fact, or the Board may make up its own.

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan, as adopted and amended from time to time by the City Council;

The new 2019 Comprehensive Plan does not address adult day service centers specifically but does promote aging-in-place strategies to allow older Des Plaines residents to remain in the community.

The proposed text amendment provides another option for older residents who wish to remain in Des Plaines but are unable to adequately care for themselves. Please see the petitioner's response to standards for amendments.

2. Whether the proposed amendment is compatible with current conditions and the overall character of existing development;

Assuming the use rules for childcare centers are compatible with current conditions across the City, it is reasonable to lay out adult day service rules in essentially the same way. The two uses would be very similar in character. The proposed text amendments would provide an opportunity for a new use and development on the subject property in an effort to provide a new service to Des Plaines' residents. Please see the petitioner's response to standards for amendments.

3. Whether the proposed amendment is appropriate considering the adequacy of public facilities and services available to this subject property;

All proposed amendments are not anticipated to impact public facilities and available services but rather enhance economic development and resident quality of life within Des Plaines. Please see the petitioner's response to standards for amendments.

4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and

All proposed amendments will not have an adverse effect on property values throughout the City. The Illinois Department on Aging provides a Community Care Program that includes day services for adults to assist older individuals with the care they need during the day. The proposed use would allow this service to be available in Des Plaines and potentially improved the quality of life for older residents. Please see the petitioner's response to standards for amendments.

5. Whether the proposed amendment reflects responsible standards for development and growth.

The proposed text amendments work towards responsible standards for development and growth by contributing to a service-oriented use that address the needs of the residents. The adult day service center use, and its respective development, can help repurpose underperforming sites in Des Plaines to increase the local economy and improve quality of life. Please see the petitioner's response to standards for amendments.

Conditional Use Findings: Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the Des Plaines Zoning Ordinance. In reviewing these standards, staff has the following comments:

1. The proposed Conditional Use is in fact a Conditional Use established within the specific Zoning district involved:

Comment: A text amendment request to add Adult Day Service Center as a new use is currently being requested. If this use is approved through the proposed text amendments above, an Adult Day Service Center will be listed as a Conditional Use, as specified in Section 12-7-3 of the Zoning Ordinance, as amended. Please see the Petitioner's responses for Conditional Uses.

2. The proposed Conditional Use is in accordance with the objectives of the City's Comprehensive Plan:

Comment: The subject property is vacant without any current use. The proposed Adult Day Service Center use proposes a new development for this site including a new structure, site improvements, and new service use for the surrounding area. These proposed improvements repurpose the subject property and provide an additional service to older residents who wish to stay in Des Plaines but need care during the day. Please see the Petitioner's responses for Conditional Uses.

3. The proposed Conditional Use is designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity:

Comment: The proposed Conditional Use for an Adult Day Service Center use would allow for a development that would be harmonious with the surrounding commercial development in the area but also in close proximity of residents who may be in need of such services. The petitioner has designed the development to blend with the character of the neighborhood and development within the surrounding area. Please see the Petitioner's responses for Conditional Uses.

4. The proposed Conditional Use is not hazardous or disturbing to existing neighboring uses:

Comment: The proposed use would not be hazardous or disturbing to the existing neighboring uses. Instead, the proposal will improve an underperforming property with a new use that is self-contained inside a building and will not detract or disturb surrounding uses in the area. Please see the Petitioner's responses for Conditional Uses.

5. The proposed Conditional Use is to be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or, agencies responsible for establishing the Conditional Use shall provide adequately any such services:

Comment: The subject property is a corner lot with direct access to essential public facilities and services. Staff has no concerns that the proposed use will be adequately served with essential public facilities and services. Please see the Petitioner's responses for Conditional Uses.

6. The proposed Conditional Use does not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic well-being of the entire community:

Comment: The proposed use would neither create a burden on public facilities, nor would it be a detriment to the economic well-being of the community. The proposed use could help improve the economic well-being of the community by providing additional services to Des Plaines residents. Please see the Petitioner's responses for Conditional Uses.

7. The proposed Conditional Use does not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors:

Comment: All proposed activities for the proposed Adult Day Service Center use would take place inside reducing any noise, smoke fumes, light, glare, odors, or other concerns potentially posed by new developments. In addition, screening and new landscaping will be installed to further reduce any potential concerns with the new use. Please see the Petitioner's responses for Conditional Uses.

8. The proposed Conditional Use provides vehicular access to the property designed so that it does not create an interference with traffic on surrounding public thoroughfares:

Comment: The proposed use will not create an interference with traffic on surrounding public thoroughfares but rather adds two curb-cuts that will allow for adequate traffic flow and circulation throughout the property. Additional parkway improvements, including landscaping and sidewalk installation, will also improve the aesthetics of the site as a whole as well as improve pedestrian connectivity in the area. Please see the Petitioner's responses for Conditional Uses.

9. The proposed Conditional Use does not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance:

Comment: The subject property has already been developed in the past, so the new use would not result in the loss or damage of natural, scenic, or historic features. Instead, the petitioner is cleaning up and removing overgrown landscaping to make way for new landscaping and screening for the site as a whole. Please see the Petitioner's responses for Conditional Uses.

10. The proposed Conditional Use complies with all additional regulations in the Zoning Ordinance specific to the Conditional Use requested:

Comment: The proposed Adult Day Service Center use and proposed development will comply with all applicable requirements as stated in the Zoning Ordinance. Please see the Petitioner's responses for Conditional Uses.

PZB Procedure and Recommended Conditions: Pursuant to Sections 12-3-4(E) and 12-3-7(E) of the Zoning Ordinance, the PZB may vote to recommend approval, approval with modifications, or disapproval of the proposed text amendments and conditional use. The City Council has final authority over both requests. The PZB should take two motions to consider each request individually. First, the Board should consider the text amendments, which may be recommended for approval as submitted, approval as revised, or denial.

Second, the Board can consider a recommendation regarding the conditional use. However, should the PZB recommend approval of the conditional use, staff suggest the following conditions for the conditional use request:

1. The petitioner shall revise and resubmit the Site Plan to provide appropriate labels, dimensions, and details for parking spaces, drive aisle widths, building setbacks, curb-cuts, and signage prior to the City Council meeting.
2. The petitioner shall revise and resubmit the Floor Plan to provide details on the uses, dimensions, and areas for all spaces in the proposed building prior to the City Council meeting.
3. The petitioner shall revise and resubmit the Elevation drawings to comply with the Building Design Standards in Section 12-3-11 of the Zoning Ordinance prior to the City Council meeting.

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Case 22-005-TA-CU

2514 Ballard Road

Text Amendment/Conditional Use
(Public Hearing)

4. A landscape plan showing perimeter, interior, and foundation plantings to fulfill all requirements of Section 12-10 must be approved before issuance of a building permit.
5. The petitioner shall revise and resubmit the Photometric Plan to comply with the Environmental Performance Standards in Section 12-12-10 of the Zoning Ordinance at time of building permit.
6. Plans may need to be revised further at time of building permit to meet all applicable City regulations.

A motion was made by Board Member Weaver, seconded by Board Member Catalano to approve a text amendment as outlined in section ten.

AYES: Szabo, Veremis, Saletnik, Hofherr, Catalano, Weaver, Fowler

NAYES: None

ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY *****

A motion was made by Board Member Weaver, seconded by Board Member Catalano to approve a conditional use as outlined in staffs report along with the conditions outlined in the report.

