1. Pledge of Allegiance led by Village Clerk Pramod Shah.

2. Call meeting to order and roll call.

3. Approve Consent Agenda.

* 4. Approve, as submitted, minutes of regular meeting held Monday, May 6, 2019.

* 5. Approve Voucher List #1-FY20 of May 20, 2019.

* 6. Proclamations and Resolutions.
   A. Proclamation
      Immigrant Heritage Month – June 2019

7. Recognition, Awards and Honorary Presentations.
   A. Award Presentation
      Block Party of the Year Awards presented by Maria Monastero Bueno,
      Chair, Human Relations Commission

* 8. Appointments, Reappointments and Resignations.
   A. Appointments
      * Board of Health: Dr. Timothy Youkhana
      * Commission on Family Services: Matt MacKellar and Josh Orlan
      * Economic Development Commission: Marc Battista
      * Human Relations Commission: Louis Mercer and Maureen Yanes
      * Public Safety Commission: Dennis Rizo
      * Sustainable Environmental Advisory Commission: Richa Shah

9. Presentations and Reports.

    A. No Report.

    CONSENT
    * A. An ordinance amending Chapter 2, Article VII, of the Skokie Village Code pertaining to
        Boards and Commissions. This item is on the consent agenda for second reading and
        adoption.
    * B. An ordinance providing for the installation and establishment of two-way stop sign
        controls at the intersections of Greenleaf Street and Trumbull Avenue, Greenleaf
        Street and Monticello Avenue and Jerome Street and Leclaire Avenue, Skokie, Illinois.
        This item is on the consent agenda for second reading and adoption.
    * C. An ordinance reducing the posted speed limit from 30 miles per hour to 25 miles per
        hour on Lavergne Avenue, between Golf Road and Church Street, in Skokie, Illinois.
        This item is on the consent agenda for second reading and adoption.
    * D. An ordinance amending the Zoning Map with regard to the property located at 3720
        Touhy and 7227 Hamlin Avenue, Skokie, Illinois from an M3 Industry district to a B2
        Commercial district (2019-02P). This item is on the consent agenda for second
        reading and adoption.
    * E. An ordinance approving a plat of subdivision with dedications of land for the property
        located at 3720 Touhy Avenue, 7727 Hamlin Avenue and 3721 Chase Avenue,
        Skokie, Illinois, in a B2 Commercial district (2019-03P). This item is on the consent
        agenda for second reading and adoption.
    * F. An ordinance granting site plan approval for the construction and establishment of a
        four-lot planned development at 3720 Touhy Avenue, 7227 Hamlin Avenue and 3721
Chase Avenue, Skokie, Illinois, in a B2 Commercial district, and relief from certain sections of Chapters 82 and 118 of the Skokie Village Code (2019-04P). This item is on the consent agenda for second reading and adoption.

* G. An ordinance granting a special use permit to establish and operate a limited service restaurant with a drive-through facility at 3754 Touhy Avenue, Skokie, Illinois, in a B2 Commercial district and relief from Chapter 82, Section 82-22(b)(1), of the Skokie Village Code (2019-05P). This item is on the consent agenda for second reading and adoption.

* H. An ordinance granting a special use permit to allow outdoor dining at 3754 Touhy Avenue, Skokie, Illinois, in a B2 Commercial district (2019-06P). This item is on the consent agenda for second reading and adoption.

SECOND READING

I. An ordinance amending Chapter 46 by adding Section 46-231 to the Skokie Village Code pertaining to the Transportation Network Company Tax. This item is on the agenda for second reading and adoption.

FIRST READING

J. A resolution authorizing the publication of the Official Zoning Map for the Village of Skokie, Illinois. This item is on the agenda for first reading and approval.

K. A resolution approving and authorizing the appointment of a Director and Alternate Director of the Solid Waste Agency of Northern Cook County, a municipal joint action agency. This item is on the agenda for first reading and approval.

L. A resolution establishing the State of Illinois’ sole authority on employee welfare and rights. This item is on the agenda for first reading and approval.

M. Request for an executive session in accordance with paragraph 2(c)(11) of the Illinois Open Meetings Act pertaining to the review and discussion of pending litigation.


A. Plan Commission Case 2019-09P – Zoning Map Amendment: 9726 Gross Point Road
B. Plan Commission Case 2019-10P – Subdivision: 9726 and 9900 Gross Point Road
C. Plan Commission Case 2019-11P – Site Plan Approval: 9900 Gross Point Road
D. Plan Commission Case 2019-12P – Special Use Permit: 9900 Gross Point Road

15. Citizen Comments.

MINUTES of a regular meeting of the Mayor and the Board of Trustees of the Village of Skokie, Cook County, Illinois held in the Council Chambers at 5127 Oakton Street at 8 p.m. on Monday May 6, 2019

Pledge of Allegiance led by Cub Scout Pack #85 from Middleton School

The Mayor called the meeting to order.
The Clerk called the Roll. Those present were Roberts, Sutker, Ulrich, Bromberg, Klein, and Mayor Van Dusen. Trustee Gray-Keeler was not present

Motion to approve the Consent Agenda.
Moved: Trustee Roberts  Seconded: Trustee Sutker
Ayes: Roberts, Sutker, Ulrich, Bromberg, Klein and Mayor Van Dusen
Nays: None.
Absent: Gray-Keeler
MOTION CARRIED

* Approve, as submitted, minutes of regular meeting held Monday, April 15, 2019.
Omnibus vote.

* Approve Voucher List #24-FY19 of May 6, 2019.
Omnibus vote.

Recognition, Awards and Honorary Presentations.
A. Award Presentation
Science Fair Award presented to Hassam Uddin on his research on Pneumonia by Skokie Technology & Communications Commission Chair Sam Corcione

* Appointments, Reappointments and Resignations.
A. Appointments
Board of Fire & Police Commissioners: Bruce Rottner
Board of Health: Jessica Jones as Vice Chair

B. Reappointments
Board of Health: Habib Abbasi, Dr. Swapna Dave, Heidi Duggan, Dr. Bruce Gaynes, Juliet Haide, Jessica Jones, Ashley Moy-Wooten, Rohit Pandya, Dr. Clifford Prince, Kyungan Shim, Dr. Romil Sood, Dr. Nancy Topouzian, Patricia Urbanus, Irtaza Usman, Ruth Varma, Dr. Michael Vernon, Dr. William Werner and Dr. Larry Williams as Commissioners and Dr. A. Michael Drachler as Chair

Omnibus vote.

Report of the Village Manager.
A. Upgrade in Traffic Control from Yield Sign to Two-Way Stop Sign Control – Greenleaf Street/Trumbull Avenue, Greenleaf Street/Monticello Avenue and Jerome Street/LeClaire Avenue Intersections.
Motion to concur with the Traffic Engineering Division and request Mayor and Board approval to authorize Corporation Counsel to draft the necessary Ordinance.
Moved: Trustee Klein  Seconded: Trustee Bromberg
Ayes: Roberts, Sutker, Ulrich, Bromberg, Klein and Mayor Van Dusen
Nays: None.
Absent: Gray-Keeler
MOTION CARRIED

B. Establishment of 25 MPH Speed Limit: Lavergne Avenue from Golf Road to Church Street.
Motion to concur with Traffic Engineering Division and request Mayor and Board approval to authorize Corporation Counsel to draft the necessary Ordinance.
Moved: Trustee Sutker  Seconded: Trustee Ulrich
Ayes: Roberts, Sutker, Ulrich, Bromberg, Klein and Mayor Van Dusen
Nays: None.
Absent: Gray-Keeler
MOTION CARRIED
B. Establishment of 25 MPH Speed Limit: Lavergne Avenue from Golf Road to Church Street. Motion to concur with Traffic Engineering Division and request Mayor and Board approval to authorize Corporation Counsel to draft the necessary Ordinance.

Moved: Trustee Sutker  
Seconded: Trustee Ulrich

Ayes: Roberts, Sutker, Ulrich, Bromberg, Klein and Mayor Van Dusen
Nays: None.
Absent: Gray-Keeler

MOTION CARRIED

*C. Old Orchard Road (Woods Drive to Skokie Boulevard) Improvement Project: Phase II Intergovernmental Agreement and Supplemental Engineering Agreement.

Resolution 19-5-R-1424
Motion to approval a Resolution authorizing the second amendments to the Intergovernmental agreements with Cook County for the portions of the Old Orchard Road improvements.

Omnibus vote.

Resolution 19-5-R-1425
Motion to approve execution of the Supplemental Engineering Services agreement related to Phase II Engineering Services with TranSystems for the Old Orchard Road East Section in an amount not to exceed $150,244.50.

Omnibus vote.

Resolution 19-5-R-1426
Motion to approve a Resolution authorizing Supplement #2 Preliminary Engineering agreement Phase II for portions of Old Orchard Road improvements.

Omnibus vote.

Motion to award a contract to Global Emergency Products, Aurora, IL in the amount of $358,177 and Pierce Manufacturing, Inc., Aurora, IL in the amount of $22,280 for refurbishment of Truck 18.

Omnibus vote.

Motion to award a contract to National Restoration Systems, Rolling Meadows, IL in the amount of $242,335 for Police Department Purlin/Joist Repairs.

Omnibus vote.

F. Request for Executive Session.
Motion to approve the request for an Executive Session pursuant to Section 2, paragraph C.5 and C.6 of the State of Illinois Open Meetings Act at the end of the regular meeting and to adjourn therefrom.

Moved: Trustee Klein  
Seconded: Trustee Ulrich

Ayes: Roberts, Sutker, Ulrich, Bromberg, Klein and Mayor Van Dusen
Nays: None.
Absent: Gray-Keeler

MOTION CARRIED


CONSENT

*A. Ordinance 19-5-C-4452
Motion to adopt an ordinance amending Chapter 14, Article III, of the Skokie Village Code pertaining to electronic sweepstakes machines. This item is on the consent agenda for second reading and adoption.

Omnibus vote.
*B. Ordinance 19-5-C-4453
Motion to adopt an ordinance granting site plan approval for a two-lot planned
development at 4000 and 4012 Church Street and 9220 Crawford Avenue, Skokie, Illinois,
in a TX Transit Mixed-Use district and an R1 Single-Family district, and granting relief
from certain sections of Chapter 118 of the Skokie Village Code and repealing Village
Ordinance Number 18-2-Z-4360 (2019-01P). This item is on the consent agenda for
second reading and adoption.

Omnibus vote.

FIRST READING
C. An ordinance amending Chapter 2, Article VII, of the Skokie Village Code pertaining
to Boards and Commissions. This item is on the agenda for first reading and will be on
the May 20, 2019 agenda for second reading and adoption.

Plan Commission.
A. Plan Commission Case 2019-08P – Zoning Chapter Amendment: Parking
Determinations
Motion to concur with the Plan Commission that Chapter 118 Zoning of the Skokie
Village Code regarding parking determinations be amended subject to all conditions.
Citizen Comments.
Moved: Trustee Klein
Seconded: Trustee Sutker
Ayes: Roberts, Sutker, Ulrich, Bromberg, Klein and Mayor Van Dusen
Nays: None.
Absent: Gray-Keeler
MOTION CARRIED

Citizen comments
Debbie Lampert, Keating Avenue in Skokie spoke about safety of citizens in Skokie,
Downtown Skokie and property taxes.

Adjournment.
Motion to adjourn at 8:41 p.m.
Moved: Trustee Bromberg
Seconded: Trustee Klein
Ayes: Roberts, Sutker, Ulrich Bromberg, Klein, and Mayor Van Dusen
Nays: None.
Absent: Gray-Keeler
MOTION CARRIED

--------------------------------------------------------
Pramod Shah, Village Clerk

Approved:
--------------------------------------------------------
Mayor George Van Dusen

Closed Session

A Closed Session was held in the main floor conference room at 8:45 p.m. Those present were
Mayor Van Dusen, Clerk Shah, Trustees Roberts, Sutker, Ulrich, Bromberg, and Klein Also
present were Manager Lockerby, Assistant Manager Wyatt, Corporation Counsel Lorge,
Economic Development Director Peyer, Economic Development Manager Becker and
Economic Development Specialist Murphy. The meeting ended at 9:26 p.m.
Village of Skokie  
Voucher Report # 1  
May 20, 2019

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## VILLAGE OF SKOKIE
### VOUCHER REPORT # 1
May 20, 2019

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## VILLAGE OF SKOKIE
### VOUCHER REPORT # 1
#### May 20, 2019

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Proclamation

WHEREAS, generations of immigrants from every corner of the globe have built our country's economy and created the unique character of our nation; and

WHEREAS, immigrants continue to grow businesses, innovate, strengthen our economy, and create American jobs in Skokie; and

WHEREAS, immigrants have provided the United States with unique social and cultural influence, fundamentally enriching the extraordinary character of our nation; and

WHEREAS, immigrants have been tireless leaders not only in securing their own rights and access to equal opportunity, but have also campaigned to create a fairer and more just society for all Americans; and

WHEREAS, despite these countless contributions, the role of immigrants in building and enriching our nation has frequently been overlooked and undervalued throughout our history and continuing to the present day.

NOW, THEREFORE, I, GEORGE VAN DUSEN, Mayor of the Village of Skokie, do hereby proclaim the month of June 2019, as

“Immigrant Heritage Month”

Passed this 20th day of May 2019

George Van Dusen
Mayor

Pramod C. Shah
Village Clerk
Memorandum
Mayor’s Office

TO: Board of Trustees
FROM: Mayor

DATE: May 20, 2019
SUBJECT: Proclamation, Appointments

*A Proclamation

“Immigrant Heritage Month”
June 2019

*B Appointments

Board of Health
Dr. Timothy Youkhana

Commission on Family Services
Mr. Matt MacKellar
Mr. Josh Orlan

Economic Development Commission
Mr. Marc Battista

Human Relations Commission
Mr. Louis Mercer
Ms. Maureen Yanes

Public Safety Commission
Mr. Dennis Rizo

Sustainable Environmental Advisory Commission
Ms. Richa Shah
Memorandum
Manager's Office

TO: The Honorable Mayor and
Board of Trustees
Village Clerk
Corporation Counsel

FROM: John T. Lockerby, Village Manager

DATE: May 16, 2019

SUBJECT: MANAGER'S REPORT
BOARD MEETING OF MONDAY, MAY 20, 2019

A. No Report.
Memorandum
Corporation Counsel's Office

TO: The Honorable Mayor and Board of Trustees

FROM: Michael M. Lorge, Corporation Counsel

DATE: May 16, 2019

SUBJECT: May 20, 2019 Corporation Counsel's Report

*A. Ordinance, Code Amendment, Chapter 2, Boards and Commissions

Item A is on the consent agenda for second reading and adoption. The first reading was on May 6, 2019.

This ordinance will amend Chapter 2, Article VII of the Skokie Village Code which provides for the establishment of Village of Skokie Boards and Commissions. These Commissions are an integral and valued part of the Village of Skokie's participatory good government and provide direct resident engagement and participation in the day to day life of the Village. The Boards and Commissions serve to advise the Mayor and Board of Trustees, including offering recommendations for new activities or policy. From time to time, the Mayor will review the status of the Boards and Commissions and may seek to revise the purpose, responsibilities and procedures, to keep them current.

The provisions which generally apply all Boards and Commissions have been consolidated at the beginning of the Article so it can be applied uniformly, unless otherwise indicated. In addition after undertaking a complete review primarily concerning this Article, the following are the substantiative changes that are recommended:

(i) The number of members on the Consumer Affairs Commission be increased from 13 to 15;
(ii) The number of members on the Commission on Family Services be set at 24;
(iii) The number of members on the Public Arts Advisory Committee be increased from 5 to 7;
(iv) The stipulation limiting the number of Village employees that may be appointed to serve on the Commissions be removed to be consistent with all other Boards and Commissions wherein Village employees serve solely as appointed liaisons;
(v) The Cable Television Advisory Commission shall be renamed Telecommunications and Technology Commission and the number of members shall be increased from 7 to 10; and
(vi) The quorum requirements are made more uniform and it is clarified when a quorum is needed.

*B. Ordinance, Establishment of Two-way Stop Sign Controls, Greenleaf Street and Trumbull Avenue, Greenleaf Street and Monticello Avenue and Jerome Street and Le Claire Avenue

Item B is on the consent agenda for second reading and adoption. The first reading was on May 6, 2019.

This ordinance will approve two-way stop sign controls at the intersections of Greenleaf Street and Trumbull Avenue, Greenleaf Street and Monticello Avenue and Jerome Street and Le Claire Avenue. Subsequent to traffic control and crash history studies at these
intersections, the Director of Engineering determined that the type of control for these intersections should be upgraded from yield signs to two-way stop sign controls. These determinations followed the guidelines in the Manual on Uniform Traffic Control Devices.

*C. Ordinance, Speed Limit Reduction, Lavernge Avenue between Golf Road and Church Street

Item C is on the consent agenda for second reading and adoption. The first reading was on May 6, 2019.

This ordinance would approve a speed limit reduction on Lavernge Avenue between Golf Road and Church Street. The Engineering Division has received inquiries and concerns regarding the safety of this portion of Lavernge Avenue. The intersection of Golf Road and Lavernge is under traffic signal control and the intersection at Church is controlled by a stop sign. The R2 zoned area has a current speed limit of 30 miles per hour. After conducting a traffic study of the area, which included a speed limit study, the Director of Engineering is recommending that the speed limit on Lavernge Avenue, between Golf Road and Church Street, be reduced from 30 miles per hour to 25 miles per hour, stating the speed reduction would have a positive effect on this street section.

*D. Ordinance, 2019-02P, Zoning Map Amendment, 3720 Touhy Avenue and 7227 Hamlin Avenue

Item D is on the consent agenda for second reading and adoption. The first reading was on April 15, 2019.

This ordinance will reclassify the property at 3720 Touhy Avenue and 7227 Hamlin Avenue, Skokie, Illinois from an M3 industry district to a B2 Commercial district. The property currently contains a vacant lot at 3720 Touhy Avenue and a vacant industrial building at 7227 Hamlin Avenue and the owners of the Subject Property desire to rezone the Subject Property to redevelop both properties into a shopping center.

*E. Ordinance, 2019-03P, Plat of Subdivision with Dedication, 3720 Touhy Avenue, 7227 Hamlin Avenue and 3721 Chase Avenue

Item E is on the consent agenda for second reading and adoption. The first reading was on April 15, 2019.

This ordinance will approve the “Buona Skokie Subdivision” for the properties located at 3720 Touhy Avenue, 7227 Hamlin Avenue and 3721 Chase Avenue in Skokie. Located in a B2 Commercial district, the subdivision was necessary to consolidate five (5) lots into four (4) lots. The subdivision plat also contains two dedications of property:

(1) A 17.00-foot wide right of way dedication along Touhy Avenue. While this dedication is to the State of Illinois, it will widen the Village’s side of Touhy Avenue to a width of 50 feet. This dedication will also increase the width of the parkway, allowing for the westward extension of the existing multi-use path.

(2) A 12.00-foot wide dedication along Chase Avenue is requested in order to widen the south half of Chase Avenue to 33 feet. The existing public sidewalk running along the south side of Chase Avenue will be shifted further to the south, placing it in alignment with the existing sidewalk to the east.