AYES: Szabo, Veremis, Saletnik, Hofherr, Catalano, Weaver, Fowler

NAYES: None

ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY *****

CITY OF DES PLAINES

ORDINANCE Z - 6 - 22

**AN ORDINANCE AMENDING THE TEXT OF VARIOUS
SECTIONS OF THE DES PLAINES ZONING ORDINANCE
REGARDING ADULT DAY SERVICE AND CHILD CARE
CENTERS.**

WHEREAS, the City is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the "Des Plaines Zoning Ordinance of 1998," as amended ("**Zoning Ordinance**"), is codified as Title 12 of the City Code of the City of Des Plaines ("**City Code**"); and

WHEREAS, after a review of the Zoning Ordinance, City staff desires to amend the Zoning Ordinance to amend: (i) Section 12-7-3(K) to establish Adult Day Service Center (day services and care for older adults) as a conditional use in the C-1 Neighborhood Shopping, C-2 Limited Office Commercial, C-3 General Commercial, C-4 Regional Shopping, and C-5 Central Business Districts; (ii) Section 12-8-7 to add Adult Day Service Center to the existing Use Standard for Childcare Centers; (iii) Section 12-9-7 to establish minimum off-street parking requirements for adult day service center; (iv) Section 12-13-3 to add a definition for "Center, Adult Day Service" and adjust the existing term for childcare center to "Center, Child Care." (collectively, (i) through (v) are the "**Text Amendments**"); and

WHEREAS, on February 8, 2022, the City Council held a public hearing to consider the Text Amendments, which hearing was duly advertised in the *Des Plaines Journal* on January 19, 2022; and

WHEREAS, the City Council has considered the factors set forth in Section 12-3-7.E, titled "Standards for Amendments," of the Zoning Ordinance; and

WHEREAS, the City Council has determined that it is in the best interest of the City to adopt the Text Amendments and amend the Zoning Ordinance as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1. RECITALS. The recitals set forth above are incorporated herein by reference and made a part hereof.

SECTION 2. FINDING OF COMPLIANCE. The City Council finds that consideration of the Text Amendments has complied with the provisions of Section 12-3-7 of the Zoning Ordinance.

Additions are bold and double-underlined; deletions are struck through.

SECTION 3. COMMERCIAL DISTRICTS REGULATIONS. Section 12-7-3, titled “Commercial Districts Regulations,” of Chapter 7, titled “Districts,” of the Zoning Ordinance is hereby amended to read as follows:

“12-7-3: COMMERCIAL DISTRICTS REGULATIONS:

* * *

K: Commercial Use Matrix:

TABLE 3
COMMERCIAL DISTRICTS USE MATRIX
P = Permitted use
C = Conditional use permit required

Uses	C-1	C-2	C-3	C-4	C-5	C-6	C-7
	*	*		*			
<u>Adult Day Service Center</u>	<u>C</u>	<u>C⁶</u>	<u>C</u>	<u>C</u>	<u>C¹⁰</u>		
	*	*		*			

* * *

Notes:

6. When incorporated within, or accessory to, an office/hotel use.

* * *

10. Except on Miner Street, Ellinwood Street or Lee Street.

* * *

SECTION 4. CHILDCARE AND ADULT DAY SERVICE CENTERS. Section 12-8-7, titled “Childcare Centers,” of Chapter 7, titled “Districts,” of the Zoning Ordinance is hereby amended to read as follows:

“12-8-7: CHILDCARE CENTERS AND ADULT DAY SERVICE CENTERS:

A. Compliance with Laws: Childcare centers and adult day service centers must comply with all local, county, state, and federal requirements, rules, regulations, including, without limitation, certification, licensing, health, life safety, and building code requirements.

Additions are bold and double-underlined; ~~deletions are struck through.~~

B. Childcare Centers:

- 1.** ~~A.~~ In no case may the lot size or required frontage be less than that required by the zoning district in which the facility is to be located.
- 2.** ~~B.~~ Front, rear, and side yard setbacks shall be the same as for other uses permitted in the district. Additionally, no equipment may be affixed to the land within such side yards.
- 3.** ~~C.~~ There shall be a minimum of thirty five (35) square feet of indoor activity area per child within the structure. Areas for administrative use, bathrooms, hallways, storage and kitchen areas, shall not be counted in calculating this requirement. (Ord. Z-8-98, 9-21-1998)
- 4.** ~~D.~~ There shall be a minimum of seventy five (75) square feet of outdoor activity area per child that could be expected to be outdoors at any one time. Such activity area or portions thereof shall be enclosed by a fence meeting all the requirements of the city code. Up to twenty five percent (25%) of this requirement may be waived by the planning and zoning board upon a finding that: (Ord. Z-14-15, 7-6-2015; amd. Ord. Z-29-15, 10-5-2015)
 - a.** ~~1.~~ A park or similar permanent open space, suitable for supervised outdoor play, is located within five hundred feet (500') of the proposed facility;
 - b.** ~~2.~~ The park or similar permanent open space, suitable for supervised outdoor play, is one acre (43,560 square feet) or larger; and
 - c.** ~~3.~~ The park or similar permanent open space, suitable for supervised outdoor play, is accessible from the proposed daycare/childcare facility location without crossing any street.
- 5.** ~~E.~~ Hours of normal operation shall be limited to six o'clock (6:00) A.M. to seven o'clock (7:00) P.M. (Ord. Z-8-98, 9-21-1998)

C. Adult Day Service Centers

- 1. In no case may the lot size or required frontage be less than that required by the zoning district in which the facility is to be located.**
- 2. Front, rear, and side yard setbacks shall be the same as for other uses permitted in the district. Additionally, no equipment may be affixed to the land within such side yards.**
- 3. Hours of normal operation shall be limited to six o'clock (6:00) A.M. to seven o'clock (7:00) P.M.**

*

*

*"

Additions are bold and double-underlined; ~~deletions are struck through.~~

SECTION 5. OFF-STREET PARKING REGULATIONS. Section 12-9-7, titled “Off-Street Parking Regulations,” of Chapter 9, titled “Off-Street Parking and Loading Facilities,” of the Zoning Ordinance is hereby amended to read as follows:

“12-9-7: OFF-STREET PARKING REGULATIONS:

*	*	*
Institutional uses:		
*	*	*
Childcare Center <u>Adult Day Service Center</u>	1 space for every 15 children <u>or adults under care</u> , plus 1 space for every employee	
*	*	*

* * *

SECTION 6. DEFINITIONS. Section 12-13-3, titled “Definition of Terms,” of Chapter 13, titled “Definitions,” of the Zoning Ordinance is hereby amended to read as follows:

“12-13-3: DEFINITION OF TERMS:

* * *

CENTER, ADULT DAY SERVICE: Any place other than a family home that provides daytime meal services, transportation, health monitoring, personal care, and recreational/therapeutic activities for adults during any part of a day not exceeding 13 in any 24 hour period.

CENTER, CHILDCARE ~~CHILDCARE CENTER:~~ Any place other than a family home in which persons receive childcare services during any part of a day not exceeding thirteen (13) hours in any twenty four (24) hour period, ~~and~~ licensed pursuant to the Des Plaines City Code. (See section [12-8-7](#), "Childcare Centers", of this title.)

* * *

SECTION 7. SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

Additions are bold and double-underlined; ~~deletions are struck through.~~

SECTION 8. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law.

PASSED this _____ day of _____, 2022.

APPROVED this _____ day of _____, 2022.

VOTE: Ayes _____ Nays _____ Absent _____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
_____ day of _____, 2022.

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Ordinance Amending the Zoning Code Regarding Adult Day Service Facilities

Additions are bold and double-underlined; ~~deletions are struck through.~~

CITY OF DES PLAINES

ORDINANCE Z - 7 - 22

**AN ORDINANCE APPROVING A CONDITIONAL USE
PERMIT FOR AN ADULT DAY SERVICE CENTER USE AT
2514 BALLARD ROAD, DES PLAINES, ILLINOIS (Case #22-
005-TA-CU).**

WHEREAS, Phil Joo Yum ("**Petitioner**") is the lessee of the property known as 2514 Ballard Road, Des Plaines, Illinois ("**Subject Property**"); and

WHEREAS, the Subject Property is located in the C-1 Neighborhood Shopping District ("**C-1 District**") and is currently improved with a pavement area and wood perimeter fence; and

WHEREAS, the Subject Property is 20,228 square feet in area; and

WHEREAS, the Petitioner desires to make improvements to the Subject Property including a new one story building, parking area, landscaping, and solid wood perimeter fence in order to operate an Adult Day Service Center use on the Subject Property (collectively, the "**Proposed Project**"); and

WHEREAS, the "Des Plaines Zoning Ordinance of 1998," as amended ("**Zoning Ordinance**"), is codified as Title 12 of the City Code of the City of Des Plaines ("**City Code**"); and

WHEREAS, pursuant to Section 12-3-7.K of the Zoning Ordinance, Adult Day Service Center uses are only permitted in the C-1 District pursuant to a conditional use permit approved by the City Council; and

WHEREAS, in order to operate an Adult Day Service Center on the Subject Property, and pursuant to Section 12-3-4 of the Zoning Ordinance, the Petitioner filed an application with the City for the approval of a conditional use permit ("**Proposed Conditional Use Permit**") for the operation of the Adult Day Service Center Use on the Subject Property ("**Requested Relief**"); and

WHEREAS, the Subject Property is owned by Ae Hee Yum ("**Owner**"), which has consented to the Petitioner's application; and

WHEREAS, within fifteen (15) days after the receipt thereof, the Petitioner's application was referred by the Department of Community and Economic Development to the Planning and Zoning Board of the City of Des Plaines ("**PZB**"); and

WHEREAS, within ninety (90) days after the date of the Petitioner's application, a public hearing was held by the PZB on February 8, 2022, pursuant to publication in the *Des Plaines Journal* on January 19, 2022; and

WHEREAS, notice of the public hearing was mailed to all property owners within 300 feet of the Subject Property; and

WHEREAS, during the public hearing the PZB heard testimony and received evidence with respect to how the Petitioner intended to satisfy and comply with the provisions of the Zoning Ordinance; and

WHEREAS, pursuant to Section 12-3-4 of the Zoning Ordinance, the PZB filed a written report with the City Council on February 14, 2022, summarizing the testimony and evidence received by the PZB and stating its recommendation, by a vote of 7-0, to approve the Requested Relief subject to certain conditions; and

WHEREAS, the Petitioner made representations to the PZB with respect to the Requested Relief which representations are hereby found by the City Council to be material and upon which the City Council relies in approving the Requested Relief; and

WHEREAS, the City Council has considered the written report of the PZB, the applicable standards for conditional use permits set forth in the Zoning Ordinance, and the Community and Economic Development Staff Memorandum dated February 3, 2022, and has determined that it is in the best interest of the City and the public to approve the Requested Relief in accordance with the provisions of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1. RECITALS. The recitals set forth above are incorporated herein by reference and made a part hereof, the same constituting the factual basis for the approval of the Requested Relief.

SECTION 2. LEGAL DESCRIPTION OF SUBJECT PROPERTY. Subject Property is legally described as:

LOTS 22 AND 23 IN BESTMANN'S ACRES UNIT NUMBER 2, BEING A SUBDIVISION OF PART OF THE EAST ½ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 15, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.: 09-15-308-017-0000

SECTION 3. APPROVAL OF CONDITIONAL USE PERMIT. Subject to and contingent upon the conditions, restrictions, limitations and provisions set forth in Section 4 of this Ordinance, the City Council hereby grants the Petitioner the Conditional Use Permit to allow the operation of the Adult Day Service Center Use in the C-1 District on the Subject Property. The Conditional Use Permit granted by this Ordinance is consistent with and equivalent to a "special use" as referenced in Section 11-13-25 of the Illinois Municipal Code, 65 ILCS 5/11-13-25.

SECTION 4. CONDITIONS. The approval granted in Section 3 of this Ordinance shall be, and is hereby, expressly subject to and contingent upon the following conditions, restrictions, limitations, and provisions of this Section 4:

A. **Compliance with Plans.** The development, use, and maintenance of the Subject Property shall be in strict compliance with the following plans, except for minor changes and site work approved by the Director of the Department, and changes to comply with the conditions set forth in Section 4.B of this Ordinance, in accordance with all applicable City codes, ordinances, and standards, including, without limitation, Sections 3.4-8, "Limitations on Conditional Uses," and 3.4-9, "Effect of Approval," of the Zoning Ordinance.

1. The Project Narrative, prepared by the Petitioner, consisting of one sheet, and dated December 28, 2021, a copy of which is attached to and, by this reference, made a part of this Ordinance as ***Exhibit A***;

2. The Site Plan, prepared by Lineworks, LTD, consisting of one sheet, and with a latest revision date of February 16, 2022, a copy of which is attached to and, by this reference, made a part of this Ordinance as ***Exhibit B***;

3. The Floor Plan, prepared by Bono Consulting, Inc. consisting of one sheet, and with a latest revision date of February 17, 2022, a copy of which is attached to and, by this reference, made a part of this Ordinance as *Exhibit C*; and

4. The Elevations, prepared by Lineworks, LTD, consisting of two sheets, and with a latest revision date of February 17, 2022, a copy of which is attached to and, by this reference, made a part of this Ordinance as *Exhibit D*.

B. Additional Conditions. The development, use, and maintenance of the Subject Property shall be subject to and contingent upon compliance with the additional condition as follows:

1. The Landscape Plan must be revised so that it meets all applicable landscaping requirements under Section 12-10 of the Zoning Ordinance prior to its submission as part of the building permit application process.

2. All improvements made as part of the Proposed Project must comply with all applicable codes and ordinances. Drawings and plans submitted as part of the Proposed Project might need to be revised in order to comply with current codes and ordinances.

3. Any governing documents prepared for the Subject Property must be reviewed by the City Attorney prior to recordation.

SECTION 5. FAILURE TO COMPLY WITH CONDITIONS.

A. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of, any of the provisions of this Ordinance shall be fined not less than seventy five dollars (\$75.00) or more than seven hundred and fifty dollars (\$750.00) for each offense. Each and every day that a violation of this Ordinance is allowed to remain in effect shall constitute a complete and separate offense. In addition, the appropriate authorities of

the City may take such other action as they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. Any person, firm or corporation violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorneys' fees.

B. In the event that the Petitioner fails to develop or maintain the Subject Property in accordance with the requirements of the Zoning Ordinance, or the conditions set forth in Section 4 of this Ordinance, the Conditional Use Permit granted in Section 3 of this Ordinance may be revoked after notice and hearing before the Zoning Administrator of the City, all in accordance with the procedures set forth in Section 12-4-7 of the Zoning Ordinance. In the event of revocation, the development and use of the Subject Property will be governed solely by the regulations of the C-1 District. Further, in the event of such revocation of the Proposed Variation and the Conditional Use Permit, the City Manager and City's General Counsel are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances. The Petitioner acknowledges that public notices and hearings have been held with respect to the adoption of this Ordinance, has considered the possibility of the revocation provided for in this Section, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or any denial of any procedural right, provided that the notice and hearing required by Section 12-4-7 of the Zoning Ordinance is provided to the Petitioner.

SECTION 6. BINDING EFFECT; NON-TRANSFERABILITY. The privileges, obligations, and provisions of each and every section and requirement of this Ordinance are for and shall inure solely to the benefit of Petitioner. Nothing in this Ordinance shall be deemed to allow the Petitioner to transfer any of the rights or interests granted herein to any other person or

entity without the prior approval of the City Council by a duly adopted amendment to this Ordinance.

SECTION 7. SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after the occurrence of the following:

- A. its passage, approval and publication in pamphlet form as provided by law;
- B. the filing with the City Clerk by the Petitioner, not less than 60 days after the passage and approval of this Ordinance, of an unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance. Said unconditional agreement and consent shall be in substantially the form attached to, and by this reference made a part of, this Ordinance as *Exhibit E*; and

[SIGNATURE PAGE FOLLOWS]

PASSED this _____ day of _____, 2022.