*F. Ordinance, 2019-04P, Site Plan Approval, Planned Development, 3720 Touhy Avenue, 7227 Hamlin Avenue and 3721 Chase Avenue

Item F is on the consent agenda for second reading and adoption. The first reading was on April 15, 2019.
This ordinance will approve a site plan to construct and establish a four-lot planned development that will include a multi-tenant commercial building, a limited service restaurant and a clinic and outpatient care center in a B2 Commercial district; more commonly described as 3720 Touhy Avenue, 7227 Hamlin Avenue and 3721 Chase Avenue, Skokie, Illinois. It will also grant the following relief from the Skokie Village Code.

The planned development shall consist of a 10,500 ft² multi-tenant commercial building, a 4,700 ft² Buona limited service restaurant with two drive-through lanes, a 31,860 ft² repurposed industrial building that will contain a clinic and outpatient care center, surface parking and storm water detention.

This ordinance will also grant the following items of relief from Chapters 82 and 118 of the Skokie Village Code:

(i) §82-22(b)(1) to allow sign lettering to project above the physical dimensions of a canopy;

(ii) §82-28(b)(1)b. to allow wall signs facing a parking lot in addition to the wall signs allowed to face a street, respectively;

(iii) §118-212(i)(1) to allow surface parking lot continuous curbing on the north side of the site to range from 2'9" to 5'5" feet rather than a minimum of 6 feet as depicted on the approved site plan.

*G. Ordinance, 2019-05P, Special Use Permit, Limited Service Restaurant with Drive-Through Facility, 3754 Touhy Avenue

Item G is on the consent agenda for second reading and adoption. The first reading was on April 15, 2019.

This ordinance will grant a special use permit to establish and operate a limited service restaurant with a drive-through facility in a B2 Commercial district to be located at 3754 Touhy Avenue, Skokie. Additionally, it will also grant relief from Chapter 82, Section 82-22(b)(1), of the Skokie Village Code to allow sign lettering to project above the physical dimensions of the canopy.

The restaurant, Buona Beef, will have a two-lane drive-through facility. The restaurant will not open before 10:30 or 11:00 a.m., with lunch Monday through Friday as the peak hours of operation. The drive-through lanes will have enough stacking space for at least 17 vehicles with two order boards. Each order is handmade at the time of ordering. There will be three waiting spaces west of the building for orders that are not ready by the time the vehicle reaches the drive-through pick-up window. This provides ample drive-through queuing on the property.

*H. Ordinance, 2019-06P, Special Use Permit, Outdoor Dining, 3754 Touhy Avenue

Item H is on the consent agenda for second reading and adoption. The first reading was on April 15, 2019.

This ordinance will grant a special use permit to allow outdoor dining in a B2 Commercial district with seating for up to 20 people at the anticipated Buona restaurant, a limited service restaurant with a drive-through facility. Outdoor dining will be limited to between April 1st and October 31st each year and must close at 10:00 p.m.
I. **Ordinance, Code Amendment, Chapter 46, Section 46-231, Transportation Network Company Tax**

Item I is on the agenda for second reading and adoption. The first reading was on April 15, 2019.

This ordinance will levy a tax upon companies such as Uber and Lyft (collectively referred to as "Transportation Network Companies") for all "Accepted Rides" originating or ending in the Village. An "Individual Ride" will be levied at a rate of thirty-five cents ($0.35) and a "Shared Ride" will be levied at the rate of fifteen cents ($0.15).

Throughout the United States there has been a growing popularity and advent of ride-hailing businesses such as Uber and Lyft and these services are operating within the Village of Skokie. Calculations and projections concerning the growing use of these ride services in the Village demonstrate 750 daily rides initiating or terminating in the Village on an average day with all expectations that this will continue to grow at an accelerated rate. The Village has for decades assessed taxicabs and similar ride services in order to provide for their impact on our roads and infrastructure.

Municipalities throughout the area and beyond are providing for similar registration and taxes on Transportation Network Companies to assure safety for residents and to compensate for the impact such increased traffic has on roads and infrastructure. A copy of Finance Director Julian Prendi's memorandum, dated May 15, 2019, is attached for further information.

J. **Resolution, Publication Official Zoning Map, 2019**

Item J is on the agenda for first reading and approval.

This resolution authorizes the publication of the 2019 Official Zoning Map for the Village of Skokie, in accordance with Section 11-13-19 of the Illinois Municipal Code. The Director of the Community Development Department has reviewed the prior Official Zoning Map and the Community Development Department has made all necessary changes in order to assure the accuracy of the map.

K. **Resolution, Appointment of Director and Alternate Director, SWANCC, 2019**

Item K is on the agenda for first reading and approval.

This resolution approves the appointment of George Van Dusen as Director of the Solid Waste Agency of Northern Cook County ("SWANCC") and John T. Lockerby as Alternate Director for a two-year term to expire April 30, 2021.

L. **Resolution, State of Illinois and Employee Welfare and Rights**

Item L is on the agenda for first reading and approval.

This Resolution presents and clarifies the superseding and sole authority of the State of Illinois to establish the minimum wage for businesses and employers in the Village of Skokie. The Mayor and Village of Skokie Board of Trustees had urged that the State take up the matter of a livable minimum wage in 2017. The recent State of Illinois legislation, "Lifting Up Illinois Working Families Act", Public Act 101-0001, signed by the Governor of Illinois on February 19, 2019, is the only applicable minimum wage for all employers and businesses in the State of Illinois, including the Village of Skokie. No other home rule minimum wage shall have legal authority or standing in the Village of Skokie. A memorandum by Corporation Counsel Michael M. Lorge, dated May 6, 2019, is attached for further information.

cc: Pramod Shah
    John Lockerby
AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VII,
OF THE SKOKIE VILLAGE CODE PERTAINING TO
BOARDS AND COMMISSIONS

WHEREAS, Chapter 2, Article VII of the Skokie Village Code (hereinafter “Code”) provides for the establishment of Village of Skokie Boards and Commissions (hereinafter “Commissions”); and

WHEREAS, these Commissions are an integral and valued part of the Village of Skokie's participatory, good government; and

WHEREAS, these Village of Skokie (“hereinafter “Village”) Commissions provide direct resident engagement and participation in the day to day life of the Village; and

WHEREAS, the Commissions serve to advise the Mayor and Board of Trustees, including offering recommendations for new activities or policy; and

WHEREAS, the Mayor will, from time to time, review the status of the Commissions set forth in Chapter 2 of the Code including the purpose and procedures of each Commission; and

WHEREAS, Chapter 2, Article VII of the Code has not been revised in its totality in many years and sections or provisions have been added from time to time that do not conform with the language in other sections or provisions; and

WHEREAS, after undertaking a complete review primarily concerning the form of this Article the following are among some of the substantive changes that are recommended:

(i) The number of members on the Consumer Affairs Commission be increased from 13 to 15;
(ii) The number of members on the Commission on Family Services be set at 24;
(iii) The number of members on the Public Arts Advisory Committee be increased from 5 to 7;
(iv) The stipulation limiting the number of Village employees that may be appointed to serve on the Commissions be removed to be consistent with all other Boards and Commissions wherein Village employees serve solely as appointed liaisons;
(v) The Cable Television Advisory Commission shall be renamed Telecommunications and Technology Commission and the number of members shall be increased from 7 to 10;

(vi) The quorum requirements are made more uniform and it is clarified when a quorum is needed; and

WHEREAS, the Mayor recommended to the Board of Trustees that Chapter 2, Article VII, of the Skokie Village Code be amended accordingly; and

WHEREAS, the Mayor and Board of Trustees at a public meeting duly held on May 6, 2019 concurred in the aforesaid recommendation of the Mayor; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Trustees of the Village of Skokie, Cook County, Illinois;

Section 1: That Chapter 2, Article VII, Division 14 of the Skokie Village Code be and the same is hereby amended in the manner hereinafter indicated. The new material is **highlighted in bold** and the material to be deleted is **highlighted and stricken**.

Chapter 2 – ADMINISTRATION

... 

ARTICLE VII – BOARDS AND COMMISSIONS

The following provisions apply to all Boards and Commissions unless otherwise stated below:

Sec. 2-440 - Membership.

(a) The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of all the Boards and Commissions. The persons appointed to the Boards and Commissions shall be residents of the Village or persons employed within the Village or persons whose business, occupational or professional activities are carried on to a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned from the Board or Commission. However, the Mayor may, in the Mayor’s discretion, refrain from nominating a replacement for such resigned member for a period of ninety (90) days and may submit such resigned member’s name for reappointment within this 90-day period.

(b) Each member of the Boards and Commissions shall possess knowledge or qualifications required by applicable state statute, the Mayor and local ordinances.

(c) No appointment shall be made by the Mayor within thirty (30) days before the expiration of the Mayor’s term of office.
(d) The Mayor may remove a member of a Board or Commission at the Mayor's discretion for such reasons as, but not limited to bringing discredit to the Board or Commission or failing to comply with the rules or discretion of the Chair.

(e) The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on a Board or Commission which may arise for any unexpired term.

Sec. 2-441. - Disturbing meetings.

It shall be unlawful for any person to disturb, interrupt, disrupt or otherwise impede the process or work of any meeting of any board or commission represented in this Code. Any person violating the provisions of this section, upon being found guilty of disturbing a meeting, shall be subject to the penalties provided in Section 1-6 in addition to any other penalty specifically provided for.

Sec. 2-442. - Applicability of Robert's Rules of Order.

The current edition of Robert's Rules of Order shall may be used by a Board or Commission Chair to govern the proceedings of any the bBoard or eCommission represented in this Code. The use of a simplified or abridged Robert's Rules of Order is permitted so long as the terms are available to members and visitors in advance of a meeting. A Board or Commission may establish its own rules of practice and procedure, subject to the approval of the Corporation Counsel.

Sec. 2-443. - "Emeritus" appointees for certain boards and commissions.

The Mayor, upon the recommendation of the Chairman of the particular Board or Commission, may, in his the Mayor's discretion, with the advice and consent of the Board of Trustees, appoint a "Member Emeritus" or "Commissioner Emeritus" to any existing Board or Commissions. As an honorary position an Emeritus may attend meetings but is not a voting member.

Human Relations Commission
Traffic Safety Commission
Fine Arts Commission
Board of Health
Beautification and Improvement Commission
Consumer Affairs Commission
Advisory Commission on Human Services
Advisory Commission on Disabilities
Cable Television Advisory Commission

The qualifications, purpose and role of Emeritus appointees is as follows:

(1) Appointees must have a minimum of fifteen years service on the particular Board or Commission, no longer have residency in the Village of Skokie and have a desire to remain actively involved in the issues of the particular Board or Commission.

(2) The Village shall make the appointments to recognize the past contribution of and to retain the knowledge and experience of the Emeritus appointees in the work of the particular Board or Commission.

(3) Emeritus appointees shall be appointed for the same length of time and shall be subject to the same rules and duties as regular Members or Commissioners, and entitled to all the privileges of membership, including full participation in the discussion of issues before the Board or Commission, except that Emeritus appointees shall not have the right or privilege of voting on any matter, and shall not be counted in determining a quorum of the Board or Commission.

Sec. 2-444. - Chair and Vice-Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of each Board and Commission to serve as chair and one to serve as vice-chair, each for a term of one (1) year.

Sec. 2-445. - Applicability of Open Meetings Act.

All meetings of all Boards and Commissions shall be held in accordance with the Illinois Open Meetings Act, 5 ILCS 120/1 et seq.

(a) Any meeting of a Board or Commission in which policies or recommendations are not voted on but are limited to general discussion, does not require a quorum to meet nor requires written minutes or verbatim records.

(b) Written minutes of all meetings in which policy is voted on or of executive sessions shall be kept and maintained by all Boards and Commissions.

Sec. 2-446. - Term of members.

The term of office of each member of a Board or Commission shall be four (4) years or until the member’s successor shall be appointed.

Sec. 2-447. - Attendance at meetings.

Any member of any Board or Commission who during any twelve (12) month period is not present throughout fifty (50) percent or more of the regularly scheduled meetings shall be presumed to have resigned from the Board or Commission. This presumption shall be absolute, although the Mayor may reconsider for the reason of lack of attendance, and refrain from nominating a
replacement for a period of ninety (90) days and may submit such member’s name for reappointment during such period.

Sec. 2-248. Quorum.

A quorum is required when a meeting of the Board will vote on policies or recommendations. A quorum shall consist of a simple majority of the members of the Board.

Sec. 2-249. Report.

At the request of the Mayor a report shall be provided by any of the Boards or Commissions by its chair or designee.

Sec. 2-450. Conflicts and Ethics.

All State of Illinois and Village rules and guidelines concerning conflicts of interest and ethics shall apply to all Boards and Commissions chairs, vice-chairs and members. Any conflicts of interest must be disclosed to the appropriate chair and the Corporation Counsel. No member of any Board or Commission shall participate in discussions or vote on issues or cases from any individual whom they have a business or personal relationship.

DIVISION 2. - BOARD OF FIRE AND POLICE COMMISSIONERS

Sec. 2-461. Creation and Purpose.

(a) There is hereby created a Board of Fire and Police Commission. The word “Board” used in this Division shall mean the Board of Fire and Police Commission. The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of the Board. The Board shall consist of five (5) members. The persons appointed to the Board shall be residents of the Village or persons employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned from the Board. However, the Mayor may, in the Mayor’s discretion, refrain from nominating a replacement for such resigned member for a period of 60 days and may submit such resigned member’s name for reappointment within this 60-day period.

(b) Each member of the Board shall possess the qualifications required by applicable statute, other Village officers and local ordinances. The purpose of the Board shall be the appointment of all sworn personnel of the Fire Department and Police Department, except the Fire Chief and the Chief of Police, Deputy Chiefs, Fire Captains and Police Commanders, each of whom shall be appointed by the Village Manager. The Board shall also conduct and hold entrance and promotion examinations for both the Police Department and Fire Department in accordance with applicable statutes and collective bargaining agreements.
(e-b) Each member shall take an oath or affirmation of office, and shall be subject to removal from office in the same manner as other appointed Village officers.

(d) No appointment shall be made by the Mayor within 30 days before the expiration of the Mayor's term of office.

Sec. 2-463. - Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Board which may arise for any unexpired term.

Sec. 2-464. - Chair and Vice Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Board to serve as chair and one to serve as vice chair, each for a term of 1 year and until such person's successor is appointed and shall take office.

Sec. 2-465. - Term of members.

The term of office of each member of the Board shall be 4 years and until the member's successor shall be appointed and shall qualify. The members' terms shall be staggered.

Sec. 2-466. - Attendance at meetings.

Any member of the Board who during any 6-month period is not present throughout 50 percent or more of the regularly scheduled meetings shall be presumed to have resigned from the Board. This presumption shall be absolute, irrespective of the reasons for the lack of attendance. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for a period of 60 days and may submit such resigned member's name for reappointment during such period.

Sec. 2-467. - Quorum.

A quorum of the Board shall be a simple majority of the appointed members.

Sec. 2-468. - Compensation of members.

(c) The chair and members of the Board shall receive compensation as established in the Village's annual budget. In no instance shall the chair, vice-chair or members of the Board be paid for more than two (2) meetings per month without the prior approval of the Mayor. A meeting, for the purposes of this section, shall mean a public meeting duly called according to law, at which a quorum is present. The chair, vice-chair and members of the Board shall receive no additional compensation for expense allowance for their services.

Sec. 2-469. - Payment of expenses.

(d) Expenses for the operation and conduct of the affairs of the Board shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.
Sec. 2-470. - Adoption of rules of order and procedures.

The Board may adopt rules of order and procedures for the conduct of its business which do not conflict with Village ordinances or State statutes.

Sec. 2-471. - Annual report.

(e) The Board, through its chair, vice-chair or other designated member, shall report in writing, during the Village's annual budget process, to the Mayor and Board of Trustees. The report shall cover the activities of the Board for the preceding year.

(f) All meetings of the Boards and Commissions shall be held at the call of the Chair and at such time as such Board or Commission may determine. All hearings conducted by the Boards and Commissions shall be open to the public.

Sec. 2-472. - Appointments by Board; examinations.

(a) The Board shall appoint all sworn personnel of the Fire Department and Police Department, except the Fire Chief and the Chief of Police, Deputy Chiefs, Fire Captains and Police Commanders, each of whom shall be appointed by the Village Manager.

(b) The Board shall conduct and hold entrance and promotion examinations for both the Police Department and Fire Department in accordance with applicable statutes and collective bargaining agreements.

Sec. 2-473. - Departmental regulations; disciplinary actions.

(a) The Board shall make such rules and regulations in accordance with applicable State statutes and collective bargaining agreements as may be necessary to efficiently operate both the Police Department and Fire Department to provide for the appointment, promotion, suspension and removal of the members of each Department, and from time to time may make such changes in the rules and regulations as may be required. However, removal, suspensions and discharges shall be governed by the following provisions, all of which shall be incorporated in the rules and regulations of the Board:

(1) Removal, suspension, demotions and discharges.

a. Authorized disciplinary actions; fines. Subject to the limitations contained in this section, the infraction of any of the rules and regulations of the Fire and Police Commissioners, or any other misconduct, shall subject the Department member to reprimands, fines, forfeitures of leave time, suspension, demotion or discharge. Fines shall be assessed on the basis of an amount not to exceed the member's regular 8 hours' pay per day and shall be collected by withholding from the member's paycheck.
b. "Day" defined. For the purposes of this section, the word "day" shall mean a regular tour of duty.

c. Wages during suspension. Wages shall not be credited during any period of suspension.

d. Suspension pending investigation. The Chief, with the concurrence of the Commission, may suspend a member for a period of thirty (30) days pending investigation and without a hearing when the charges under investigation, if ultimately established, would constitute a felony. Any suspension beyond this period for charges being processed through the Commission shall be only by further order of the Commission, which shall have the right to continue such suspension pending investigation or order its termination and set the matter for hearing.

e. Authority of department heads. Reprimands, fines, forfeitures or suspensions totaling not more than five (5) days for a single act or omission may be imposed for cause by the department head, subject to the right of the member to appeal this action within forty-eight (48) hours after being notified thereof or as may be provided by a collective bargaining agreement. An appeal to the Commission shall be heard in as expeditious manner as possible. When appealed to the Commission, it may impose any sanction warranted without regard to the sanction from which the appeal is taken.

(2) Hearings.

a. Generally. The discharge of any member, or the imposition of fines, forfeitures or suspensions, or any combination thereof, for a period of more than five (5) days for a single act or omission shall be only by the Commission unless modified under a collective bargaining agreement, and shall be for cause upon written charges, and after the member has been afforded an opportunity to be heard in the member's own defense. The Commission shall conduct a fair and impartial hearing of the charges, which must be commenced within thirty (30) days of the filing thereof or the date of the election by the member for the matter to be heard by the Commission under a collective bargaining agreement or as expeditiously as possible for appeals of a department head's action, and may be continued from time to time.

b. Charges. All charges for which an appeal has been made by the member to the Commission shall be in writing and shall set forth the charges with sufficient details to permit the member to prepare the member's defense. The written charges shall include the names of all witnesses. The member shall have the right to request the
Commission to issue subpoenas to any persons whom the member may wish to call as witnesses.

c. Findings. In case any member is found guilty, the Commission may demote, may discharge, may fine, may impose forfeitures of leave time, or may suspend such member, or any combination thereof. If the charges are not sustained, the member shall be reimbursed for all sanctions imposed.

d. Powers of Commission. In the conduct of any hearing, each member of the Commission shall have power to administer oaths and affirmations, and the Commission shall have power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and evidence relevant to the hearing.