APPROVED this _____ day of _____, 2022.

VOTE: AYES _____ NAYS _____ ABSENT _____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
_____ day of _____, 2022.

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Ordinance Approving CUP for Adult Day Service Center at 2514 Ballard Road

The proposal is to construct a 5,100 square foot single story building with a parking lot. The site will be improved with a perimeter fence and landscaping.

The Adult Day Service is for adults age 60 and older. There will be an interior activity area of 3,200 s.f. providing area for a maximum of 80 clients. Up to 11 employees would be required for supervision. The facility will be inspected and certified by the Illinois Department on Aging in order to operate.

Inside the building we will perform adult day service activities such as Bingo, Group talking, Lunch together, etc. This will run from 8 am to 2:30 pm Monday through Friday.

Outside: Maybe, after lunch, seniors can take short walk.

We plan to operate bus or sedan to transport client between their home and the adult day care center.

Who will be on site: senior care staff and the clients.

What product: we provide adult day care services and in-home service from this property. Home health care is organized from the office remotely with care givers. This is performed from 9 am to 5 pm by up to 5 employees.

Website: [Chicago Home Health Inc.](#)

Sincerely,

Phil Yum

Chicago Home Health, Inc. 6625 N Milwaukee Ave; Niles, IL 60714 Tel: 847.269.8012 Fax: 312.842.8889



Alyce Adult Day Care Center will provide activities that emphasize the strengths and abilities of its participants. In addition, a blend of purposeful activities will be designed to meet the social, physical, cognitive, health needs and interests of the participants.

A typically daily activity schedule includes small and large group socialization activities, current events, exercise, activities that promote fine and gross motor skills, reminiscing and story sharing, music, and cognitively stimulating activities. Special activities, such as outings, cooking and gardening groups, parties, or special musical entertainment are scheduled monthly. All activities can be modified to meet the individual needs of each participant. All clients are encouraged to participate in daily activities.



For more information, or for tour of Alyce Adult Day Care Center, please call (847) 269-8012.



Alyce Adult Day Care Center
is located at:
6625 N. Milwaukee Ave.
Niles, IL 60714

Transportation Service Area:

Our full service area include:

- Niles
- Park Ridge
- Des Plaines
- Morton Grove
- Lincolnwood
- Skokie
- Norridge
- Harwood Heights
- North and Northwest Chicago

Our partial service areas include:

- Glenview
- Wilmette
- Glencoe
- Northbrook
- Winnetka



ADULT DAY CARE CENTER

*Good Times
Good Friends*



6625 N. Milwaukee Ave
Niles, IL 60714
847-269-8012
847-510-5984

Email: Chicagohh@yahoo.com
<http://www.chicagohomehealth.net>

Contracted by
Illinois Department On Aging

LICENSED-BONDED-INSURED

About Our Program

Alyce Adult Day Care Center has the perfect solution. You loved one can participate in our program during the day, and return home in the evenings. We can also pick them up and drop off safely a pre-scheduled time. Alyce Adult Day Care Center offers older adults the opportunity to interact outside their home and offer a wide range of social activities, lunch meal provide, arts and crafts to cards games and specialized services are offer for the dementia prevention program.

The following services are available daily at Alyce Adult Day Care Center:

- a structured and supervised setting in a pleasant environment
- recreational activities designed to promote activity and socialization
- health monitoring by a nurse
- assistance with basic personal care
- hot meals and nutritious snacks
- counseling for early stage of dementia
- transportation

Eligibility Guidelines

Adult day service is the direct care and supervision of adults aged 60 and over in a community-based setting for the purpose of providing personal attention and promoting social, physical and emotional well-being in a structured setting.

- adults who are socially isolated
- adults who need services to regain functioning, and learn adaptive skills
- adult who need health monitoring for physical problems
- adult with cognitive impairments that interfere with daily functioning
- adults needing support in making the transition from independent living to group care or vice versa
- those whose families and/or caregivers need respite



Hours of Operation

The program is open Monday through Friday, from 8:30 a.m. to 2:30 p.m. Participants may attend up to 5 days per week.

Services

Full day Program

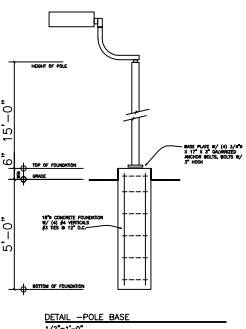
The full day program is for those attending 4-6 hours per day. The full day rate includes a breakfast, lunch and snack.

Transportation

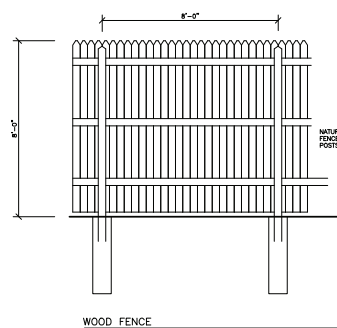
Transportation services run from 7:30 a.m. until 3:30 p.m. Someone must be available at the home to ensure the safe departure and arrival of the client, and to assist with transfers into and out of the vehicle as necessary.



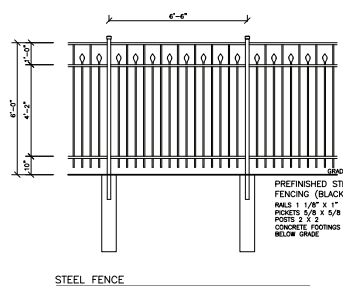
Alyce Adult Day Care offers plenty of good fun and activity for all participant.



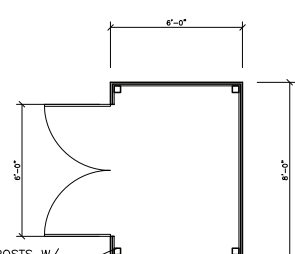
DETAIL - POLE BASE
1/2"=1'-0"