(3) Department records. The Department shall provide the Commission with copies of all disciplinary actions taken against any of the members of the Department with respect to which records have been kept by the Department.

(4) Conflicting regulations. The personnel of the Fire Department and Police Department shall be governed by the rules and regulations of the Fire Department and Police Department as adopted by the Commission. In case of conflict, the rules and regulations of the Commission shall govern.

(5) Violation of laws. Any violation of the laws of the Village or State or federal law by any member of the Fire Department or Police Department of the Village shall be cause for the filing of charges against such member.

(b) All rules and regulations and any changes therein shall be printed for distribution, as soon as practicable. Notice shall be posted at the Village Hall specifying where printed copies of the rules may be obtained and when the rules or charges therein shall go into effect.

Sec. 2-474463. - Applicability of State law.

The Board of Fire and Police Commissioners shall have such other and further powers and duties as are contained in Illinois statues, 65 ILCS 5/10-2.1-1 et seq., and such provisions are by reference thereto hereby adopted, except those provisions thereof which may be in conflict with this division.

Sec. 2-475464. - Secretary.

(a) The Board of Fire and Police Commissioners may, with the consent and approval of the Village Manager, employ a secretary at such compensation as may be approved by the Mayor of the Village Board of Trustees in accordance with the Village's budget process, or the Board of Fire and Police Commissioners may designate one of its own members to act as secretary, with or without compensation, and if such secretary is to be compensated, the amount thereof shall be fixed by the Village Board of Trustees in accordance with the Village's budget process.
(b) The secretary shall keep the minutes of the Board's proceedings, shall be
custodian of all papers pertaining to the business of the Board, shall keep a record of
all examinations held and shall perform such other duties as the Board may prescribe.

DIVISION 3. - BOARD OF TRUSTEES OF THE FIREFIGHTERS' PENSION FUND

Sec. 2-491. - Creation; membership and terms.

(a) There is hereby created a Board of Trustees of the Firefighters' Pension
Fund. The word "Board," when used in this Division, shall mean the Board of
Trustees of the Firefighter's Pension Fund for the Village. The "Board" shall become
effective April 17, 2006, pursuant to Section 5/4-121 of the Illinois Pension Code. As
this Board takes effect, any previous Board shall dissolve simultaneously.

(b) The Board shall be comprised of five (5) members. Two (2)
members shall be appointed by the Mayor with the advice and consent of the Village
Board of Trustees, two (2) members shall be elected from active Village Firefighters
participating in the pension fund and one (1) member shall be elected from Village
Firefighters that have retired, pursuant the terms of 5/4-121 of the Illinois Pension
Code. One of the Mayor's appointees whose term commences on April 17, 2006,
shall serve on the Board for two (2) years in order to stagger the terms. All other
initial and subsequent members shall have terms of three (3) years.

(c) The elections of the Firefighter members of the Board shall take place in
the time and manner provided by state statute.

Sec. 2-492. - Powers and duties.

The Board of Trustees of the Firefighters' Pension Fund shall have exclusive
control and management of all funds constituting the Firefighters' Pension Fund, the
power to make assessments upon each firefighter according to statute, and the
power to make all needful rules and regulations for its government in the discharge
of its duties, and shall hear and decide all applications for relief or pensions under
the statutes, together with such other powers, privileges and duties enumerated or
hereafter given under the appropriate statutes of the State to such Board.

Sec. 2-493. - Deposits to Pension Fund.

There shall be deposited in the Firefighters' Pension Fund the sums required by
law, which shall include the proceeds of such tax as may be levied pursuant to
statute for the Firefighters' Pension Fund.

Sec. 2-494. - Adoption of State law.

The provisions of the Illinois Compiled Statutes pertaining to a Firefighters' PENSION FUND, 40 ILCS 5/4-101 et seq., in municipalities having a population of not
less than 5,000 and not more than 500,000 inhabitants are by reference hereby
adopted as part of this division.

Secs. 2-495—2-510. - Reserved.

DIVISION 4. - BOARD OF TRUSTEES OF THE POLICE PENSION FUND

Sec. 2-511. - Creation; membership.

There is hereby created a Board of Trustees of the Police Pension Fund, consisting of 5 members, all of whom shall be residents of the Village. Two of the board members shall be appointed by the Mayor with the advice and consent of the Board of Trustees for a term of two (2) years each, the 3rd and 4th members shall be elected from the regular police force by the active members thereof, and the 5th member shall be elected by the beneficiaries of the Pension Fund from among those who are beneficiaries of the fund. The elected members shall serve for a term of two (2) years, and their term of election shall be at the time and in the manner provided by statute. The word "Board", when used in this Division, shall mean the Board of Trustees of the Police Pension Fund for the Village.

Sec. 2-512. - Meetings; organization; powers and duties.

The Board of Trustees of the Police Pension Fund shall elect such officers, hold such meetings, keep such records and submit such reports as shall be required by statute, and in addition shall make all necessary rules and regulations and perform such duties and have such powers as are conferred upon it by statute.

Sec. 2-513. - Deposits to Pension Fund.

The Police Pension Fund shall consist of such taxes, accumulations, assessments and deductions as are provided for by statute, and shall include an assessment or deduction as established by State statute from the salary of each police officer.

Sec. 2-514. - Adoption of State law.

The provisions of the Illinois Compiled Statutes pertaining to a Police Pension Fund, 40 ILCS 5/3-101 et seq., in municipalities having a population of not less than 50,000 and not more than 200,000 inhabitants are by reference hereby adopted as part of this division.

DIVISION 5. - SUSTAINABLE ENVIRONMENTAL ADVISORY COMMISSION

Sec. 2-531. – Creation and Purpose.

There is hereby created a Sustainable Environmental Advisory Commission. The Commission shall consist of not more than twelve (12) members for the Village for the purpose of: (i) promoting ideas and actions that encourage the
preservation and sustainability of the environment, and (ii) making recommendations to the Mayor and Board of Trustees on policies that would reduce negative environmental impacts. The word "Commission", when used in this division, shall mean the Sustainable Advisory Environmental Commission. The purpose of the Commission is to (i) promote ideas and actions that encourage the preservation and sustainability of the environment, and (ii) make recommendations to the Mayor and Board of Trustees on policies that would reduce negative environmental impacts.

Sec. 2-532. Membership.

The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of the Commission. The Commission shall consist of not more than 12 members. The persons appointed to the Commission shall be residents of the Village, persons employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned from the Commission. However, the Mayor may, at the Mayor's discretion, refrain from nominating a replacement for such resigned member for a period of sixty (60) days.

Sec. 2-533. Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Commission.

Sec. 2-534. Chair and Vice Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Commission to serve as chair and one to serve as vice chair, each for a term of 1 year or until such person's successor is appointed and shall take office.

Sec. 2-535. Term of members.

The term of office of each member of the Commission shall be for 3 years or until the member's successor shall be appointed and shall qualify.

Sec. 2-536. Attendance at meetings.

Any member of the Commission who during any 6-month period is not present throughout 50 percent or more of the regularly scheduled meetings shall be presumed to have resigned from the Commission, irrespective of the reasons for the lack of attendance. However, the Mayor may, at the Mayor's discretion, refrain from nominating a replacement and allow such member to continue serving.

Sec. 2-537. Quorum.
Fifty percent of the members appointed to and serving on the Commission shall constitute a quorum.

Sec. 2-5382. - Compensation of members and Expenses.

The members of the Commission shall serve without compensation. Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-539. - Payment of expenses.

Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-540. - Adoption of rules of order and procedures.

The Commission may adopt rules of order and procedures for the conduct of its business.

Sec. 2-541. - Annual report.

The Commission, through its chair or other designated member, shall report, during the Village's annual budget process, to the Mayor and Board of Trustees. The report shall cover the activities of the Commission for the preceding year.

Sec. 2-542. - Duties.

It shall be the duty of the Commission to recommend to the Board of Trustees and to the Village Manager various policies, programs, and procedures designed to promote the Village's economic growth, while preserving and sustaining the environment in the Village.

DIVISION 6. - ZONING BOARD OF APPEALS

Sec. 2-561. - Creation and Purpose.

There is hereby created a Zoning Board of Appeals for the Village. The word "Board,", when used in this Division, shall mean the Zoning Board of Appeals for the Village. The Board shall consist of nine (9) members. The purpose of the Board shall be to administer and fulfill the rules and regulations contained in the Village Zoning Code.

Sec. 2-562. - Membership; removal of members.

(a) The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of the Board. The Board shall consist of nine (9) members. The persons
appointed to the Board shall be residents of the Village. When such residence no longer exists, such member shall be deemed to have resigned from the Board. (b) The Board of Trustees shall have the power to remove any member of the Board for cause after a public hearing.

Sec. 2-563. - Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Zoning Board of Appeals which may arise for any unexpired term.

Sec. 2-564. - Chair and Vice Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Zoning Board of Appeals to serve as chair, and one of the members as vice chair, both of whom shall serve for a term of 1 year and until such person's successor is appointed and shall take office.

Sec. 2-565. - Term of members.

The term of office of each member of the Board shall be for 4 years and until the member's successor shall be appointed and shall qualify. The members' terms shall be staggered.

Sec. 2-566. - Attendance at meetings.

Any member of the Board who during any 6-month period is not present throughout 50 percent or more of the regularly and specially scheduled meetings shall be presumed to have resigned from the Board. This presumption shall be absolute, irrespective of the reasons for the lack of attendance. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for a period of 60 days and may submit such resigned member's name for reappointment during such period.

Sec. 2-567. - Quorum.

Five members of the Board shall constitute a quorum.

Sec. 2-56862. - Compensation of members; Expenses

(a) The chair, vice-chair and members of the Board shall receive compensation as established in the Village's annual budget. In no instance shall the chair, vice-chair or members of the Board be paid for more than two (2) meetings per month without the prior approval of the Mayor. A meeting, for the purposes of this section, shall mean a public meeting duly called according to law, at which a quorum is present. The chair and members of the Board shall receive no additional compensation or expense allowance for their services. Expenses for the operation and conduct of the affairs of the Board shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.
Sec. 2-569. Payment of expenses.

Expenses for the operation and conduct of the affairs of the Board shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-570. Adoption of rules of order and procedures.

The Board may adopt rules of order and procedures for the conduct of its business consistent with local ordinances, including but not limited to the zoning ordinances for the Village, and State statutes.

Sec. 2-571. Meetings and hearings Findings of Fact.

All meetings of the Board shall be held at the call of the Chair and at such time as such Board may determine. All hearings conducted by the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall also keep records of its hearings and other official actions. Findings of fact shall be included in the minutes of each case of a requested variation and exception, and the reason for recommending or denying such variation shall be specified. Every rule, regulation, amendment or repeal thereof and every order, requirement, decision or determination of the Board shall be filed in the Community Development Department by the Board and shall be a public record.

Sec. 2-572. Annual report.

The Board, through its chair or other designated member, shall report in writing to the Mayor and Board of Trustees. The report shall cover the activities of the Board for the preceding year.

Sec. 2-573. Powers and duties.

The Board shall have the powers and duties set forth in the zoning ordinances for the Village.

DIVISION 7. PLAN COMMISSION

Sec. 2-591. Creation; Purpose.

There is hereby created a Plan Commission for the Village. The purpose and responsibility of the Plan Commission is to administer and fulfill the rules and regulations contained in the Zoning Code. The word "Commission," when used in this Division, shall mean the Plan Commission for the Village.

Sec. 2-592. Membership.

The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of the Commission. The Commission shall consist of 9 members. The
persons appointed to the Commission shall be residents of the Village or persons employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned from the Commission.

Sec. 2-593.--Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Commission which may arise for any unexpired term.

Sec. 2-594.--Chair, Vice Chair and Secretary.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Commission to serve as chair, one to serve as vice chair and one of the members to serve as secretary, each for a term of 1 year and until such person's successor is appointed and shall take office.

Sec. 2-595.--Term of members.

The term of office of each member of the Commission shall be for 4 years and until the member's successor shall be appointed and shall qualify. The members' terms shall be staggered.

Sec. 2-596.--Attendance at meetings.

Any member of the Commission who during any 6-month period is not present throughout 50 percent or more of the regularly and specially scheduled meetings shall be presumed to have resigned from the Commission. This presumption shall be absolute, irrespective of the reasons for the lack of attendance. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for a period of 60 days and may submit such resigned member's name for reappointment during such period.

Sec. 2-597.--Quorum.

Five (5) members of the Commission shall constitute a quorum.

Sec. 2-598. - Compensation of members; Expenses.

The chair and members of the Commission shall receive compensation as established in the Village's annual budget. In no instance shall the chair, vice chair, or members of the Commission be paid for more than two (2) meetings per month without the prior approval of the Mayor. A meeting, for the purposes of this section, shall mean a public meeting duly held, called according to law, at which a quorum is present. The chair and members of the Commission shall receive no additional compensation or expense allowance for their services. Expenses for the operation and conduct of the affairs of the Commission shall be paid from
funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-599. – Payment of expenses.

Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-600. – Adoption of rules of order and procedures.

The Commission may adopt rules of order and procedures for the conduct of its business consistent with local ordinances, including but not limited to the zoning ordinances for the Village, and State statutes.

Sec. 2-601. – Annual report.

The Commission, through its chair or other designated member, shall report in writing to the Mayor and Board of Trustees. The report shall cover the activities of the Commission for the preceding year.

Sec. 2-602. – Powers and duties.

The Commission shall have the powers and duties set forth in the zoning ordinances for the Village.

DIVISION 8. - HUMAN RELATIONS COMMISSION

Sec. 2-621. – Creation; Purpose.

There is hereby created a Human Relations Commission for the Village. The word "Commission", when used in this Division shall mean the Human Relations Commission for the Village. The purpose and responsibility of the Human Relations Commission is to:

(a) Encourage understanding and respect between residents of the Village and celebrate the diversity of the Village including its various racial, religious and ethnic backgrounds.

(b) Safeguard the rights of all citizens as defined by our ordinances, state and federal statutes and Constitution.

(c) Promote the amicable settlement of disputes between neighbors.

(d) Target diversity education in the Village including community-wide programs of education to encourage intergroup understanding.

(e) Consult and cooperate with other public agencies in furthering the purposes of the Commission.

(f) Enlist the aid of schools, religious institutions, service organizations and civic groups to promote understanding and good will among the people of the community.
Sec. 2-622. Membership.

The Mayor with the advice and consent of the Board of Trustees, shall appoint all members of the Commission. The Commission shall consist of 21 members who shall reflect, so far as possible, the various ethnic groups in the Village and whose training, interest, background or experience will aid the Commission in its work. The persons appointed to the Commission shall be residents of the Village or persons employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned from the Commission. However, the Mayor may, in the Mayor’s discretion, refrain from nominating a replacement for such resigned member for a period of 60 days and may submit such resigned member’s name for reappointment within this 60-day period.

The Mayor, with the advice and consent of the Board of Trustees, shall appoint 2 members to the Commission who shall serve in an ex-officio capacity. Ex-officio members shall be residents of the Village, under the age of 18 years and full-time students enrolled in a school located within the Village. Ex-officio members shall not have voting rights.

Sec. 2-623. Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Commission which may arise for any unexpired term.

Sec. 2-624. Chair and Vice Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Board to serve as chair and one to serve as vice chair, each who shall serve for a term of one (1) year and until such person’s successor is appointed and shall take office.

Sec. 2-625. Term of members; Ex-officio members.

(a) The term of office of each member of the Commission shall be for 3 years and until the member’s successor shall be appointed and shall qualify. The Mayor, with the advice and consent of the Board of Trustees, shall appoint two (2) members to the Commission who shall serve in an ex-officio capacity. Ex-officio members shall be residents of the Village, under the age of 18 years and full-time students enrolled in a school located within the Village. Ex-officio members shall not have voting rights. The term of office of each ex-officio member of the Commission shall be for one (1) year.

(b) The term of office of each ex-officio member of the Commission shall be for 1 year.

Sec. 2-626. Attendance at meetings.
Any member of the Commission who during any 6-month period is not present throughout 60% percent or more of the regularly scheduled meetings shall be presumed to have resigned from the Commission. This presumption shall be absolute, irrespective of the reasons for the lack of attendance. However, the Mayor may, in the Mayor’s discretion, refrain from nominating a replacement for a period of 60 days and may submit such resigned member’s name for reappointment during such period.

Sec. 2-627. - Quorum.

Eight members of the Commission shall constitute a quorum.

Sec. 2-624. - Compensation of members; Expenses.

The members of the Commission shall serve without compensation. Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-629. - Payment of expenses.

Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-630. - Adoption of rules of order and procedures.

The Commission may adopt rules of order and procedures for the conduct of its business.

Sec. 2-631. - Annual report.

The Commission, through its chair or other designated member, shall report in writing, during the Village’s annual budget process, to the Mayor and Board of Trustees. The report shall cover the activities of the Commission for the preceding year.

Sec. 2-632. - Purpose.

The purposes for which the Commission is created are to:

1. Encourage understanding and respect between residents of the Village of various racial, religious and ethnic backgrounds.
2. Safeguard the rights of all citizens as defined by our ordinances, statutes and Constitution.
3. Promote the amicable settlement of disputes between neighbors.
(4) Target diversity education to Skokie youth.

Sec. 2-633. Functions.

The functions of the Commission shall be to:

1. Consult and cooperate with other public agencies in furthering the purposes of the Commission as set forth in this division.
2. Pursue a community-wide program of education to encourage intergroup understanding.
3. Inquire into human relations matters referred to it by citizens or Village authorities.
4. Seek voluntary compliance with ordinances and statutes relating to civil rights.
5. Enlist the aid of schools, religious institutions, service organizations and civic groups to promote understanding and good will among the people of the community.
6. Monitor and coordinate programs of local agencies receiving financial aid from the Village for youth welfare programs.

DIVISION 9. PUBLIC SAFETY COMMISSION

Sec. 2-651. Creation; Purpose.

(a) There is hereby created a Public Safety Commission for the Village. The word "Commission," when used in this Division, shall mean the Public Safety Commission for the Village. The Commission shall consist of twenty (20) members.

(b) It shall be the purpose of the Public Safety Commission, to engage in educational activities relating to crime prevention, to create and encourage programs to assist the residents of Skokie in ensuring a safer environment in the home and in public, and to recommend, to the Mayor and Board of Trustees and to the Village Manager, ways and means for improving conditions in the Village in order to promote a climate conducive to public safety.

Sec. 2-652. Membership.

The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of the Commission. The Commission shall consist of 20 members. The membership of the Commission shall be representatives of the public who are vitally interested in problems of public safety and whose training, interest, and background will aid the Commission in its work. The persons appointed to the Commission shall be residents of the Village or persons employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned.
from the Commission. However, the Mayor, may in the Mayor’s discretion, refrain from nominating a replacement for such resigned member for a period of 60 days.

Sec. 2-653. - Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Commission which may arise for any unexpired term.

Sec. 2-654. - Chair and Vice Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Commission to serve as chair and one to serve as vice chair, each for a term of 1 year and until such person’s successor is appointed and shall take office.

Sec. 2-655. - Term of members.

The term of office of each member of the Commission shall be for 2 years and until the member’s successor shall be appointed and shall qualify.

Sec. 2-656. - Attendance at meetings.

Any member of the Commission who during any 6-month period is not present throughout 50 percent or more of the regularly scheduled meetings shall be presumed to have resigned from the Commission. This presumption shall be absolute, irrespective of the reasons for the lack of attendance. However, the Mayor may, in the Mayor’s discretion, refrain from nominating a replacement for a period of 60 days and may submit such resigned member’s name for reappointment during such period.

Sec. 2-657. - Quorum.

Eight members of the Commission shall constitute a quorum.

Sec. 2-658. - Compensation of members; Expenses.

The members of the Commission shall serve without compensation. Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-659. - Payment of expenses.

Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-660. - Adoption of rules of order and procedures.
The Commission may adopt rules of order and procedures for the conduct of its business.

Sec. 2-661. - Annual report.

The Commission, through its chair or other designated member, shall report in writing, during the Village’s annual budget process, to the Mayor and Board of Trustees. The report shall cover the activities of the Commission for the preceding year.

Sec. 2-662. - Duties.

It shall be the duty of the Public Safety Commission, to carry on educational activities relating to crime prevention, to create and encourage programs to assist the citizens of Skokie in ensuring a safer environment in the home and in public, to receive complaints having to do with matters effecting public safety, and to recommend, to the Board of Trustees and to the Village Manager, Village Traffic Engineer, the Police Department and other Village officials, ways and means for improving conditions in the Village in order to promote a climate conducive to public safety.

DIVISION 10. - FINE ARTS COMMISSION

Sec. 2-681. - Creation; Purpose

(a) There is hereby created a Fine Arts Commission for the Village. The word "Commission", when used in this Division shall mean the Fine Arts Commission for the Village. The Commission shall consist of twenty (20) members.

(b) The purposes of the Fine Arts Commission shall be to:

(1) Promote and further the work of voluntary organizations and individuals within the Village active in the fine arts.

(2) Invite, enlist and encourage the cooperation of public and private agencies and the general public in support of cultural programs and activities within the Village.

(3) Promote to the public activities of such organizations whose efforts are in the cause of cultural achievement.

(4) Recommend to the Mayor and Board of Trustees such actions, activities or programs as will aid the function and purposes of this Commission.

Sec. 2-682. - Membership.

The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of the Commission. The Commission shall consist of 20 members whose training, interests and background will aid the Commission in its work. The
persons appointed to the Commission shall be residents of the Village or persons
employed within the Village or persons whose business, occupational or professional
activities are carried on in a substantial degree within the Village. When such
residence, employment or substantial activity within the Village no longer exists,
such members shall be deemed to have resigned from the Commission. However,
the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for
such resigned member for a period of 60 days and may submit such resigned
member's name for reappointment within this 60-day period.

Sec. 2-683. Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized
to fill any vacancy on the Commission which may arise for any unexpired term.

Sec. 2-684. Chair and Vice Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the
members of the Commission to serve as chair and one to serve as vice chair, each
for a term of 1 year and until such person's successor is appointed and shall take
case.

Sec. 2-685. Term of members.

The term of office of each member of the Commission shall be for 2 years and
until the member's successor shall be appointed and shall qualify.

Sec. 2-686. Attendance at meetings.

Any member of the Commission who during any 6-month period is not present
throughout 50 percent or more of the regularly scheduled meetings shall be
presumed to have resigned from the Commission. This presumption shall be
absolute, irrespective of the reasons for the lack of attendance. However, the Mayor
may, in the Mayor's discretion, refrain from nominating a replacement for a period of
60 days and may submit such resigned member's name for reappointment during
such period.

Sec. 2-687. Quorum.

Eight members of the Commission shall constitute a quorum.

Sec. 2-688. Compensation of members; Expenses.

The members of the Commission shall serve without compensation. Expenses
for the operation and conduct of the affairs of the Commission shall be paid
from funds provided for that purpose in the annual appropriation ordinance
and budget for the Village.

Sec. 2-689. Payment of expenses.
Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-690. - Adoption of rules of order and procedures.

The Commission may adopt rules of order and procedures for the conduct of its business.

Sec. 2-691. - Annual report.

The Commission, through its chair or other designated member, shall report in writing, during the Village’s annual budget process, to the Mayor and Board of Trustees. The report shall cover the activities of the Commission for the preceding year.

Sec. 2-692. - Purpose.

The purposes of the Fine Arts Commission shall be to:

(1) Promote and further the work of private voluntary organizations and individuals within the Village active in the fine arts.

(2) Invite, enlist and encourage the cooperation of public and private agencies and the general public in support of cultural advancement within the Village.

(3) Bring to the attention of the general public information on the activities of such organizations whose efforts are in the cause of cultural achievement.

(4) Advise and recommend to the Board of Trustees such actions or programs as will aid the function and purposes of this Commission.

DIVISION 11. - BOARD OF HEALTH

Sec. 2-711. - Creation; Purpose.

(a) There is hereby created a Board of Health for the Village. The word “Board”, when used in this Division, shall mean the Board of Health for the Village. The Board shall consist of not more than twenty (20) members.

(b) The Board of Health shall have the following purposes:

(1) Recommend from time to time to the Mayor and Board of Trustees amendments or additions to those portions of this Code dealing with public and community health matters.

(2) Conduct every 5 years a community health needs assessment and develop a community health plan.
(3) Implement the community health plan and address other health related matters.

(4) Assist municipal officials charged with the development of projects relating to public health.

Sec. 2-712. - Membership.

The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of the Board of Health. The Board shall consist of not more than 20 members. Not more than 40 percent of the members of the Board shall be medical doctors licensed under 225 ILCS 60/1 et seq. The persons appointed to the Board shall be residents of the Village or persons employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned from the Board. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for such resigned member for a period of 60 days and may submit such resigned member's name for reappointment within this 60-day period.

Sec. 2-713. - Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Board of Health which may arise for any unexpired term.

Sec. 2-714. - Chair and Vice Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Board of Health to serve as chair and one to serve as vice chair, each for a term of 1 year and until such person's successor is appointed and shall take office.

Sec. 2-715. - Term of members.

The term of office of each member of the Board shall be for 2 years and until the member's successor shall be appointed and shall qualify.

Sec. 2-716. - Attendance at meetings.

Any member of the Board who during any 6-month period is not present throughout 50 percent or more of the regularly scheduled meetings shall be presumed to have resigned from the Board. This presumption shall be absolute, irrespective of the reasons for the lack of attendance. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for a period of 60 days and may submit such resigned member's name for reappointment during such period.
Sec. 2-717. - Quorum.

Eight members of the Board shall constitute a quorum.

Sec. 2-718. - Compensation of members; and Expenses.

The members of the Board shall serve without compensation. Expenses for the operation and conduct of the affairs of the Board shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-719. - Payment of expenses.

Expenses for the operation and conduct of the affairs of the Board shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-720. - Adoption of rules of order and procedures.

The Board may adopt rules of order and procedures for the conduct of its business.

Sec. 2-721. - Annual report.

The Board, through its chair or other designated member, shall report in writing, during the Village's annual budget process, to the Mayor and Board of Trustees. The report shall cover the activities of the Board for the preceding year.

Sec. 2-722. - Purpose.

The Board of Health shall have the following purposes:

1. Recommend to the Mayor and Board of Trustees amendments or additions from time to time to those portions of this Code dealing with public and environmental health matters.

2. Recommend to the Mayor and Board of Trustees specific public and environmental health improvements within the Village.

3. Give aid to municipal officials charged with the direction of projects relating to air, water, noise or other environmental pollution problems.

4. Give aid to municipal officials charged with the direction of projects relating to public health.

5. Review and consider those matters of public and environmental health concerns referred to it by the Board of Trustees.
(6) Cooperate with the Mayor and Board of Trustees, Village departments and other public and private agencies in carrying out a volunteer blood donor program within the Village.

DIVISION 12. - BEAUTIFICATION AND IMPROVEMENT COMMISSION

Sec. 2-741. – Creation; Purpose.

(a) There is hereby created a Beautification and Improvement Commission for the Village. The word "Commission", when used in this Division, shall mean the Beautification and Improvement Commission for the Village. The Commission shall consist of twenty (20) members.

(b) The purpose of the Commission shall be to develop and promote the beautification of the Village by engaging in the following:

(1) Develop and promote programs of community beautification and conversation and recommend such programs to the Mayor and Board of Trustees.

(2) Study and recommend to the Mayor and Board of Trustees programs for community-wide improvements to the appearance of streets, alleys, parkways and other rights-of-way within the Village.

(3) Study and recommend to the Mayor and Board of Trustees programs to beautify and improve historic and other public building sites.

(4) Develop programs and projects to encourage the community to participate in beautification programs.

Sec. 2-742. – Membership.

The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of the Commission. The Commission shall consist of 20 members whose training, interest and background will aid the Commission in its work. The persons appointed to the Commission shall be residents of the Village or persons employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned from the Commission. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for such resigned member for a period of 60 days and may submit such resigned member's name for reappointment within this 60-day period.

Sec. 2-743. – Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Commission which may arise for any unexpired term.
Sec. 2-744. Chair and Vice Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Board of Health to serve as chair and one to serve as vice chair, each for a term of 1 year and until such person's successor is appointed and shall take office.

Sec. 2-745. Term of members.

The term of office of each member of the Commission shall be for 2 years and until the member's successor shall be appointed and shall qualify.

Sec. 2-746. Attendance at meetings.

Any member of the Commission who during any 6-month period is not present throughout 50 percent or more of the regularly scheduled meetings shall be presumed to have resigned from the Commission. This presumption shall be absolute, irrespective of the reasons for the lack of attendance. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for a period of 60 days and may submit such resigned member's name for reappointment during such period.

Sec. 2-747. Quorum.

Eight members of the Commission shall constitute a quorum.

Sec. 2-748. Compensation of members; Expenses.

The members of the Commission shall serve without compensation. Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-749. Payment of expenses.

Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-750. Adoption of rules of order and procedures.

The Commission may adopt rules of order and procedures for the conduct of its business.

Sec. 2-751. Annual report.

The Commission, through its chair or other designated member, shall report in writing, during the Village's annual budget process, to the Mayor and Board of
Trustees. The report shall cover the activities of the Commission for the preceding year.

Sec. 2-752. – Functions.

The Commission shall perform and exercise the following functions:

(1) Cooperate with the Mayor and Board of Trustees, Village departments and other public and private agencies in carrying out a program of community beautification and conservation.

(2) Cooperate with State and federal agencies whenever it deems such action appropriate in carrying out the policy of the Commission and the Board of Trustees.

(3) Study and recommend to the Board of Trustees programs for community-wide activities to upgrade and improve the appearance of streets, alleys, parkways and other rights-of-way within the Village.

(4) Study and recommend to the Board of Trustees programs to beautify and improve historic and other public building sites.

(5) Invite, enlist and encourage the cooperation of the general public in support of a community-wide beautification program.

DIVISION 13. - APPEARANCE COMMISSION

Sec. 2-771. – Creation.

There is hereby created an Appearance Commission for the Village. The word "Commission", when used in this Division, shall mean the Appearance Commission for the Village. **The Commission shall consist of seven (7) members.**

Sec. 2-772. – Membership; conflicts of interest; oath.

(a) The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of the Commission. The Commission shall consist of 7 members. In making appointments to the Commission, the Mayor shall seek to appoint as members persons recognized as expert in matters of aesthetic judgment by virtue of training, education and experience, such as graduate architects, landscape architects, real estate appraisers, graphic artists and land planners, and possessing qualities of impartiality and broad judgment. The persons appointed to the Commission shall be residents of the Village or persons employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned from the Commission. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for such resigned member for a period of 60 days and may submit such resigned member's name for reappointment within this 60-day period.
(b) No member of the Commission shall participate in discussions or vote on requests for a certificate of appropriateness from any client such member is serving or from any business of which such member is an owner or corporation officer or employee.

(c) The members of the Commission shall, before entering their official duties, take the oath of office prescribed by law for Village officials.

Sec. 2-773. - Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Commission which may arise for any unexpired term.

Sec. 2-774. - Chair and Vice Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Board of Health to serve as chair and one to serve as vice chair, each for a term of 1 year and until such person's successor is appointed and shall take office. The chair shall have the power to administer oaths to witnesses presenting testimony at Commission meetings or hearings.

Sec. 2-775. - Term of members.

The term of office of each member of the Commission shall be for 3 years and until the member's successor shall be appointed and shall qualify. The members' terms shall be staggered.

Sec. 2-776. - Attendance at meetings.

Any member of the Commission who during any 6-month period is not present throughout 50 percent or more of the regularly scheduled meetings shall be presumed to have resigned from the Commission. This presumption shall be absolute, irrespective of the reasons for the lack of attendance. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for a period of 60 days and may submit such resigned member's name for reappointment during such period.

Sec. 2-777. - Quorum.

Four members of the Commission shall constitute a quorum. The chair shall be entitled to be counted in determining a quorum and to vote as a member.

Sec. 2-778. - Compensation of members; Expenses.

The chair, vice-chair and members of the Commission shall receive compensation as established in the Village's annual budget. In no instance shall the chair or members of the Commission be paid for more than two (2) meetings per month without the prior approval of the Mayor. A meeting, for the purposes of this section, shall mean a public meeting duly called according to law, at which a quorum
is present. The chair and members of the Commission shall receive no additional compensation for expense allowance for their services. Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-779. Payment of expenses.

Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-780. Adoption of rules of order and procedures.

The Commission may adopt rules of order and procedures for the conduct of its business.

Sec. 2-781. Annual report.

The Commission, through its chair or other designated member, shall report in writing, during the Village’s annual budget process, to the Mayor and Board of Trustees. The report shall cover the activities of the Commission for the preceding year.

Sec. 2-782. General powers and duties.

The Appearance Commission shall have the following powers and duties:

1. Study drawings of exterior elevations, awning/canopy designs, sign drawings, landscape and site plans and materials, as appropriate, for any proposed improvements, including public works or public improvements, in the Village.

2. Consult with and mutually cooperate with the Plan Commission, other Village departments, and any other municipal or governmental bodies on aesthetic issues affecting the Village.

3. Hold hearings, when required, on the issuance of certificates of appropriateness as provided in this division, in connection with questions pertaining to applications for building permits, and issue or deny such certificates pursuant to the provisions of this division.

Sec. 2-783. Appearance plan.

(a) Preparation. The Appearance Commission shall prepare an appearance plan. The appearance plan shall be intended as the standards or guidelines for future physical developments and should consider, among other features:
(1) The external architectural features (as defined in this division) as proposed for buildings, structures, signage, awnings/canopies and landscaping and site planning thereof;

(2) Existing Village zoning ordinances and provisions as amended, as to, but not limited to, zoning, building, subdivisions, trees and shrubs; provided, however, nothing in the appearance plan shall conflict with, modify or alter any provisions of the zoning or subdivision ordinance.

(b) Public hearing. After agreeing on a proposed appearance plan, the Commission shall hold a public hearing thereon. Within thirty (30) days, a copy of the proposed plan shall be on file during regular business hours at the office of the Planning Department in the Village Hall for public inspection pending the conclusion of a public hearing. Notice of the public hearing shall be published at least once in a newspaper of general circulation in the Village not more than thirty (30) and not less than fifteen (15) days before the hearing. Within thirty (30) days after final adjournment of the hearing, the Commission shall recommend a final appearance plan to the Board of Trustees.

(c) Adoption by Board of Trustees. The Board of Trustees shall thereafter at a public meeting consider the proposed plan and if it so desires may adopt the plan in whole or in part, with or without change. The appearance plan, as adopted, shall be by ordinance.

(d) Amendments. The appearance plan may be amended, from time to time, by the Board of Trustees after receiving a recommendation from the Commission regarding a proposed amendment. The Commission can make a recommendation only after holding a public hearing after notice as set forth in this division.

Sec. 2-784. - Powers over external architectural features of structures.

(a) Certificate of appropriateness required. No building or other permit, otherwise required under the ordinances of the Village, for the erection, construction, alteration or repair of any building or structure or installation or alteration of a sign or awning or canopy in any zoning district or landscaping for commercial properties, industrial properties, planned unit developments or multifamily developments shall be issued by the Village Manager or designee until a certificate of appropriateness is granted by the Appearance Commission. The Village Manager or designee is authorized to waive the certificate of appropriateness requirement if a determination is made that no external architectural feature is involved or the work is minor in nature for which the building permit is sought.

(b) Preliminary consideration of certificate of appropriateness. A petitioner may receive a preliminary design critique from the Commission by presenting an abbreviated submission. This submission must adequately portray the design concept and its relationship to adjacent properties, but it need not include all of the items required for complete certificate of appropriateness consideration. However, a certificate of appropriateness will not be issued based upon a preliminary submission.
All hearings on preliminary plans are to be public and are to be held in accordance with the provisions and requirements of this division.

(c) Hearing on certificate of appropriateness. Upon the filing of an application for a building permit for which a certificate of Appropriateness is required, the Village Manager or designee shall immediately transmit the application to the Appearance Commission. The fact that an application for a certificate of appropriateness has been filed shall not be cause for the Director of Community Development to delay the review of plans relating to the building and zoning aspects of the project, while application is pending. The Commission shall hold hearings at least once a month on a fixed, predetermined day or date. Upon such hearing the Commission shall consider the application and if necessary receive additional evidence (such as exterior elevation renderings) from the applicant or the applicant's agent or attorney.

(d) Action by Commission. The Commission shall make its decision at the meeting which the case is heard, unless the case is continued to another date, at which time a decision shall be rendered. The Commission shall issue to the Director of Community Development a certificate of appropriateness, unless the Commission finds that the plan does not conform to the appearance plan and that the proposed building, structure, sign, awning/canopy or landscaping will be inappropriate to or incompatible with the character of the immediate neighborhood or cause substantial depreciation in property values or does not comply with other Village codes or ordinances.

(e) Approval by Commission. The Commission shall approve a certificate of appropriateness upon the concurring vote of the majority of the Commission members present.

(f) Appeal from decisions of Commission. All final decisions of the Appearance Commission under this section shall be subject to judicial review pursuant to the provisions of the Administrative Review Act, 735 ILCS 5/3-101 et seq., except that cases under site plan approval or involving a planned development, as provided for in the Village Zoning Ordinance, may be reviewed by the Mayor and Board of Trustees.