NATURAL WOOD STOCKADE

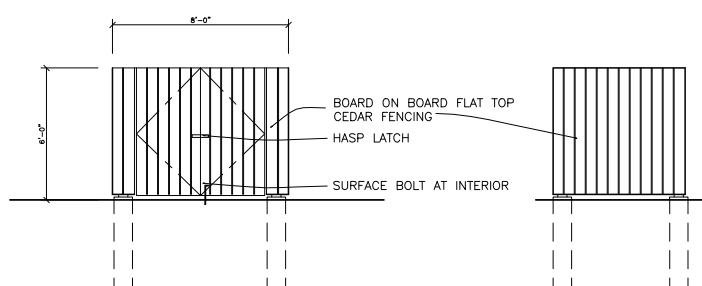


STEEL FENC



4 X 4 P.T. POSTS W/
GALV POST ANCHORS ON
10"Ø CONCRETE PIERS
TO 42" BELOW GRADE

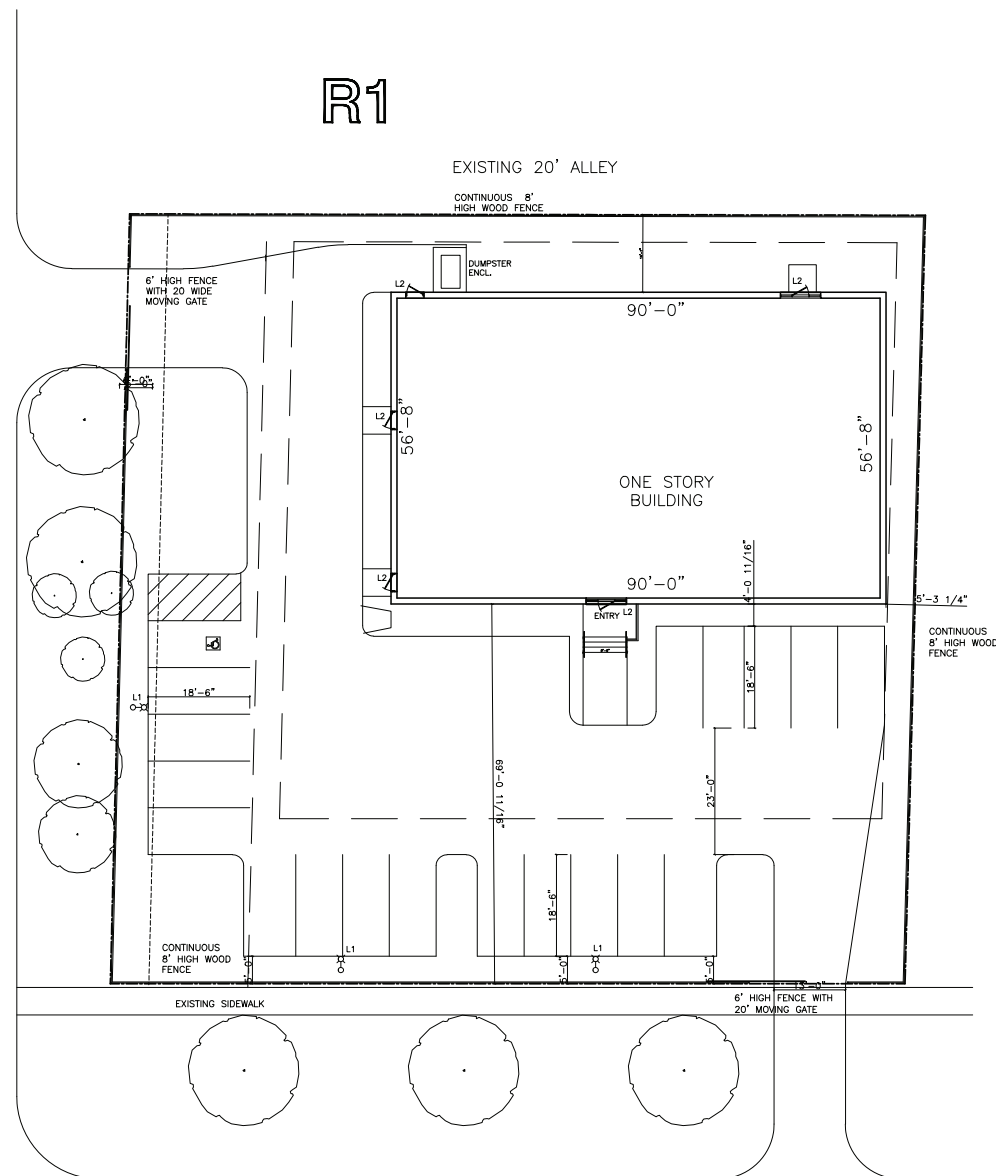
DUMPSTER ENCLOSURE PLAN
1/4"=1'-0"



DUMPSTER ENCLOSURE ELEVATIONS
1/4"=1'-0"

GOOD AVENUE

R1



SITE PLAN
1"=16'

BALLARD ROAD

C1

		ISSUED FOR CONSTRUCTION
		ISSUED FOR PERMIT
		ISSUED FOR PRICING
	11-02-21	ISSUED FOR REVIEW
NO	DATE	DESCRIPTION

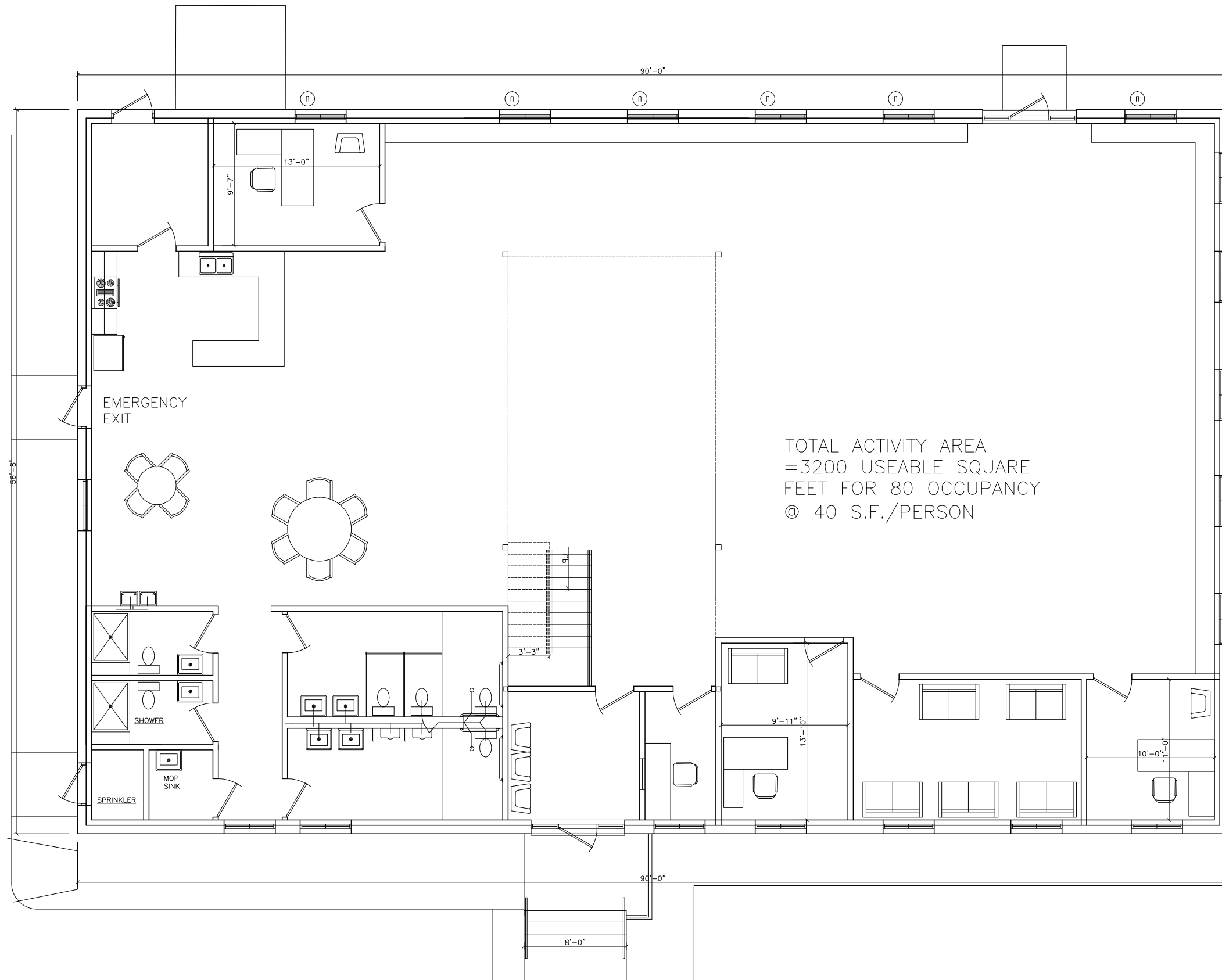
LINEWORKS LTD
 ARCHITECTS 847-564-5280
 PROFESSIONAL DESIGN FIRM CORPORATION LICENSE # 184-003924
 3501 WOODHEAD DRIVE SUITE 8
 NORTHBROOK-ILLINOIS 60062

CHICAGO HOME HEALTH, INC
2514 E. BALLARD ROAD
DES PLAINES, ILLINOIS

SITE PLAN

THESE DRAWINGS ARE PROTECTED BY COPYRIGHT AND MAY NOT BE
USED WITHOUT THE EXPRESSED, WRITTEN CONSENT OF LINEWORKS,LTD.