(g) Follow-up by Director of Community Development. Upon the granting of a certificate of appropriateness, the exterior drawings, sketches, landscape and site plans, renderings and materials upon which the certificate was granted shall be turned over to the Director of Community Development, whose responsibility it shall be to determine, from time to time, that the project is in progress and, finally, upon its completion, that there have been no unauthorized deviations from the evidence upon which the granting of the certificate of appropriateness was originally based. The Director of Community Development and Appearance Commission chair may, after the issuance of a certificate of appropriateness, approve minor changes in a project.

Sec. 2-785. - Authority to grant relief.

The Appearance Commission may grant relief upon a finding that such relief is consistent with the general purpose and intent of the appearance code and where there are practical difficulties or particular hardship in complying with the provisions of
this division and all applicable codes, ordinances and rules and regulations, limited to
the following:

(1) From the residential fifty-one (51) percent masonry requirement, provided
that one (1) or more of the following criteria are met:

a. The subject building is frame, and hence an addition may be frame;

b. A masonry addition to a frame building is not structurally practical;

c. Masonry materials cannot be matched to the original structure; or

d. The building, structure, etc. meets the State or National Register criteria
   for landmark designation. The petitioner shall be responsible for
   presenting the justification that the subject building meets the established
   historical or architectural criteria.

(2) From specific sign regulations as set forth in Chapter 82. Upon a denial
from the Appearance Commission for relief, the petitioner may appeal the
decision to the Mayor and Board of Trustees in cases involving site plan
approval or a planned development in accordance with the Village Zoning
Ordinance.

(3) From the requirement for a garbage corral and rooftop screening of
mechanical equipment.

DIVISION 14. - CONSUMER AFFAIRS COMMISSION

Sec. 2-801. – Creation and Purpose.

There is hereby created a Consumer Affairs Commission for the Village. The
word "Commission", when used in this Division, shall mean the Consumer Affairs
Commission for the Village. The Commission shall consist of fifteen (15)
members.

The Purpose of the Commission shall be to:

(a) Coordinate consumer affairs activities, educational activities in
consumer matters;

(b) Recommend to the Mayor and Board of Trustees ordinances, rules and
regulations in relation to consumer affair activities.

Sec. 2-802. – Membership.

The Mayor, with the advice and consent of the Board of Trustees, shall appoint
all members of the Commission. The Commission shall consist of 13 members. The
persons appointed to the Commission shall be residents of the Village or persons
employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned from the Commission. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for such resigned member for a period 60 days and may submit such resigned member's name for reappointment within this 60-day period.

Sec. 2-803. - Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Commission which may arise for any unexpired term.

Sec. 2-804. - Chair and Vice Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Board of Health to serve as chair and one to serve as vice chair, each for a term of 1 year and until such person's successor is appointed and shall take office.

Sec. 2-805. - Term of members.

The term of office of each member of the Commission shall be for 2 years and until the member's successor shall be appointed and shall qualify.

Sec. 2-806. - Attendance at meetings.

Any member of the Commission who during any 6-month period is not present throughout 50 percent or more of the regularly scheduled meetings shall be presumed to have resigned from the Commission. This presumption shall be absolute, irrespective of the reasons for the lack of attendance. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for a period of 60 days and may submit such resigned member's name for reappointment during such period.

Sec. 2-807. - Quorum.

A majority of the appointed members of the Commission shall constitute a quorum.

Sec. 2-808. - Compensation of members and Expenses.

The members of the Commission shall serve without compensation. Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-809. - Payment of expenses.
Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-810. - Adoption of rules of order and procedures.

The Commission may adopt rules of order and procedures for the conduct of its business.

Sec. 2-811. - Annual report.

The Commission, through its chair or other designated member, shall report in writing, during the Village’s annual budget process, to the Mayor and Board of Trustees. The report shall cover the activities of the Commission for the preceding year.

Sec. 2-812. - Duties.

It shall be the duty of the Consumer Affairs Commission to coordinate consumer affairs activities, carry on educational activities in consumer matters, supervise the preparation of consumer affairs reports and recommend to the Mayor and Board of Trustees ordinances, rules and regulations and methods of enforcement in relation to consumer affair activities.

DIVISION 15. - COMMISSION ON FAMILY SERVICES

Sec. 2-831. – Creation and Purpose.

There is hereby created a Commission on Family Services for the Village for the purpose of promoting the emotional, social and physical well-being of all Skokie residents. The word "Commission", when used in this Division, shall mean the Commission on Family Services for the Village. The Commission shall consist of not more than twenty-four (24) members.

The Purpose of the Commission shall be to:

(1) Provide a forum for the discussion of social service needs;

(2) Make recommendations for the maintenance and quality of life;

(3) Initiate programs to foster healthy development of all residents throughout their lifespan.

(4) Recommend to the Mayor and Board of Trustees policies, programs, and procedures designed to promote the emotional, physical and financial security and well-being of the entire population within the Village.

Sec. 2-832. – Membership.
The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of the Commission. The Commission shall consist of not more than 24 members. The Commission shall be chosen to reflect, as much as possible, the demographics of the general population within the Village and include representatives of public and private organizations that provide social services to residents of the Village. The persons appointed to the Commission shall be residents of the Village, persons employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned from the Commission. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for such resigned member for a period of 60 days and may submit such resigned member's name for reappointment within this 60-day period.

Sec. 2-833. - Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Commission.

Sec. 2-834. - Chair and Vice Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Board of Health to serve as chair and one to serve as vice chair, each for a term of 1 year and until such person's successor is appointed and shall take office.

Sec. 2-835. - Term of members.

The term of office of each member of the Commission shall be for 3 years and until the member's successor shall be appointed and shall qualify.

Sec. 2-836. - Attendance at meetings.

Any member of the Commission who during any 6-month period is not present throughout 50 percent or more of the regularly scheduled meetings shall be presumed to have resigned from the Commission, irrespective of the reasons for the lack of attendance. However, the Mayor may, at the Mayor's discretion, refrain from nominating a replacement and allow such member to continue serving.

Sec. 2-837. - Quorum.

Fifty percent of the members appointed to and serving on the Commission shall constitute a quorum.

Sec. 2-838. - Compensation of members and Expenses.
The members of the Commission shall serve without compensation. Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-839. - Payment of expenses.

Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-840. - Adoption of rules of order and procedures.

The Commission may adopt rules of order and procedures for the conduct of its business.

Sec. 2-841. - Annual report.

The Commission, through its chair or other designated member, shall report, during the Village’s annual budget process, to the Mayor and Board of Trustees. The report shall cover the activities of the Commission for the preceding year.

Sec. 2-842. - Duties.

It shall be the duty of the Commission to:

(1) Assist the Village Human Services in the implementation of its purpose.

(2) In support of the residents of Skokie, provide a forum for the discussion of: (a) social service needs; and (b) issues related to the (i) maintenance and enhancement of quality of life and (ii) fostering of healthy development of all residents throughout the lifespan.

(3) Review and analyze community programs designed to support all families.

(4) Recommend to the Board of Trustees and to the Village Human Services Division, policies, programs, and procedures designed to promote the emotional, physical and financial security and well-being of the entire population within the Village.

DIVISION 17. - CABLE TELEVISION ADVISORY TECHNICAL COMMISSION

Sec. 2-891. - Creation and Expenses.

There is hereby created a Telecommunications Advisory Commission for the Village. The word "Commission," when used in this Division, shall mean the Telecommunications Advisory Commission for the Village. The Commission shall consist of seven (7) members.
The Purpose of the Commission shall be to:

1 (1) Advise the Mayor and Board of Trustees on matters pertaining to telecommunications and broader technology issues affecting the Village residents.

2 (2) Offer technology education for the benefit of Village residents.

3 (3) Review telecommunications and technology issues that impact the Village residents and call attention to such matters.

Sec. 2-892. - Membership.

The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of the Commission. The Commission shall consist of 7 members. The persons appointed to the Commission shall be residents of the Village or persons employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned from the Commission. However, the Mayor may, in the Mayor’s discretion, refrain from nominating a replacement for such resigned member for a period of 60 days and may submit such resigned member’s name for reappointment within this 60-day period.

Sec. 2-893. - Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Commission which may arise for any unexpired term.

Sec. 2-894. - Chair and Vice Chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Board of Health to serve as chair and one to serve as vice chair, each for a term of 1 year and until such person’s successor is appointed and shall take office.

Sec. 2-895. - Term of members.

The term of office of each member of the Commission shall be for 2 years and until such member’s successor shall be appointed and shall qualify.

Sec. 2-896. - Attendance at meetings.

Any member of the Commission who during any 6-month period is not present throughout 50 percent or more of the regularly scheduled meetings shall be presumed to have resigned from the Commission. This presumption shall be absolute, irrespective of the reasons for the lack of attendance. However, the Mayor may, in the Mayor’s discretion, refrain from nominating a replacement for a period of
60 days and may submit such resigned member's name for reappointment during such period.

Sec. 2-897. - Quorum.

A quorum of the Commission shall consist of a simple majority of the members appointed.

Sec. 2-898. - Compensation of members and Expenses.

The members of the Commission shall serve without compensation.

Sec. 2-899. - Payment of expenses.

Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-900. - Adoption of rules of order and procedures.

The Commission may adopt rules of order and procedures for the conduct of its business.

Sec. 2-901. - Annual report.

The Commission, through its chair or other designated member, shall report in writing, during the Village's annual budget process, to the Mayor and Board of Trustees. The report shall cover the activities of the Board for the preceding year.

Sec. 2-902. - Duties.

It shall be the duty of the Commission to:

(1) Advise the Mayor and Board of Trustees on matters pertaining to telecommunications and broader technology issues affecting the Village residents.

(2) Pursue telecommunications education for the benefit of Village residents.

(3) Act as a venue for public input regarding telecommunications related matters in order to advise the Mayor and Board of Trustees.

(4) To work with Village staff on Village actions or policies as they may relate to Telecommunications matters.

(5) Perform such other duties and functions as may be requested by the Mayor and Board of Trustees.
DIVISION 18. - ECONOMIC DEVELOPMENT COMMISSION

Sec. 2-910. – Creation and Purpose.

There is hereby created an Economic Development Commission for the Village, for the purpose of: (i) providing input from all aspects of the Skokie business community, (ii) acting as a resource for elected officials and staff to explore new economic development ideas and changes to Village policies, and (iii) considering and introducing new economic development ideas for consideration to elected officials and staff. The word “Commission”, when used in this Division, shall mean the Economic Development Commission for the Village. **The Commission shall consist of twelve (12) members.**

**The Purpose of the Commission shall be to:**

(1) Make recommendations on matters for the improvement of sound economic growth and business development.

(2) Examine opportunities for fostering an attractive climate for business within the Village with respect to both existing and potential new business establishments.

(3) Recommend additional steps and measures to promote economic growth by retaining businesses and attracting new commerce and industry.

(4) Cooperate with Village elected officials and staff to realize appropriate goals and objectives relating to sound business practices and better employment opportunities.

Sec. 2-911. – Membership.

The Mayor, with the advice and consent of the Board of Trustees, shall appoint all members of the Commission. The Commission shall consist of 12 members. The persons appointed to the Commission shall be residents of the Village or persons employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When such residence, employment or substantial activity within the Village no longer exists, such members shall be deemed to have resigned from the Commission. However, the Mayor may, in the Mayor’s discretion, refrain from nominating a replacement for such resigned member for a period of 60 days and may submit such resigned member’s name for reappointment within this 60-day period.

Sec. 2-912. – Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Commission which may arise for any unexpired term.

Sec. 2-913. – Chair and vice chair.
The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Commission to serve as chair and one to serve as vice chair, each for a term of 1 year and until such person's successor is appointed and shall take office.

Sec. 2-914. - Term of members.

The term of office of each member of the Commission shall be for 2 years and until such member's successor shall be appointed and shall qualify.

Sec. 2-915. - Attendance at meetings.

Any member of the Commission who during any 6-month period is not present throughout 50 percent or more of the regularly scheduled meetings shall be presumed to have resigned from the Commission. This presumption shall be absolute, irrespective of the reasons for the lack of attendance. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for a period of 60 days and may submit such resigned member's name for reappointment during such period.

Sec. 2-916. - Meeting schedule.

Commission meetings shall be scheduled and held every 60 days. The Chairman may schedule and hold meetings on a more frequent basis, if he or she believes it is warranted.

Sec. 2-917. - Quorum.

A quorum of the Commission shall consist of a simple majority of the members appointed.

Sec. 2-918. - Compensation of members and Expenses.

The members of the Commission shall serve without compensation. Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-919. - Payment of expenses.

Expenses for the operation and conduct of the affairs of the Commission shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-920. - Annual report.
The Commission, through its chair or other designated member, shall report in writing, during the Village’s annual budget process, to the Mayor and Board of Trustees. The report shall cover the activities of the Board for the preceding year.

Sec. 2-921. – Duties.

It shall be the duty of the Commission to:

(1) Make recommendations on matters to the improvement of sound economic growth and business development.

(2) Examine opportunities for fostering an attractive climate for business within the Village with respect to both existing and potential new business establishments.

(3) Recommend additional steps and measures to promote economic growth by retaining businesses and attracting new commerce and industry.

(4) Cooperate with Village elected officials and staff to realize appropriate goals and objectives relating to sound business practices and better employment opportunities.

DIVISION 19. - PERFORMING ARTS CENTER BOARD

Sec. 2-930. – Creation and Purpose.

There is hereby created a Performing Arts Center Board with the purpose of providing advice and recommendations to the Mayor and Board of Trustees and the Village Manager, concerning the operation and the management of the North Shore Center for the Performing Arts. The word “Board”, when used in this Division, shall mean the Performing Arts Center Board for the Village. The Board shall consist of nine (9) members.

Sec. 2-931. – Membership.

The Mayor, with the advice and consent of the Board of Trustees, shall appoint the members of the Board. The Board shall consist of nine (9) members. The persons appointed to the Board shall be; residents of the Village or persons employed within the Village or persons whose business, occupational or professional activities are carried on in a substantial degree within the Village. When these condition(s) no longer exist, such member(s) shall be deemed to have resigned from the Board. However, the Mayor may, in the Mayor’s discretion, refrain from nominating a replacement for such resigned member for a period of sixty (60) days and may unilaterally extend a member’s appointment on the Board up to an additional sixty (60) days.

Sec. 2-932. – Vacancies.

The Mayor, with the advice and consent of the Board of Trustees, is authorized to fill any vacancy on the Board which may arise for any unexpired term.
Sec. 2-933. Chair and vice chair.

The Mayor, with the approval of the Board of Trustees, shall appoint one of the members of the Board to serve as chair and one to serve as vice chair, each for a term of one (1) year and until such person's successor is appointed and shall take office.

Sec. 2-934. Term of members.

The term of office of each member of the Board shall be for two (2) years.

Sec. 2-935. Attendance at meetings.

Any member of the Board, who during any 6-month period is not present for at least fifty (50) percent or more of the regularly scheduled meetings, shall be deemed to have resigned from the Board. However, the Mayor may, in the Mayor's discretion, refrain from nominating a replacement for such resigned member for a period of sixty (60) days and may unilaterally extend a member's appointment on the Board up to an additional sixty (60) days.

Sec. 2-936. Meeting schedule.

Board meetings shall be scheduled by the Chairman at least once in a calendar month, so long as warranted by business to be conducted. The Chairman may schedule and hold meetings on a more frequent basis, if he or she believes it is warranted.

Sec. 2-937. Quorum.

A quorum of the Board shall consist of a simple majority of the members appointed.

Sec. 2-938. Compensation of members and Expenses.

The chair and members of the Board shall receive compensation as established in the Village's annual budget. In no instance shall the Chair or members of the Board be paid for more than one (1) meeting per month without the prior approval of the Mayor and shall only be paid for meetings they attend. A meeting, for the purposes of this section, shall mean a public meeting duly called according to law, at which a quorum is present. The Chair and members of the Board shall receive no additional compensation or expense allowance for their services.

Expenses for the operation and conduct of the affairs of the Board shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-939. Payment of expenses.
Expenses for the operation and conduct of the affairs of the Board shall be paid from funds provided for that purpose in the annual appropriation ordinance and budget for the Village.

Sec. 2-940. - Annual report.

The Board, through its chair or other designated member, shall report in writing, during the Village’s annual budget process, to the Mayor and Board of Trustees. The report shall cover the activities of the Board for the preceding year.

Sec. 2-941. - Duties.

It shall be the duty of the Board to:

(1) Advise and make recommendations to the Village concerning the operation and the management of the North Shore Center for the Performing Arts (hereinafter "Center");

(2) To recommend a budget for the operation and management of the Center to the Village during the Village annual budget process;

(3) To recommend any capital improvements necessary for the Center to the Village.

Section 2: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED this day of May, 2019.

Ayes: 
Nays: 
Absent: 

Village Clerk

Attested and filed in my office this day of May, 2019; and published in pamphlet form according to law from May 2019 to May 2019.

Approved by me this May day of , 2019.

Mayor, Village of Skokie

Village Clerk
AN ORDINANCE PROVIDING FOR THE INSTALLATION AND
ESTABLISHMENT OF TWO-WAY STOP SIGN CONTROLS AT THE
INTERSECTIONS OF GREENLEAF STREET AND TRUMBULL AVENUE,
GREENLEAF STREET AND MONTICELLO AVENUE, AND JEROME
STREET AND LECLAIRE AVENUE, SKOKIE, ILLINOIS

WHEREAS, from time to time, the Engineering Division is asked to investigate
intersections in the Village of Skokie to determine if upgrades to the current traffic control is
warranted. Staff reviewed the traffic control and crash history at the intersections of Greenleaf
Street and Trumbull Avenue, Greenleaf Street and Monticello Avenue, and Jerome Street and
Leclaire Avenue; and

WHEREAS, these three intersections are situated in residential areas that follow the
typical Village alternating pattern of traffic control and are now controlled with yield signs.
Subsequent to the traffic control and crash studies, it was determined that the type of control for
the intersections of Greenleaf Street and Trumbull Avenue, Greenleaf Street and Monticello
Avenue, and Jerome Street and Leclaire Avenue be upgraded from yield signs to two-way stop
sign controls. These determinations followed the guidelines in the Manual on Uniform Traffic
Control Devices; and

WHEREAS, based on the above determinations, the Director of Engineering
recommended that the two-way stop sign controls be installed at the intersections as follows:

- Greenleaf Street and Trumbull Avenue – Eastbound and Westbound;
- Greenleaf Street and Monticello Avenue – Northbound and Southbound;
- Jerome Street and Leclaire Avenue – Northbound and Southbound; and

WHEREAS, the Village Manager concurred in the aforesaid recommendation of the
Director of Engineering and recommended to the Mayor and Board of Trustees that two-way stop
sign controls be installed at the intersections of Greenleaf Street and Trumbull Avenue, Greenleaf
Street and Monticello Avenue, and Jerome Street and Leclaire Avenue, as indicated on the
diagram attached hereto marked Exhibit "A" and hereby made a part of this Ordinance; and

WHEREAS, the Mayor and Board of Trustees, at a public meeting duly held on May 6,
2019, concurred in the aforesaid recommendation;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the
Village of Skokie, Cook County, Illinois:

Section 1: That pursuant to the provisions Chapter 106, Article II, Division 1, Section
106-47 of the Skokie Village Code and the Illinois Vehicle Code, stop signs shall be installed in
accordance with the diagram attached hereto and marked Exhibit "A" and hereby made a part of this Ordinance.