DRAWN	PROJECT 20127	A-1
CHECKED	SHEET OF	



FIRST FLOOR PLAN
1/4"=1'-0"

NO	DATE	DESCRIPTION
		REVISED FOR PERMIT
		REVISED FOR PERMIT
		REVISION
		REVISION
		ISSUED FOR CONSTRUCTION
		ISSUED FOR PERMIT
		ISSUED FOR PRICING
		ISSUED FOR REVIEW

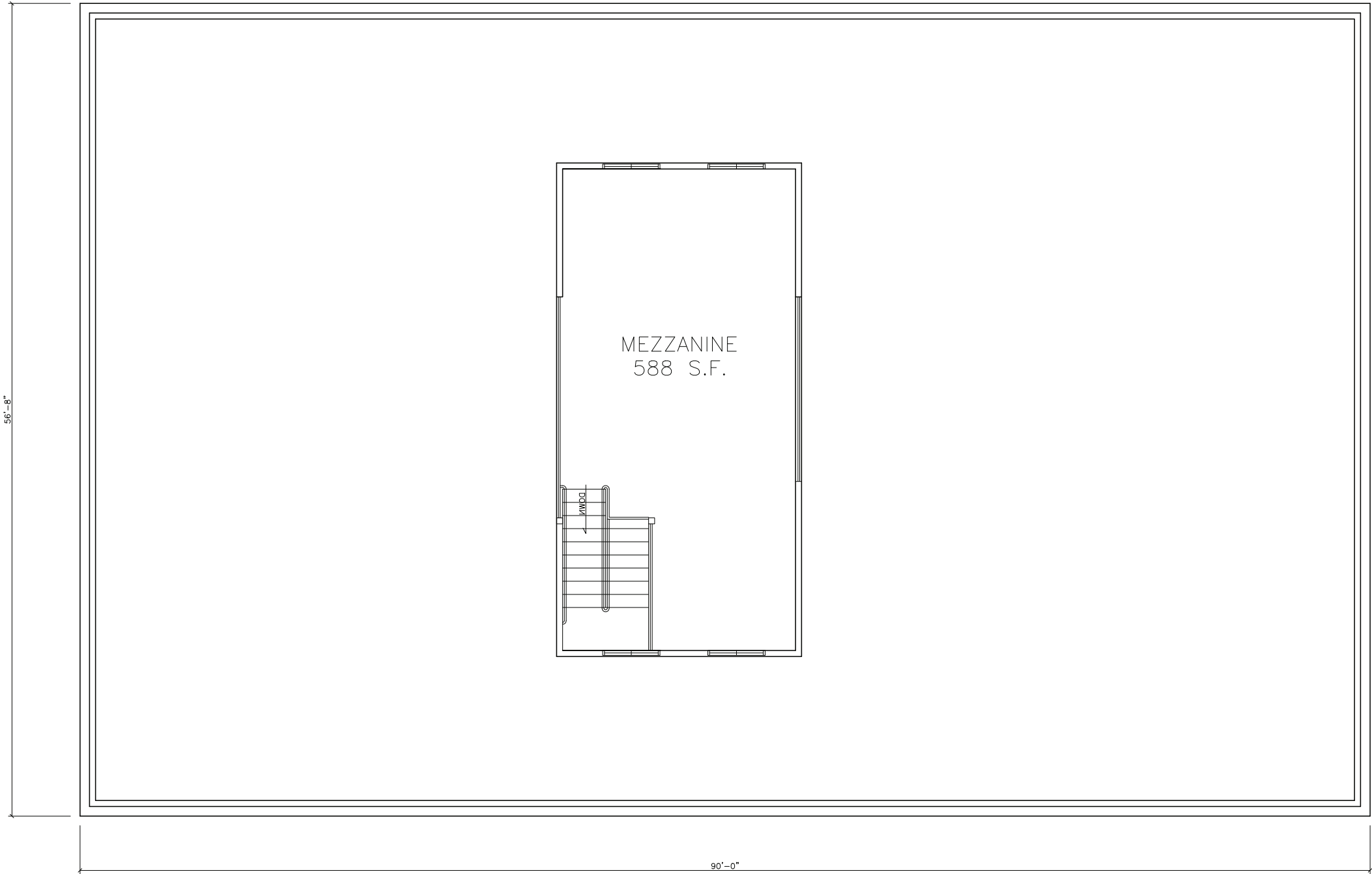
LINEWORKS LTD
ARCHITECTS
3501 WOODHEAD DRIVE
NORTHBROOK, ILLINOIS 60062
847-564-5280
FAX-847-564-5379
SUITE 8
60062

CHICAGO HOME HEALTH, INC
ALYCE ADULT DAY CARE
2514 E. BALLARD ROAD
DES PLAINES, ILLINOIS

FIRST FLOOR PLAN

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USED WITHOUT THE EXPRESSED WRITTEN CONSENT OF LINEWORKS LTD.
PROFESSIONAL DESIGN FIRM CORPORATION LICENSE # 184-003924

DRAWN	PROJECT	A°3
CHECKED	SHEET	
	OF	



MEZZANINE FLOOR PLAN
1/4"=1'-0"

		ISSUED FOR CONSTRUCTION
		ISSUED FOR PERMIT
		ISSUED FOR PRICING
		ISSUED FOR REVIEW
NO	DATE	DESCRIPTION

LINEWORKS LTD
ARCHITECTS 847-564-5280
3501 WOODHEAD DRIVE NORTHBROOK, ILLINOIS 60062 FAX-847-564-5379 SUITE 8

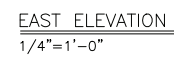
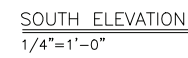
CHICAGO HOME HEALTH, INC
ALYCE ADULT DAY CARE
2514 E. BALLARD ROAD
DES PLAINES, ILLINOIS

MEZZANINE FLOOR PLAN

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USED WITHOUT THE EXPRESSED WRITTEN CONSENT OF LINEWORKS LTD.
PROFESSIONAL DESIGN FIRM CORPORATION LICENSE # 184-003924