**Section 2:** That the Village Manager is hereby directed and authorized to erect the necessary signs in accordance with the provisions of this Ordinance.

**Section 3:** That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED this day of May, 2019.

__________________________
Village Clerk

Ayes:
Nays:
Absent:

Approved by me this day of May, 2019.

__________________________
Mayor, Village of Skokie

Attested and filed in my office this day of May, 2019; and published in pamphlet form according to law from May , 2019 to May , 2019.

__________________________
Village Clerk
AN ORDINANCE REDUCING THE POSTED SPEED LIMIT FROM 30 MILES PER HOUR TO 25 MILES PER HOUR ON LAVERGNE AVENUE, BETWEEN GOLF ROAD AND CHURCH STREET, IN SKOKIE, ILLINOIS

WHEREAS, in response to a resident inquiries and concerns, the Director of Engineering for the Village of Skokie conducted a traffic study for speed limit reduction along Lavergne Avenue, between Golf Road and Church Street; and

WHEREAS, Lavergne Avenue is a collector street between Golf Road and Church Street with its intersection at Golf Road under traffic signal control and the intersection at Church Street controlled by a stop sign. The area is zoned R2 Single-Family, with a current speed limit of 30 miles per hour; and

WHEREAS, subsequent to the traffic study of the area, which included a speed limit study, the Director of Engineering recommended that the speed limit on Lavergne Avenue, between Golf Road and Church Street, Skokie, Illinois be reduced from 30 miles per hour to 25 miles per hour, stating that Lavergne Avenue is similar to other collector streets in residential areas and the speed reduction would have a positive effect on this street section; and

WHEREAS, the Village Manager concurred in the aforesaid recommendation of the Director of Engineering and recommended to the Mayor and Board of Trustees that the aforementioned request for a reduction in the speed limit be granted; and

WHEREAS, the Mayor and Board of Trustees, at a public meeting duly held on May 6, 2019, concurred in the aforesaid recommendation of the Village Manager and Director of Engineering;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Skokie, Cook County, Illinois;

Section 1: That the speed limit on Lavergne Avenue, between Golf Road and Church Street, Skokie, Illinois, be and the same is hereby reduced from 30 miles per hour to 25 miles per hour per the diagram attached hereto and marked Exhibit “A” and hereby made a part of this Ordinance.

Section 2: That the Village Manager is hereby directed and authorized to erect speed limit signs with the following legend in accordance with this Ordinance:

SPEED LIMIT
25 MILES PER HOUR
Section 3: That no person shall operate a motor vehicle in violation of this Ordinance.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED this day of May, 2019.

Village Clerk

Ayes:
Nays:
Absent:

Attested and filed in my office this day of May, 2019; and published in pamphlet form according to law from May , 2019 to May , 2019.

Village Clerk

Approved by me this day of May, 2019.

__________________________
Mayor, Village of Skokie

__________________________
Village Clerk
AN ORDINANCE AMENDING THE ZONING MAP WITH REGARD TO THE PROPERTY LOCATED AT 3720 TOUHY AVENUE AND 7227 HAMLIN AVENUE, SKOKIE, ILLINOIS FROM AN M3 INDUSTRY DISTRICT TO A B2 COMMERCIAL DISTRICT

WHEREAS, the owners of the following described real property (hereinafter "Owners"): 

PARCEL 1:

THAT PART OF THE WEST 10.5 ACRES OF THE SOUTH 1/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE CENTER LINE OF NORTH HAMLIN AVENUE, BEING THE WEST LINE OF SAID WEST 10.5 ACRES AND 173 FEET NORTH OF THE CENTER LINE OF TOUHY AVENUE BEING THE SOUTH LINE OF SAID SOUTHWEST 1/4; RUNNING THENCE EAST AND PARALLEL WITH THE CENTER LINE OF SAID TOUHY AVENUE, 330 FEET; THENCE SOUTH ON A LINE PARALLEL WITH THE WEST LINE OF SAID WEST 10.5 ACRES, 16 FEET; THENCE WEST ON A LINE PARALLEL WITH THE CENTER LINE OF TOUHY AVENUE, 330 FEET TO THE CENTER LINE OF SAID NORTH HAMLIN AVENUE; THENCE NORTH 16 FEET TO THE PLACE OF BEGINNING (EXCEPT THEREFROM THE WEST 33 FEET AND THE EAST 33 FEET THEREOF), IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE WEST 10.5 ACRES OF THE SOUTH 1/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE CENTER LINE OF NORTH HAMLIN AVENUE, BEING THE WEST LINE OF SAID WEST 10.5 ACRES AND 370 FEET NORTH OF THE CENTER LINE OF TOUHY AVENUE, BEING THE SOUTH LINE OF SAID SOUTHWEST 1/4; RUNNING THENCE EAST AND PARALLEL WITH THE CENTER LINE OF SAID TOUHY AVENUE, 330 FEET; THENCE SOUTH ON A LINE PARALLEL WITH THE WEST LINE OF SAID WEST 10.5 ACRES, 197 FEET; THENCE WEST ON A LINE PARALLEL WITH THE CENTER LINE OF TOUHY AVENUE, 330 FEET TO THE CENTER LINE OF NORTH HAMLIN AVENUE; THENCE NORTH 197 FEET TO THE PLACE OF BEGINNING (EXCEPT THEREFROM THE WEST 33 FEET AND THE EAST 33 FEET THEREOF), IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE WEST 10.5 ACRES OF THE SOUTH 1/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT ON THE CENTER LINE OF NORTH HAMLIN AVENUE, BEING THE WEST LINE OF SAID WEST 10.5 ACRES AND 370 FEET NORTH OF THE CENTER LINE OF TOUHY AVENUE, BEING THE SOUTH LINE OF SAID SOUTHWEST 1/4; RUNNING THENCE EAST AND PARALLEL WITH THE CENTER LINE OF SAID TOUHY AVENUE, 330 FEET, FOR A PLACE OF BEGINNING; THENCE SOUTH ON A LINE PARALLEL WITH THE WEST LINE OF SAID WEST 10.5 ACRES, 213 FEET; THENCE WEST ON A LINE PARALLEL WITH THE CENTER LINE OF TOUHY AVENUE, 8 FEET; THENCE SOUTH ON A LINE PARALLEL WITH THE WEST LINE OF SAID WEST 10.5 ACRES, 124 FEET; THENCE WEST ON A LINE PARALLEL WITH THE CENTER LINE OF TOUHY AVENUE.
AVENUE, 25 FEET; THENCE NORTH ON A LINE PARALLEL WITH THE WEST LINE OF SAID WEST 10.5 ACRES, 337 FEET; THENCE EAST 33 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PINS: 10-26-318-016-0000, 10-26-318-024-0000, 10-26-318-026-0000, 10-26-318-028-0000

commonly known 3720 Touhy Avenue and 7227 Hamlin Avenue, Skokie, Illinois (hereinafter “Subject Property”), petitioned the Village of Skokie to reclassify the zoning of the Subject Property from an M3 Industry district to a B2 Commercial district; and

WHEREAS, the Subject Property currently contains a vacant lot at 3720 Touhy Avenue and a vacant industrial building at 7227 Hamlin Avenue and the Owners of the Subject Property desire to rezone the Subject Property in order to redevelop both properties into a shopping center; and

WHEREAS, it is anticipated that the new shopping center will contain a limited service restaurant with two drive-through lanes and outdoor dining and a commercial building; and

WHEREAS, included in the proposed development will be the property located at 3721 Chase Avenue, which was previously rezoned from an M3 Industry district to a B2 Commercial district in 2016. The building currently at this location will be remodeled into a medical clinic; and

WHEREAS, the Skokie Plan Commission, after public hearing duly held on March 21, 2019, at which no interested parties testified, (i) determined that proper notice had been given; (ii) made the appropriate findings of fact in the affirmative as required under Section 118-6(h) of the Skokie Village Code and (iii) voted to recommend to the Mayor and Board of Trustees that the requested zoning reclassification be granted and the Official Zoning Map of the Village of Skokie be amended to reflect this reclassification; and

WHEREAS, the Mayor and Board of Trustees, after public meeting duly held on April 15, 2019, concurred in the aforesaid recommendation of the Plan Commission;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Skokie, Cook County, Illinois:

Section 1: That the Subject Property legally described above and commonly known as 3720 Touhy Avenue and 7227 Hamlin Avenue, Skokie, Illinois, be and the same is hereby reclassified from an M3 Industry district to a B2 Commercial district.

Section 2: That the Official Zoning Map of the Village of Skokie be and the same is amended to reflect this reclassification.

Section 3: That a notice of approval of this Ordinance incorporating the conditions contained herein shall be executed by the owner of the property in writing and duly recorded with the Cook County Recorder of Deeds office at the owner’s expense.

Section 4: That this Ordinance shall be in full force and effect from and after its passage approval and recordation as provided by law.
ADOPTED this day of May, 2019.

Ayes: 
Nays: 
Absent: 

Attested and filed in my office this day of May, 2019.

_________________________________________________________________
Village Clerk

Approved by me this day of May, 2019.

_________________________________________________________________
Mayor, Village of Skokie
AN ORDINANCE APPROVING A PLAT OF SUBDIVISION WITH DEDICATIONS OF LAND FOR THE PROPERTY LOCATED AT
3720 TOUHY AVENUE, 7727 HAMLIN AVENUE AND 3721 CHASE AVENUE, SKOKIE, ILLINOIS IN A B2 COMMERCIAL DISTRICT

WHEREAS, the owner of the following described real property:

PARCEL 1:
THAT PART OF THE WEST 10.5 ACRES OF THE SOUTH 1/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE CENTER LINE OF NORTH HAMLIN AVENUE, BEING THE WEST LINE OF SAID WEST 10.5 ACRES AND 173 FEET NORTH OF THE CENTER LINE OF TOUHY AVENUE BEING THE SOUTH LINE OF SAID SOUTHWEST 1/4; RUNNING THENCE EAST AND PARALLEL WITH THE CENTER LINE OF SAID TOUHY AVENUE, 330 FEET; THENCE SOUTH ON A LINE PARALLEL WITH THE WEST LINE OF SAID WEST 10.5 ACRES, 16 FEET; THENCE WEST ON A LINE PARALLEL WITH THE CENTER LINE OF TOUHY AVENUE, 330 FEET TO THE CENTER LINE OF SAID NORTH HAMLIN AVENUE; THENCE NORTH 16 FEET TO THE PLACE OF BEGINNING (EXCEPT THEREFROM THE WEST 33 FEET AND THE EAST 33 FEET THEREOF), IN COOK COUNTY, ILLINOIS.

PARCEL 2:
THAT PART OF THE WEST 10.5 ACRES OF THE SOUTH 1/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE CENTER LINE OF NORTH HAMLIN AVENUE, BEING THE WEST LINE OF SAID WEST 10.5 ACRES AND 370 FEET NORTH OF THE CENTER LINE OF TOUHY AVENUE BEING THE SOUTH LINE OF SAID SOUTHWEST 1/4; RUNNING THENCE EAST AND PARALLEL WITH THE CENTER LINE OF SAID TOUHY AVENUE, 330 FEET; THENCE SOUTH ON A LINE PARALLEL WITH THE WEST LINE OF SAID WEST 10.5 ACRES, 197 FEET; THENCE WEST ON A LINE PARALLEL WITH THE CENTER LINE OF TOUHY AVENUE, 330 FEET TO THE CENTER LINE OF NORTH HAMLIN AVENUE; THENCE NORTH 197 FEET TO THE PLACE OF BEGINNING (EXCEPT THEREFROM THE WEST 33 FEET AND THE EAST 33 FEET THEREOF), IN COOK COUNTY, ILLINOIS.

PARCEL 3:
THAT PART OF THE WEST 10.5 ACRES OF THE SOUTH 1/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT ON THE CENTER LINE OF NORTH HAMLIN AVENUE, BEING THE WEST LINE OF SAID WEST 10.5 ACRES AND 370 FEET NORTH OF THE CENTER LINE OF TOUHY AVENUE, BEING THE SOUTH LINE OF SAID SOUTHWEST 1/4; RUNNING THENCE EAST AND PARALLEL WITH THE CENTER LINE OF SAID TOUHY AVENUE, 330 FEET, FOR A PLACE OF BEGINNING; THENCE SOUTH ON A LINE PARALLEL WITH THE WEST LINE OF SAID WEST 10.5 ACRES, 213 FEET; THENCE WEST ON A LINE PARALLEL WITH THE CENTER LINE OF TOUHY AVENUE, 8 FEET; THENCE SOUTH ON A LINE PARALLEL WITH THE WEST LINE OF SAID WEST 10.5 ACRES, 124 FEET; THENCE WEST ON A LINE PARALLEL WITH THE CENTER LINE OF TOUHY AVENUE, 25 FEET; THENCE NORTH ON A LINE PARALLEL WITH THE WEST LINE OF SAID WEST 10.5 ACRES, 337 FEET; THENCE EAST 33 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4:
THAT PART OF THE WEST 10 1/2 ACRES OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF TOUHY AVENUE (BEING A LINE 33 FEET NORTH, MEASURED PERPENDICULARLY, OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 26 AFORESAID) WITH A LINE 180.62 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE WEST 10 1/2 ACRES OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (HEREINAFTER REFERRED TO AS "EAST LINE OF TRACT"); THENCE NORTH ALONG SAID EAST LINE OF TRACT FOR A DISTANCE OF 303.73 FEET, THENCE WEST PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 26 AFORESAID, FOR A DISTANCE OF 181.13 FEET, THENCE SOUTH PARALLEL WITH THE EAST LINE OF TRACT FOR A DISTANCE OF 179.73 FEET, THENCE WEST PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 AFORESAID FOR A DISTANCE OF 8.0 FEET, THENCE SOUTH PARALLEL WITH THE EAST LINE OF TRACT FOR A DISTANCE OF 124.0 FEET TO THE NORTH LINE OF TOUHY AVENUE, AFORESAID THENCE EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 189.13 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

PARCEL 5:
PARCEL 5A:
THAT PART OF THE WEST 10 1/2 ACRES OF THE SOUTH HALF OF THE SOUTHEAST 1/4
OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13
EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF TOUHY AVENUE (BEING
A LINE 33 FEET NORTH OF MEASURED PERPENDICULARLY, AND PARALLEL WITH THE
SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 26 AFORESAID) WITH A LINE
180.62 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE WEST 10 1/2 ACRES
OF THE SOUTH HALF OF THE SOUTHEAST 1/4 OF THE SOUTHWEST QUARTER OF
SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL
MERIDIAN, (HEREINAFTER REFERRED TO AS 'EAST LINE OF TRACT'; THEN
ALONG SAID EAST LINE OF TRACT, FOR A DISTANCE OF 303.73 FEET FOR A POINT OF
BEGINNING OF LAND TO BE DESCRIBED; THENCE WEST PARALLEL WITH THE SOUTH
LINE OF THE SOUTHWEST QUARTER OF SECTION 26 AFORESAID, FOR A DISTANCE OF
181.13 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF TRACT, FOR A
DISTANCE OF 33.27 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID
SOUTHWEST QUARTER, FOR A DISTANCE OF 3.0 FEET TO A POINT 370 FEET NORTH
OF THE SOUTH LINE OF SAID SECTION AND 327 FEET EAST OF THE WEST LINE OF
SAID WEST 10 1/2 ACRES; THENCE NORTH PARALLEL TO THE WEST LINE OF SAID
WEST 10 1/2 ACRES, FOR A DISTANCE OF 270.40 FEET TO THE SOUTH LINE OF WEST
CHASE AVENUE, AS WIDENED BY CONDEMNATION; THENCE EAST ALONG THE SOUTH
LINE OF WEST CHASE AVENUE, FOR A DISTANCE OF 184.13 FEET TO THE EAST LINE
OF TRACT; THENCE SOUTH ALONG THE SAID EAST LINE OF TRACT, FOR A DISTANCE
OF 303.73 FEET TO THE POINT OF BEGINNING; ALL IN COOK COUNTY, ILLINOIS.

PINS: 10-26-318-016-0000, 10-26-318-024-0000, 10-26-318-026-0000, 10-26-318-027-0000,
10-26-318-028-0000
more commonly known as 3720 Touhy Avenue, 7227 Hamlin Avenue and 3721 Chase
Avenue, Skokie, Illinois (hereinafter “Subject Property”) in a B2 Commercial
district, petitioned the Village of Skokie for a
subdivision of the Subject Property in order to
consolidate five (5) lots into four (4) lots, as depicted on the “Buona Skokie Subdivision”
plat, dated March 14, 2019, a copy of which is attached hereto as Exhibit “1”; and

WHEREAS, subsequent to the subdivision of the Subject Property, the legal
description will be as follows:

LOTS 1 THROUGH 4 IN BUONA SKOKIE SUBDIVISION BEING A SUBDIVISION OF
THAT PART OF THE WEST 10.5 ACRES OF THE SOUTH ¼ OF THE EAST ½ OF THE
SOUTHWEST ¼ OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE
THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS
and will be commonly known as 3720 Touhy Avenue, 7227 Hamlin Avenue and 3721
Chase Avenue, Skokie, Illinois; and

WHEREAS, the Buona Skokie Subdivision plat includes the following dedications of
property:

(1) A 17.00-foot wide right of way dedication along Touhy Avenue to the Illinois
Department of Transportation in order to widen the Village’s side of Touhy
Avenue to a width of 50 feet. This dedication will also increase the width of the
parkway, allowing for the westward extension of the existing multi-use path that
terminates just east of the Subject Property;

(2) A 12.00-foot wide dedication along Chase Avenue to the Village of Skokie is
requested in order to widen the south half of Chase Avenue to 33 feet. The
existing public sidewalk running along the south side of Chase Avenue will be
shifted further to the south, placing it in alignment with the existing sidewalk to
the east; and

WHEREAS, the Skokie Plan Commission, after public hearing duly held March 21,
2019, made appropriate findings of fact, as required under Section 118-6 of the Skokie
Village Code, and recommended to the Mayor and Board of Trustees that the requested
subdivision be granted subject to certain conditions; and

WHEREAS, the Mayor and Board of Trustees, at a public meeting duly held on April
15, 2019, concurred in the aforesaid recommendation of the Skokie Plan Commission:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the
Village of Skokie, Cook County, Illinois:

Section 1: That the above stated Recitals are restated and incorporated as if
stated in full.