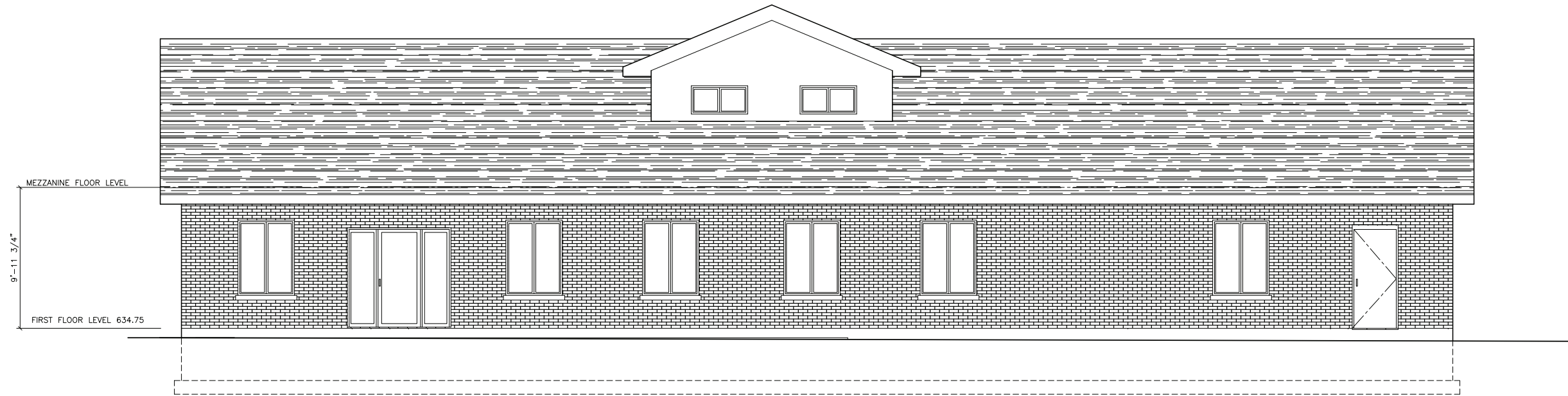
DRAWN	PROJECT
CHECKED	SHEET
	OF

A°4

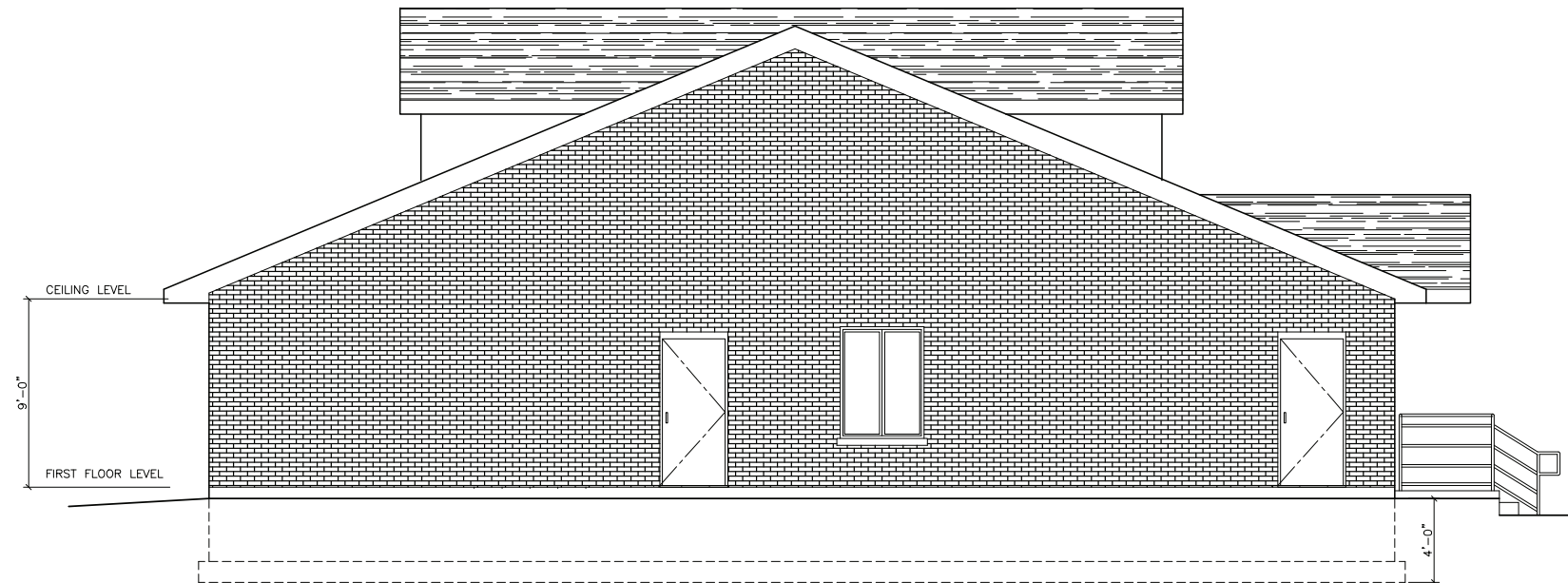


CHICAGO HOME HEALTH, INC
ALYCE ADULT DAY CARE
2514 E. BALLARD ROAD
DES PLAINES, ILLINOIS

DRAWN	PROJECT 20127	A.7
CHECKED	SHEET 05	



NORTH ELEVATION
1/4"=1'-0"



WEST ELEVATION
1/4"=1'-0"

		ISSUED FOR CONSTRUCTION
		ISSUED FOR PERMIT
		ISSUED FOR PRICING
		ISSUED FOR REVIEW
NO	DATE	DESCRIPTION
LINEWORKS LTD		
ARCHITECTS		847-564-5280
3501 WOODHEAD DRIVE		FAX-847-564-5379
NORTHBROOK-ILLINOIS		SUITE 8 60062
CHICAGO HOME HEALTH, INC		
ALYCE ADULT DAY CARE		
2514 E. BALLARD ROAD		
DES PLAINES, ILLINOIS		

ELEVATIONS

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DRAWN	PROJECT 20127	A°8
CHECKED	SHEET OF	

EXHIBIT E

UNCONDITIONAL AGREEMENT AND CONSENT AND REZONING COVENANT

TO: The City of Des Plaines, Illinois ("**City**"):

WHEREAS, Phil Joo Yum ("**Petitioner**") is the lessee of the property known as 2514 Ballard Road, Des Plaines, Illinois ("**Subject Property**"); and

WHEREAS, Ordinance No. Z-7-22 adopted by the City Council of the City of Des Plaines on _____, 2022 ("**Ordinance**"), grants approval of a conditional use permit to allow the operation of an Adult Day Service Center on the Subject Property, subject to certain conditions; and

WHEREAS, Petitioner desires to evidence to the City its unconditional agreement and consent to accept and abide by each of the terms, conditions, and limitations set forth in said Ordinance, and its consent to recording the Ordinance and this Unconditional Agreement and Consent against the Subject Property;

NOW, THEREFORE, Petitioner does hereby agree and covenant as follows:

1. Petitioner hereby unconditionally agrees to accept, consent to and abide by all of the terms, conditions, restrictions, and provisions of that certain Ordinance No. Z-7-22, adopted by the City Council on _____, 2022.
2. Petitioner acknowledges and agrees that the City is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the City's review and approval of any plans for the Subject Property, or the issuance of any permits for the use and development of the Subject Property, and that the City's review and approval of any such plans and issuance of any such permits does not, and shall not, in any way, be deemed to insure Petitioner against damage or injury of any kind and at any time.
3. Petitioner acknowledges that the public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any such revocation on the grounds of any procedural infirmity or any denial of any procedural right, provided that the procedures required by Section 12-4-7 of the City's Zoning Ordinance are followed.
4. Petitioner agrees to and does hereby hold harmless and indemnify the City, the City's corporate authorities, and all City elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with (a) the City's review and approval of any plans and issuance of any permits, (b) the procedures

followed in connection with the adoption of the Ordinance, (c) the development, construction, maintenance, and use of the Subject Property, and (d) the performance by Petitioner of its obligations under this Unconditional Agreement and Consent.

ATTEST:

PHIL JOO YUM

By: _____

By: _____

Title: _____

CITY OF DES PLAINES

ORDINANCE M – 9 - 22

**AN ORDINANCE AMENDING TITLE 4 OF THE DES
PLAINES CITY CODE REGARDING DAYCARE CENTERS
AND BUSINESS REGISTRATIONS.**

WHEREAS, the City is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, Chapter 12 of Title 4 of the Des Plaines City Code (“*City Code*”) entitled, “Daycare Centers,” establishes a special business license for daycare centers (“*Local Daycare Regulations*”); and

WHEREAS, Chapter 1 of Title 4 of the City Code, titled “Building Registration”, requires businesses within the City to register with the City (“*Business Registration Regulations*”); and

WHEREAS, the Illinois Department of Children and Family Services regulates and licenses daycare centers within the State; and

WHEREAS, the City desires to repeal the Local Daycare Regulations and, instead, require daycare centers within the City to obtain a business registration; and

WHEREAS, the City also desire to amend the Business Registration Regulations to update and clarify that all business registrants must comply with the minimum regulations and license requirements imposed by the State;

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the City Code as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1. RECITALS. The recitals set forth above are incorporated herein by reference and made a part hereof.

SECTION 2. REPEAL OF CHAPTER 12 OF TITLE 4. Chapter 12, titled “Daycare Centers”, of Title 4, titled “Business Regulations”, of the City Code is hereby repealed and reserved for future use.