Section 2: That the subdivision of the Subject Property, legally described above
and commonly known as 3720 Touhy Avenue, 7227 Hamlin Avenue and 3721 Chase
Avenue, Skokie, Illinois, in a B2 Commercial district as depicted on the “Buona Skokie
Subdivision” plat, dated March 14, 2019, be approved subject to the following conditions:

1. The property must be subdivided pursuant to the Buona Skokie Subdivision,
dated March 14, 2019, and as may be further revised with the approval of the
Village Manager, or designee, and Corporation Counsel;

2. Upon the passage of the ordinance by the Board of Trustees, the Mylar of the
Buona Skokie Subdivision must be submitted to the Village with all signatures
other than Village staff or elected officials;

3. The Buona Skokie Subdivision shall be effective upon its recording by the
Village in the Office of the Recorder of Deeds of Cook County, Illinois;

4. All monuments must be set no later than 1 year after the date of the recording
of the plat;

5. If work is to be performed on public property or if public property is utilized or
impacted during construction and or development, the owners must provide,
or must cause the developer and/or contractor to provide, the Village of Skokie
with a certificate of insurance naming the Village of Skokie as additionally
insured for any and all claims related to any and all work. The owners shall
hold, and shall cause the developer and/or contractor to hold, the Village of
Skokie harmless and indemnify the Village for any and all claims for property
damage or personal injury related to work on or use of public property;
6. The petitioner must comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations; and

7. Prior to the recording of the plat, all existing utility easements that run through the Subject Property must be abrogated.

Section 3: That the “Buona Skokie Subdivision” plat, dated March 14, 2019, attached as “Exhibit 1”, except as it may be revised subject to the approval of the Corporation Counsel and the Village Manager or designee, be and the same is hereby accepted. The Plat shall be recorded with the Cook County Recorder of Deeds Office.

Section 4: That the two (2) dedications, commonly described above and depicted on the “Buona Skokie Subdivision” plat, dated March 14, 2019, attached as Exhibit “1”, except as may be revised subject to the approval of the Corporation Counsel and the Village Manager or designee, be and the same, is hereby accepted.

Section 5: That a notice of the approval of this Ordinance incorporating the conditions contained herein shall be executed by the owner of the property in writing and duly recorded with the Cook County Recorder of Deeds Office at the owner’s expense.

Section 6: That this Ordinance shall be in full force and effect from and after its passage, approval and recordation as provided by law.

ADOPTED this day of May, 2019.

Ayes: 
Nays: 
Absent: 

Approved by me this day of May, 2019.

Attested and filed in my office this day of May, 2019.

Village Clerk

Mayor, Village of Skokie
THIS ORDINANCE MAY BE CITED AS VILLAGE ORDINANCE NUMBER
19-5-Z-

AN ORDINANCE GRANTING SITE PLAN APPROVAL FOR THE
CONSTRUCTION AND ESTABLISHMENT OF A FOUR-LOT PLANNED
DEVELOPMENT AT 3720 TOUHY AVENUE, 7227 HAMLIN AVENUE
AND 3721 CHASE AVENUE, SKOKIE, ILLINOIS, IN A B2 COMMERCIAL
DISTRICT, AND RELIEF FROM CERTAIN SECTIONS OF CHAPTERS
82 AND 118 OF THE SKOKIE VILLAGE CODE

WHEREAS, the owner of the following described real property:

LOTS 1 THROUGH 4 IN BUONA SKOKIE SUBDIVISION, BEING A SUBDIVISION OF THAT
PART OF THE WEST 10.5 ACRES OF THE SOUTH ¼ OF THE EAST ½ OF THE SOUTHWEST
¼ OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINS: 10-26-318-016-0000, 10-26-318-024-0000, 10-26-318-026-0000, 10-26-318-027-0000,
10-26-318-028-0000

more commonly described as 3720 Touhy Avenue, 7227 Hamlin Avenue and 3721 Chase
Avenue, Skokie, Illinois (hereinafter “Subject Property”), petitioned the Village of Skokie for site
plan approval to construct and establish a four-lot planned development that will include a
multi-tenant commercial building, a limited service restaurant and a clinic and outpatient care
center in a B2 Commercial district; and

WHEREAS, it is anticipated that the planned development shall consist of a 10,500 ft²
multi-tenant commercial building, a 4,700 ft² Buona limited service restaurant with two drive-
through lanes, a 31,860 ft² repurposed industrial building that will contain a clinic and
outpatient care center, surface parking and storm water detention; and

WHEREAS, it is the petitioners’ intent to redevelop the site west of Touhy Marketplace
into a three-building shopping center. The northern portion of the redeveloped building will be
removed and used for additional surface parking. A driveway connection to the Touhy
Marketplace shopping center to the east will provide access to the traffic light at Touhy and
Lawndale. The multiuse path on the north side of Touhy will be extended and the sidewalk will
be realigned with the existing sidewalk to the east and a parkway will be added to the Touhy
Marketplace sidewalk on the south side of Chase Avenue; and

WHEREAS, relief is also sought from the following sections of the Skokie Village Code
(hereinafter “Code”):

(i) §82-22(b)(1) to allow sign lettering to project above the physical dimensions of a
canopy;
§82-28(b)(1)b. to allow wall signs facing a parking lot in addition to the wall signs allowed to face a street, respectively;

§118-212(i)(1) to allow surface parking lot continuous curbing on the north side of the site to range from 2'-9" to 5'-5" feet rather than a minimum of 6 feet as depicted on the approved site plan.

The Appearance Commission endorsed the relief for the number of signs, the lettering mounted above the canopy and for the wall signs facing the parking lot; and

WHEREAS, the Skokie Plan Commission, at a public hearing duly held on March 21, 2019: (i) determined that proper legal notice had been achieved, (ii) made the appropriate findings of fact in the affirmative, as required under Section 118-6(g) of the Skokie Village Code, and (iii) voted to recommend to the Mayor and Board of Trustees that (a) the requested site plan approval be granted subject to the conditions contained in the Plan Commission Report dated April 15, 2019, and (b) relief be granted from Sections 82-22(b)(1), 82-28(b)(1)b., and 118-212(i)(1) of the Skokie Village Code; and

WHEREAS, the Mayor and Board of Trustees, at a public meeting duly held on April 15, 2019, voted to concur in the aforesaid recommendations and findings of fact of the Skokie Plan Commission;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Skokie, Cook County, Illinois:

Section 1: That the site plan approval requested by the petitioner to construct and establish a four-lot planned development at the property legally described above and commonly known as 3720 Touhy Avenue, 7227 Hamlin Avenue and 3721 Chase Avenue in a B2 Commercial district, is hereby granted and approved subject to each of the conditions set forth below:

1. The petitioner shall develop the Subject Property in substantial conformance with the final Village approved site plans dated May 7, 2019, landscape plans dated May 15, 2019, ground sign dated March 8, 2019, sign criteria dated July 3, 2018, and building elevations dated July 3, 2019 (Building A), February 11, 2019 (Building B), and March 8, 2019 (Building C);

2. The petitioner acknowledges that shortages in parking caused by choices in the mix of tenants on the site are a self-imposed hardship and shall not constitute justification for future parking relief or variation;

3. Prior to the issuance of building permits, the petitioner shall submit for approval a lighting photometrics plan, fully developed civil engineering plans that comply with the county WMO requirements and Village’s stormwater control provisions, and redevelopment engineering plans to address all aspects of private and public utility services. Any reconfigurations within state ROW will require an IDOT highway/utility permit;

4. New parking lot and exterior lighting shall meet Illuminating Engineering Society of North America (IES) standards, be full cut-off design, and be directed away from adjacent properties, subject to the approval of the Engineering Division;

5. All existing damaged public sidewalks or public sidewalks damaged due to the
implementation of this plan shall be replaced;

6. No objects are allowed within a 10' sight distance triangle in R1, R2, R3, and R4 districts, or within a 15' sight distance triangle in all other districts, between 30" and 84" in height from grade except traffic control devices listed in the Manual on Uniform Traffic Control Devices;

7. Prior to the issuance of building permits, the petitioner shall submit a temporary pedestrian, bicycle, and transit circulation plan, including routing, signage, and barriers, to be in place prior to the commencement of construction, subject to the approval of the Engineering Division;

8. All fencing, walls, sidewalks, driveways, curbs, wheel stops, parking areas, signage, landscaping, structures, and any other facilities or infrastructure on the Subject Property shall be maintained in a good state of repair, and when needed, be repaired or replaced in a timely manner;

9. All private and public sidewalks shall be maintained free of snow, ice, sleet, or other objects that may impede travel;

10. Trash shall only be allowed within a designated trash enclosure and shall be screened from public view in an enclosure approved by the Appearance Commission. All trash shall be contained in such a way as to remain out of sight at all times, except for waste receptacles referenced in Condition Number 1 below;

11. Waste receptacles shall be placed on the Subject Property for the use of customers, and that the Health Department shall determine the size, type, and location of these units;

12. All off-street parking spaces shall be legibly striped and maintained;

13. Any plan to modify parking lot striping must be approved by the Director of Engineering;

14. The handicapped parking spaces shall be installed and maintained in compliance with State of Illinois Accessibility Standards and the Skokie Village Code, including required signage;

15. Vehicles shall not be allowed to be parked in or otherwise block common driveways, sidewalks, aisles, or other points of access at any time, shall only be parked in designated parking spaces, and shall not overlap the striped lines of designated parking spaces;

16. The owner of the Subject Property and its tenants shall ensure that employees park on the Subject Property;

17. No required parking space on the site may be for the exclusive use of any tenant;

18. Prior to issuance of building permits, the petitioner shall submit evidence of issuance of permits for the construction and operation of the water main and associated equipment by the Illinois Environmental Protection Agency (IEPA) or provide a determination by IEPA that such permits are not required. Water mains that feed multiple building structures and/or create a "looped" system that require an IEPA permit will also require an easement and custodial agreement with the Village;

19. All overhead utilities on the Subject Property or in adjacent right-of-way shall be placed or relocated underground. The petitioner shall bear the full cost of any utility relocation.
and/or conflicts;

20. The petitioner shall sign an "Agreement for Installation and Maintenance of Landscaping" to assure that the Subject Property and parkway landscaping is completed and maintained, including trimming, watering, and replacing of dead plant materials in a timely manner in accordance with the final approved landscape plan. A copy of said Agreement is attached hereto, marked Exhibit "A" and hereby made part of this Ordinance. This “Agreement for Installation and Maintenance of Landscaping" shall be recorded at the petitioner's expense;

21. All new construction, alterations, and remodeling shall meet current International Building and NFPA Life Safety Codes as amended;

22. The petitioner shall obtain all required permits and approvals for improvements to County, State, or Federal rights-of-way from the governing jurisdiction;

23. The Subject Property must conform to the Village's storm water control requirements as contained in the Skokie Village Code, including the disconnection of any downspouts;

24. All signage shall conform to the Skokie Village Code, except as provided in this ordinance. Any sign on the Subject Property that is in violation of that Code must be removed or modified to conform with the Village Code prior to the issuance of an occupancy permit;

25. All modifications to building elevations, signage, and landscaping shall be subject to the review and approval of the Skokie Appearance Commission;

26. The petitioner shall submit to the Planning Division electronic files of the site plan and landscape plan in their approved and finalized form;

27. Prior to the issuance of building permits, the petitioner shall submit to the Planning Division of the Community Development Department the name, property address, email address, and telephone number of the company and contact person responsible for site maintenance in compliance with this site plan approval;

28. If work is to be performed on public property or if public property is utilized or impacted during construction and/or development, the owner shall provide, or shall cause the developer and/or contractor to provide, the Village of Skokie with a certificate of insurance naming the Village of Skokie as additionally insured for any and all claims related to any and all work. The owner shall hold, and shall cause the developer and/or contractor to hold, the Village of Skokie harmless and indemnify the Village for any and all claims for property damage or personal injury related to work on or use of public property;

29. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations; and

30. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to initiate hearings to determine whether the subject Ordinance, as well as any applicable business licenses, should be revised or revoked. The petitioner shall pay all costs related to any hearings conducted as a result of non-compliance with any of the provisions of the enabling ordinance. The costs shall include but not be limited to court reporter fees, attorney fees, and staff time required researching and conducting said hearing.
Section 2: That relief from the following sections of the Skokie Village Code is hereby approved:

(i) §82-22(b)(1) to allow sign lettering to project above the physical dimensions of a canopy;

(ii) §82-28(b)(1)b. to allow wall signs facing a parking lot in addition to the wall signs allowed to face a street, respectively;

(iii) §118-212(i)(1) to allow surface parking lot continuous curbing on the north side of the site to range from 2'-9" to 5'-5" feet rather than a minimum of 6 feet as depicted on the approved site plan.

Section 3: That a notice of the approval of this Ordinance incorporating the conditions contained herein shall be executed by the owner of the property in writing and duly recorded with the Cook County Recorder of Deeds Office at the owner's expense.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval, and recordation as provided by law.

ADOPTED this ______ day of May, 2019.

Village Clerk

Ayes: 
Nays: 
Absent:

Attested and filed in my office this ______ day of May, 2019.

Village Clerk

Approved by me this ______ day of May, 2019.

Mayor, Village of Skokie

Village Clerk
AGREEMENT FOR
INSTALLATION AND
MAINTENANCE OF
LANDSCAPING

Plan Commission Case
2019-04P

This Agreement is entered into this ______ day of __________________ 2019 by and
between 3720 PROPERTY OWNER, LLC, 7227 PROPERTY OWNER, LLC and 3721
PROPERTY OWNER, LLC, hereinafter collectively referred to as "PROPERTY OWNER", and
the VILLAGE OF SKOKIE, an Illinois municipal corporation, hereinafter referred to as
"VILLAGE". The parties to this Agreement hereby agree as follows:

PROPERTY OWNER is the owner of real property located in the Village of Skokie,

LOTS 1 THROUGH 4 IN BUONA SKOKIE SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF
THE WEST 10.5 ACRES OF THE SOUTH ¼ OF THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION
26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK
COUNTY, ILLINOIS.

PINS: 10-26-318-016-0000, 10-26-318-024-0000, 10-26-318-026-0000, 10-26-318-027-0000,
10-26-318-028-0000

1. At or near the time of execution of this Agreement, the VILLAGE granted an
Occuancy Permit, Business License, or Special Use Permit hereinafter collectively
referred to as “permit” pursuant to state statutes and local ordinances.

2. By the terms of the aforesaid permit, the PROPERTY OWNER is required to install
and maintain landscaping in accordance with the plan dated May 15, 2019, or as
it may be subsequently revised with the approval of the Village Manager, or
designee, and the Corporation Counsel.

3. The parties to this Agreement recognize that the installation and maintenance of
landscaping is an integral part of the PROPERTY OWNER's plan for development
and/or use of the property and is necessary to carry out the purpose and intent of the
VILLAGE's land use objectives, and that the permit would not have been approved
by the VILLAGE without the assurance that this Agreement would be executed by
the PROPERTY OWNER.

4. The purpose of this Agreement is to assure:

(a) installation of the landscaping in accordance with the landscaping plan
approved by the VILLAGE, and

(b) continued maintenance and care of the landscaping, including any
landscaping indicated in the parkway area.

5. The property, which is the subject matter of this Agreement, is legally described
above. The portions of the Subject Property which are to be landscaped and
maintained pursuant to the terms and conditions of this Agreement are indicated on

Exhibit A
the Landscape Plan attached hereto, marked Exhibit “1” and are hereby made a part of this Agreement.

6. **PROPERTY OWNER** agrees that the installation and maintenance of the landscaping which is required in accordance with the permit issued by the **VILLAGE** and this Agreement will materially benefit the Subject Property. Such landscaping is necessary in order for the **PROPERTY OWNER** to comply with the conditions of the permit issued or granted by the **VILLAGE** for the **PROPERTY OWNER’s** requested development or use of the property.

7. **PROPERTY OWNER** shall diligently maintain and care for the landscaping which is installed and required by the permit and this Agreement, using generally accepted methods of cultivation and watering. The **PROPERTY OWNER** shall maintain a standard of care necessary to prevent the landscaping from deteriorating to the extent that its value as landscaping is destroyed. If Exhibit “1”, attached hereto or permit specifies maintenance standards or procedures, such procedures are hereby adopted as part of this Agreement, and by such adoption, become enforcement conditions of this Agreement.

8. Failure to maintain the landscaping as required by this Agreement shall be a nuisance. In the event the **PROPERTY OWNER** fails to meet the standard of maintenance necessary to keep the landscaping in a healthy condition as required by this Agreement, the **VILLAGE** shall give written notice of the deficiency to the **PROPERTY OWNER** who shall have 20 days to make the necessary correction or replacement. If such correction or replacement is not made within the aforesaid 20-day period, the **VILLAGE** may elect to abate the nuisance and take necessary action to assure that the landscaping is replaced and/or maintained. In the event, the **VILLAGE** so elects; the **VILLAGE** shall serve notice of its intent to enter the premises for this purpose. The **VILLAGE** may act either through its own employees or through an independent contractor.

9. For this purpose, the **VILLAGE** or its agent may enter upon the property and perform such work as it considers reasonably necessary and proper to restore, maintain, or replace the landscaping required by this Agreement. The **VILLAGE** may act either through its own employees or through an independent contractor.

10. The **VILLAGE** shall be entitled to reimbursement for abating the nuisance in restoring, maintaining or replacing the landscaping, provided that the **VILLAGE** follows the procedures set forth in this Agreement. Costs shall include but shall not be limited to actual costs incurred by the **VILLAGE** and administrative costs. The **VILLAGE** shall make demand upon the **PROPERTY OWNER** for payment. If the **PROPERTY OWNER** fails to pay the costs within 30 days of the date on which demand is made, the **VILLAGE** may cause a lien to be placed on the Subject Property. The **VILLAGE** may record a notice with the Recorder of Deeds for Cook County stating that it has incurred expenses under the terms this Landscape Agreement. The **VILLAGE** shall be entitled to collect interest at the statutory rate on the amount owed.
11. In addition to having a lien placed on the Subject Property, the VILLAGE may institute a legal action to collect the amount owed. The PROPERTY OWNER agrees to pay the VILLAGE a reasonable sum for attorney's fees and court costs.

12. If either party upon the execution of this Agreement or during the course of performance considers that it is necessary to have the PROPERTY OWNER post additional security to guarantee the performance of his obligations hereunder, the VILLAGE may require the PROPERTY OWNER to post additional security. The VILLAGE may require either a cash deposit or a surety bond guaranteeing performance in a form signed by sureties satisfactory to the VILLAGE. The condition of the security shall be that if the PROPERTY OWNER fails to perform any obligation under this Agreement, the VILLAGE may, act on behalf of the PROPERTY OWNER and use the proceeds of the cash bond, or in the case of a surety bond, require the securities to perform the obligations of this Agreement.

13. The PROPERTY OWNER hereby agrees to indemnify and hold harmless the VILLAGE, its trustees, officials, employees and agents for any costs, claims, actions or causes of action for personal injury, property damage or otherwise, including reasonable attorneys fees, which may arise from the VILLAGE exercising any of its rights or obligations and performance under this Agreement.