SECTION 3. FEE SCHEDULE. Section 4-18-1, titled “Fee Schedule”, of Chapter 18, titled “Schedule of Fees”, of Title 4, titled “Business Regulations”, of the City Code is hereby amended to read as follows:

“4-18-1: FEE SCHEDULE:

	* * *				
Chapter 12	Daycare Centers	-	-	-	-
4-12-2	Daycare center license fee	-	Annual	-	\$200.00
	* * *				

SECTION 4. CONDITIONS OF REGISTRATION. Section 4-1-8, titled “Conditions of Registration”, of Chapter 1, titled “Business Registration”, of Title 4, titled “Business Regulations”, of the City Code is hereby amended to read as follows:

“4-1-8: CONDITIONS OF REGISTRATION:

No registered place of business in the city may be operated or used:

- A. In a manner that constitutes a nuisance in fact;
- B. In violation of any local zoning, building, fire, or health codes or any other applicable ordinances and regulations, or any state or federal laws, rules, or regulations; ~~or~~
- C. In an unsanitary or unsafe manner-, or
- D. Without first obtaining all required licenses or certificates required by the State of Illinois.”**

SECTION 5. ENFORCEMENT AND PENALTIES. Section 4-1-9, titled “Enforcement and Penalties”, of Chapter 1, titled “Business Registration”, of Title 4, titled “Business Regulations”, of the City Code is hereby amended to read as follows:

“4-1-9: ENFORCEMENT AND PENALTIES:

* * *

C. Suspension Or Revocation Of Business Registration: Business registrations may be suspended for up to thirty (30) days or revoked by the city manager after notice and hearing as provided below for any of the following causes:

- 1. Fraud, misrepresentation of a material fact, or false statement by the applicant on the application for the business registration certificate;
- 2. Any violation by the business of any zoning, building, fire, or health code or any other applicable local, state, or federal rules, ordinances and regulations at the place of business;

3. Failure to obtain and maintain in good standing all required licenses and certificates required by the state;

43. Failure to pay any outstanding indebtedness of the business to the city, in the form of any unpaid fees, taxes, or fines that are in arrears more than thirty (30) days from the date accrued, more than ten (10) days after the director of finance has issued a demand for payment to the business; or

54. Refusal to permit an inspection or any interference with a duly authorized city officer or employee while in the performance of his or her duties in making an inspection of the place of business.

The suspension or revocation of a business registration may be in addition to any fine imposed pursuant to the general penalty in section 1-4-1 of this code.

* * *

SECTION 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect 10 days after its passage, approval and publication in pamphlet form according to law.

PASSED this _____ day of _____, 2022.

APPROVED this _____ day of _____, 2022.

VOTE: Ayes _____ Nays _____ Absent _____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
____ day of _____, 2022

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel



PUBLIC WORKS AND
ENGINEERING DEPARTMENT

1111 Joseph J. Schwab Road
Des Plaines, IL 60016
P: 847.391.5464
desplaines.org

MEMORANDUM

Date: March 10, 2022

To: Michael G. Bartholomew, MCP, LEED-AP, City Manager

From: Timothy Watkins, Assistant Director of Public Works and Engineering TW

Cc: Timothy P. Oakley, P.E., CFM, Director of Public Works and Engineering

Subject: Sidewalk Snow Removal – Public Works Committee

Issue: At the February 22, 2022 City Council meeting, the Public Works Committee expressed a desire to increase the fees that are charged for non-compliant commercial properties that do not remove snow from their adjacent public sidewalks.

Analysis: The current City Code 8-1-11, allows the City to charge the owner, lessee, tenant or occupant an amount sufficient to defray the entire cost of any work performed to remove snow/ice, plus a twenty five percent (25%) administrative fee. We reviewed our current costs to perform these services and have determined that adding an additional \$250 mobilization fee is appropriate. This fee will help defray the costs of this service. The existing administrative fine structure of up to \$250 for first offense, up to \$500 for second offense, up to \$750 for third offense would remain unchanged.

Recommendation: We recommend approval of Ordinance M-10-22, adding a \$250 mobilization fee when Public Works services are rendered.

Attachments:
Ordinance M-10-22

CITY OF DES PLAINES

ORDINANCE M - 10 - 22

**AN ORDINANCE AMENDING SECTION 8-1-11 OF THE
CITY OF DES PLAINES CITY CODE REGARDING THE
REMOVAL OF SNOW AND ICE FROM PUBLIC RIGHTS
OF WAY.**

WHEREAS, the City is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, Section 8-1-11 of the City of Des Plaines City Code, as amended, ("*City Code*") regulates the deposit of snow on public rights of way and handicapped parking spaces and requires the prompt removal of snow and ice from public rights-of-way abutting commercial properties within the City; and

WHEREAS, Section 8-1-11 of the City Code provides that when an owner, lessee, tenant or occupant of any commercial property fails to remove snow or ice as required by Section 8-1-11, the City may remove the snow and ice and charge the cost of such removal to the owner, lessee or tenant of the commercial property ("*City Snow Removal*"); and

WHEREAS, in order to defray the cost of City Snow Removal, the City desires to amend Section 8-1-11 of the City Code to impose a \$250 mobilization fee each time the City performs the City Snow Removal; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the City Code as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1. RECITALS. The recitals set forth above are incorporated herein by reference and made a part hereof.

SECTION 2: SNOW AND ICE ON PUBLIC RIGHTS OF WAY. Section 11, titled "Restrictions on Deposit of Material or Snow on Public Rights of Way and Handicapped Parking Spots," of Chapter 1, titled "Streets and Sidewalks," of Title 8, titled "Public Ways and Property," of the City Code is hereby amended as follows:

**"8-1-11: SNOW AND ICE ON PUBLIC RIGHTS OF WAY AND
HANDICAPPED PARKING SPACES:**

* * *

B. Commercial Properties:

1. Every owner, lessee, tenant or occupant of any commercial property in the City that abuts any public right-of-way must comply with the following:
 - a. Snow and ice must be removed from any sidewalk abutting such property and any sidewalk ramps intersecting such sidewalks, creating a clear path at least thirty six inches (36") wide to allow pedestrian and wheelchair passage; provided, however, that all reasonable efforts should be made to clear a path the full width of the sidewalk.
 - b. Accumulations of two (2) or more inches of snow and/or any amount of ice should be removed as soon as practicable, but must be removed within twenty four (24) hours after the weather event ends.
 - c. If snow or ice on the sidewalk is frozen so hard that it cannot be removed without damage to the pavement, then, within twenty four (24) hours after the weather event ends, sand, abrasive material or other products made for the purpose of mitigating slipping hazards and preventing the accumulation of ice must be strewn on the sidewalk abutting the property, and, as soon thereafter as the weather shall permit, the sidewalk must be thoroughly cleaned.
2. If the owner, lessee, tenant or occupant of any commercial property fails to remove or abate snow or ice in the manner, and within the timeframes, set forth in subsection B.1 of this section, in addition to the penalty set forth in subsection D of this section, the City may, but is not obligated to, proceed to have such snow removed, keeping an account of the expense of such removal. The City may charge the owner, lessee, tenant or occupant an amount sufficient to defray the entire cost of any work performed pursuant to this section, plus a 25 percent (25%) administrative fee, **plus a minimum mobilization fee of \$250,** and if the amount so charged is not paid by the owner, lessee, tenant or occupant following a demand in writing by the City for such payment, the City may record a lien against the property or take such other action(s) as permitted by law and that the City Manager deems appropriate including, but not limited to, listing the costs with the Director of Finance as a fine or fee due to the City within the meaning of subsection 4-2-11C and section 15-7-8 of this Code.

*

*

*"

Additions are bold and double-underlined; ~~deletions are struck through.~~

SECTION 3. SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law.

[SIGNATURE PAGE FOLLOWS]

Additions are bold and double-underlined; ~~deletions are struck through.~~

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
____ day of _____, 2022.

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Ordinance Amending City Code Title 8 Chapter 1 Re Snow Removal 2022

Additions are bold and double-underlined; ~~deletions are struck through.~~