14. All notices required or to be given pursuant hereto shall be in writing and either delivered personally or by a nationally recognized "over-night" courier service or mailed by United States certified or registered mail, postage prepaid, addressed to the VILLAGE and the PROPERTY OWNER as follows:

If to VILLAGE: If to the PROPERTY OWNER:
Village of Skokie 3720 Property Owner, LLC
5127 Oakton Street 1200 N. North Branch Street
Skokie, IL 60077 Chicago, IL 60642
Attention: Village Clerk Attention: R. Gordon

With copies to:
Village Manager 7727 Property Owner, LLC
Village of Skokie 1200 N. North Branch Street
5127 Oakton Street Chicago, IL 60642
Skokie, IL 60077 Attention: R. Gordon

Corporation Counsel 3721 Property Owner, LLC
Village of Skokie 1200 N. North Branch Street
5127 Oakton Street Chicago, IL 60642
Skokie, IL 60077 Attention: R. Gordon

Either Party may change the names and addresses of the persons to whom notices or copies thereof shall be delivered, by written notice to the other Party, as the case may be, in the manner herein provided for the service of notice.
15. The Parties and the individuals whose signature is affixed to this Agreement, each acting with due authority have executed this Agreement.

16. This Agreement pertains to, runs with the Subject Property, and shall be binding on the successors, assigns, and heirs in interest.

17. This Agreement shall be recorded at the PROPERTY OWNER’s expense in the Office of the Recorder of Deeds for County of Cook.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year written above.

3720 PROPERTY OWNER, LLC

By: __________________________
Title: __________________________
ATTEST:
_____________________________
Its: ____________________________

VILLAGE OF SKOKIE

By: __________________________
its Village Manager
ATTEST:
_____________________________
its Village Clerk

7227 PROPERTY OWNER, LLC

By: __________________________
Title: __________________________
ATTEST:
_____________________________
Its: ____________________________

3721 PROPERTY OWNER, LLC

By: __________________________
Title: __________________________
ATTEST:
_____________________________
Its: ____________________________
AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ESTABLISH AND OPERATE A LIMITED SERVICE RESTAURANT WITH A DRIVE-THROUGH FACILITY AT 3754 TOUHY AVENUE, SKOKIE, ILLINOIS IN A B2 COMMERCIAL DISTRICT AND RELIEF FROM CHAPTER 82, SECTION 82-22(b)(1), OF THE SKOKIE VILLAGE CODE

WHEREAS, the owner of the following described real property:

LOT 1 IN BUONA SKOKIE SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE WEST 10.5 ACRES OF THE SOUTH ¼ OF THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINS: 10-26-318-016-0000, 10-26-318-024-0000, 10-26-318-026-0000, 10-26-318-027-0000, 10-26-318-028-0000

more commonly described as 3754 Touhy Avenue, Skokie, Illinois (hereinafter “Subject Property”), petitioned the Village of Skokie for a special use permit to establish and operate a limited service restaurant with a drive-through facility in a B2 Commercial district; and

WHEREAS, Plan Commission cases 2019-02P, 2019-03P, 2019-04P and 2019-06P are companion cases to this special use permit request; and

WHEREAS, petitioner desires to develop the Subject Property as a Buona Beef restaurant with a two-lane drive-through. The restaurant will not open before 10:30 or 11:00 a.m., with lunch Monday through Friday as the peak hours of operation. The drive-through lanes will have enough stacking space for at least 17 vehicles with two order boards. Each order is handmade at the time of ordering. There will be three waiting spaces west of the building for orders that are not ready by the time the vehicle reaches the drive-through pick-up window. This provides ample drive-through queuing on the Subject Property; and

WHEREAS, relief has been requested from Chapter 82, Section 82-22(b)(1), of the Skokie Village Code in order to allow sign lettering to project above the physical dimensions of the canopy; and

WHEREAS, the Skokie Plan Commission, at a public hearing duly held on March 21, 2019, for which proper legal notice had been achieved and no interested parties appeared, (a) made the appropriate findings of fact as required under Section 118-6(f) of the Skokie Village Code; (b) voted to recommend to the Mayor and Board of Trustees that: (i) the requested special use permit be granted subject to the conditions contained in the Plan Commission Report dated
April 15, 2019; and (ii) that relief from Chapter 82, Section 82-22(b)(1), of the Skokie Village Code be granted; and

WHEREAS, the Mayor and Board of Trustees, at a public meeting duly held on April 15, 2019, concurred in the aforesaid recommendations and findings of fact of the Skokie Plan Commission;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Skokie, Cook County, Illinois:

Section 1: That the special use permit requested by the petitioner to establish and operate a limited service restaurant with a drive-through facility at the Subject Property, described above and commonly known as 3754 Touhy Avenue, Skokie, Illinois, in a B2 Commercial district be and the same is hereby granted and approved subject to each of the conditions set forth below:

1. The petitioner shall develop the Subject Property in substantial conformance with the final Village approved plans per Ordinance Number _____, and Buona site plan and building elevations (with wall signage) dated February 11, 2019;

2. Any outdoor sound systems shall at all times maintain audio levels that are compliant with the Skokie Village Code;

3. No objects are allowed within a 15’ sight distance triangle between 30" and 84" in height from grade except traffic control devices listed in the Manual on Uniform Traffic Control Devices;

4. Provide a “Stop” sign for users exiting the drive-through, and “Do Not Enter” signs at the drive-through exit to deter drivers from entering the exit;

5. Provide on-site wayfinding signs to guide drivers to the drive-through entrance;

6. Trash shall only be allowed within a designated trash enclosure and shall be screened from public view in an enclosure approved by the Appearance Commission. All trash shall be contained in such a way as to remain out of sight at all times, except for waste receptacles referenced in Condition Number 7 below;

7. Waste receptacles shall be placed on the Subject Property for the use of customers, and that the Health Department shall determine the size, type, and location of these units, including 1 waste receptacle near the drive-through exit and 1 waste receptacle at the restaurant entrance;

8. At least once during every 4 hours of operation and before opening and closing of the business, employees shall patrol the Subject Property and clear it of debris;

9. All signage shall conform to the Skokie Village Code, except as provided in this ordinance. Any sign on the Subject Property that is in violation of that Code must be removed or modified to conform with the Village Code prior to the issuance of an occupancy permit;

10. All modifications to building elevations, signage, and landscaping shall be subject to the review and approval of the Skokie Appearance Commission;
11. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations; and

12. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to initiate hearings to determine whether the subject Ordinance, as well as any applicable business licenses, should be revised or revoked. The petitioner shall pay all costs related to any hearings conducted as a result of non-compliance with any of the provisions of the enabling ordinance. The costs shall include but not be limited to court reporter fees, attorney fees, and staff time required researching and conducting said hearing.

Section 2: That relief from Chapter 82, Section 82-22(b)(1), of the Skokie Village Code to allow sign lettering to project above the physical dimensions of a canopy, is hereby approved.

Section 3: That a notice of the approval of this Ordinance incorporating the conditions contained herein shall be executed by the owner of the property in writing and duly recorded with the Cook County Recorder of Deeds Office at the owner’s expense.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval and recordation as provided by law.

ADOPTED this day of May, 2019.

Village Clerk

Ayes:
Nays:
Absent:

Attested and filed in my office this day of May, 2019.

Approved by me this day of May, 2019.

Mayor, Village of Skokie

Village Clerk
AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW OUTDOOR DINING AT 3754 Touhy Avenue, Skokie, Illinois, IN A B2 COMMERCIAL DISTRICT

WHEREAS, the owner (hereinafter “Petitioner”) of the following described real property:

LOT 1 IN BUONA SKOKIE SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF
THE WEST 10.5 ACRES OF THE SOUTH ¼ OF THE EAST ½ OF THE SOUTHWEST ¼
OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINS: 10-26-318-016-0000, 10-26-318-024-0000, 10-26-318-026-0000, 10-26-318-027-0000,
10-26-318-028-0000

more commonly described as 3754 Touhy Avenue, Skokie, Illinois (hereinafter “Subject Property”), petitioned the Village of Skokie for a special use permit to allow outdoor dining in a B2 Commercial district; and

WHEREAS, Plan Commission cases 2019-02P, 2019-03P, 2019-04P and 2019-05P are companion cases to this special use request; and

WHEREAS, Petitioner is making the request for a special use permit to allow outdoor dining with seating for up to 20 people at the anticipated Buona restaurant, a limited service restaurant with a drive-through facility. Outdoor dining will be limited to between April 1st and October 31st each year and must close at 10:00 p.m.; and

WHEREAS, the Skokie Plan Commission, at a public hearing duly held on March 21, 2019, for which proper legal notice had been achieved and no interested parties appeared, (a) made the appropriate findings of fact as required under Section 118-6(f) of the Skokie Village Code and (b) voted to recommend to the Mayor and Board of Trustees that the requested special use permit be granted subject to the conditions contained in the Plan Commission Report dated April 15, 2019; and

WHEREAS, the Mayor and Board of Trustees, at a public meeting duly held on April 15, 2019, concurred in the aforesaid recommendations and findings of fact of the Skokie Plan Commission;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Skokie, Cook County, Illinois:

Section 1: That the special use permit requested by the petitioner to allow outdoor dining at the Subject Property, described above and commonly known as 3754 Touhy Avenue,
Skokie, Illinois, in a B2 Commercial district be and the same is hereby granted and approved subject to each of the conditions set forth below:

1. The petitioner shall develop the Subject Property in substantial conformance with the final Village approved plans per Ordinance Number (2019-04P), and Buona floor plan dated February 11, 2019;

2. Barriers, fencing, landscaping, and other features shall be utilized to define the outdoor dining area;

3. Hours of operation for the outdoor dining shall be limited to between 8:00 AM and 10:00 PM, but not longer than the posted operational hours of the associated food service facility, if the facility opens later and/or closes earlier than these hours;

4. Dates of operation shall be limited to between April 1 and October 31 in a calendar year;

5. The outdoor dining area shall be exempt from the parking regulations if used or set up less than 7 months in a calendar year;

6. All food preparation must take place inside the associated food service establishment;

7. Adequate refuse disposal shall exist as determined by the Health Department;

8. Advertising or promotional features shall be limited to umbrellas or canopies;

9. All applicable village and state health requirements shall be met.

10. Dining areas will be reviewed each year during the annual restaurant inspection. The outdoor dining permit may be revoked by the Village Manager, or designee, at any time on 14 days' notice for failure to comply with the regulations set forth in this subsection;

11. The outdoor dining area shall not be enclosed on more than two sides with walls if roofed over;

12. The outdoor dining area must be located on a surface approved by the Village Manager or designee;

13. The outdoor dining area shall not be located in a required parking space or block a public sidewalk;

14. Any outdoor sound systems shall at all times maintain audio levels that are compliant with the Skokie Village Code;

15. No objects are allowed within a 15’ sight distance triangle between 30” and 84” in height from grade except traffic control devices listed in the Manual on Uniform Traffic Control Devices;

16. Trash shall only be allowed within a designated trash enclosure and shall be screened from public view in an enclosure approved by the Appearance Commission. All trash shall be contained in such a way as to remain out of sight at all times, except for waste receptacles referenced in Condition Number 17 below;

17. Waste receptacles shall be placed on the Subject Property for the use of
customers, and that the Health Department shall determine the size, type, and location of these units, including 1 waste receptacle in the outdoor dining area and 1 waste receptacle at the restaurant entrance;

18. At least once during every 4 hours of operation and before opening and closing of the business, employees shall patrol the Subject Property and clear it of debris;

19. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations; and

20. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to initiate hearings to determine whether the subject Ordinance, as well as any applicable business licenses, should be revised or revoked. The petitioner shall pay all costs related to any hearings conducted as a result of non-compliance with any of the provisions of the enabling ordinance. The costs shall include but not be limited to court reporter fees, attorney fees, and staff time required researching and conducting said hearing.

**Section 2:** That a notice of the approval of this Ordinance incorporating the conditions contained herein shall be executed by the owner of the property in writing and duly recorded with the Cook County Recorder of Deeds Office at the owner’s expense.

**Section 3:** That this Ordinance shall be in full force and effect from and after its passage, approval and recordation as provided by law.

ADOPTED this day of May, 2019.

Village Clerk

Ayes:
Nays:
Absent:

Approved by me this day of May, 2019.

Mayor, Village of Skokie

Village Clerk
Memorandum
Finance Department

TO: John Lockerby, Village Manager

FROM: Julian Prendi, Finance Director

DATE: May 15, 2019

SUBJECT: Agenda Item: May 20, 2019 Village Board Meeting
Transportation Network Company Tax Ordinance

The Village has a long history of regulating public transportation companies like taxicabs that operate within our borders in order to protect the safety of our residents as well as provide for the maintenance of public infrastructure. The recent rise of ride-hailing Transportation Network Companies (TNCs) including Uber, Lyft, and others, has improved transportation options for the public in general, but as these companies do not meet the traditional definition of taxis, they operate outside the bounds of the Village’s ordinances and the protections currently in place. A rough comparison of average data from Uber and Lyft utilization in major cities points to as many as 750 possible daily rides initiating or terminating in the Village on an average day. This is a significant number that merits local oversight to ensure public safety for residents and to compensate for the impact the increased traffic has on public roads and infrastructure.

The State of Illinois has enacted certain regulations for TNC services and drivers, codified in 625 ILCS 57, regulations that prohibit municipalities from enacting less restrictive rules under home rule powers. Municipalities in the area have already amended their ordinances to require similar protections and fees applicable to TNCs. Both Chicago and Evanston have ordinances regulating these services and imposing taxes or fees to cover municipal costs. The concept of regulating and taxing TNC services was originally presented to the Village Board during the November 2018 budget workshop, as an option to both recover costs incurred (infrastructure wear), and to diversify the Village’s revenue base. A detailed recommendation was also submitted with the FY20-21 budget materials reviewed and discussed by the Board during the multiple budget hearings conducted in April. The Corporation Counsel’s office has since prepared the required ordinance, which is recommended for Village Board consideration and adoption at the May 20, 2019 meeting.

As detailed in the attached ordinance, a $0.35/$0.15 tax is being imposed on TNC providers for each individual or shared ride respectively, when the ride begins or ends in Skokie. The ordinance also includes the necessary provisions consistent with other local taxes imposed by the Village. It should be noted that the incidence of tax is being placed on the TNC providers which will be required to remit to the Village on a quarterly basis. The remittance and reporting requirements will also allow staff to monitor usage within the Village and consider further regulation, if necessary. As a matter of context, the City of Chicago charges a $3.50 per day/per vehicle on all vehicles operating within the city, and in
addition, a $0.67 charge per ride accepted. The City of Evanston imposes a $0.45 per ride for individual (solo) rides, and $0.20 per ride for shared rides. A preliminary revenue estimate projects slightly over $75,000 in annual revenue, based on the estimated 750 rides per day on average, and a split of 85% solo rides and 15% shared rides. Revenue generated from the tax is intended to go towards the Village’s Capital Improvements Program.

I respectfully request your approval and recommend subsequent presentation to the Village Board for review and adoption at the May 20, 2019 meeting.

C:  Michael Lorge, Corporation Counsel
    Barbara Manger, Assistant Corporation Counsel
    Pete Peyer, Community Development Director
AN ORDINANCE AMENDING CHAPTER 98, BY ADDING ARTICLE XII TO THE SKOKIE VILLAGE CODE PERTAINING TO THE TRANSPORTATION NETWORK COMPANY TAX

WHEREAS, Chapter 98 of the Skokie Village Code provides for taxation; and

WHEREAS, throughout the United States there has been a growing popularity and advent of ride-hailing businesses such as Uber and Lyft (hereinafter “Transportation Network Companies” or “TNC”) and these services are operating within the Village of Skokie (hereinafter “Village”); and

WHEREAS, the Village has for decades assessed taxicabs and similar ride services in order to provide for their impact on our roads and infrastructure; and

WHEREAS, calculations and projections concerning the growing use of TNC services in the Village demonstrate 750 daily rides initiating or terminating in the Village on an average day with all expectations that this will continue to grow at an accelerated rate; and

WHEREAS, it is necessary that a similar assessment for TNC services be given as with taxicabs and other vehicles which impact the infrastructure of the Village and the recognition that TNC services are growing in the Village. This additional impact on our roadways was thoroughly discussed by the Mayor, Board of Trustees and Village staff, as part of the public hearings concerning the FY 2020/21 Village Budget in April of 2019; and

WHEREAS, municipalities throughout the area and beyond are providing for similar registration and taxes on TNC services to assure safety for residents and to compensate for the impact such increased traffic has on roads and infrastructure; and

WHEREAS, the Village Manager recommended to the Mayor and Board of Trustees that Chapter 98, of the Skokie Village Code be amended accordingly; and

WHEREAS, the Mayor and Board of Trustees at a public meeting duly held on May 20, 2019, concurred in the aforesaid recommendation of the Village Manager; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Trustees of the Village of Skokie, Cook County, Illinois;

Section 1: That Chapter 98 of the Skokie Village Code be and the same is hereby amended in the manner hereinafter indicated. The new material is highlighted in bold and the material to be deleted is highlighted and stricken through.
ARTICLE XII. – TRANSPORTATION NETWORK COMPANY REGISTRATION AND TAX

Sec. 98-350. Definitions.
For the purposes of this Article, the following definitions apply:

Transportation Network Company (“TNC”) - entity operation in the State of Illinois that uses a digital network or software application service to connect passengers to transportation network company services provided by transportation network company drivers. A TNC is not deemed to own, control, operate or manage the vehicles used by the TNC drivers and is not a taxicab association or for hire vehicle owner.

Transportation Network Company Driver (“TNCD”) - an individual who operates a motor vehicle that is:

(a) owned, leased or otherwise authorized for use by the individual;
(b) not a taxicab or for-hire public passenger vehicle; and
(c) used to provide transportation network company services.

Transportation Network Company Services (“TNCS”) - transportation of a passenger between points chosen by the passenger and prearranged with a TNCD through the use of a TNC digital network or software application. TNCS shall begin when a TNCD accepts a request for transportation received through the TNC’s digital network or software allocation series continues while the TNCD transports the passenger in the TNCD’s vehicle and ends when the passenger exits the TNC driver’s vehicles. TNCs are not taxicabs, for-hire vehicles, or street hail service vehicles.

Accepted Ride - any ride utilizing TNCS which originates, terminates or both in the Village of Skokie.

Shared Ride – any Accepted Ride in which the rider requests a TNC to share the ride with one or more riders, and each rider is charged a fare that is calculated in whole or in part based on the rider(s) request to share all or part of the ride with one or more riders, regardless of whether the rider actually shares all or part of the ride.

Individual Ride - any Accepted Ride other than a Shared Ride.

Sec. 98-351. Transportation Network Company tax imposed.

A tax is imposed and levied on all TNCs operating TNC services performed by TNCD for all Accepted Rides; an Individual Ride at a rate of thirty-five cents ($0.35) and a Shared Ride at the rate of fifteen cents ($0.15). The incidence of the tax and the obligation to pay the tax are imposed upon the TNC operating services for any Accepted Ride. This tax is in addition to any and all other taxes imposed.
Sec. 98-352. Registration.

Every TNC must register with the Village within thirty days (30) days after the date of commencing TNCS in the Village. If a TNC is already operating TNCS in the Village, any such company must register with the Village on or before August 1, 2019.

Sec. 98-353. Collection of Tax.

(a) Except as otherwise provided, the tax must be collected by each TNC operating TNCS in the Village. The TNC must remit the tax and file returns in accordance with this Section.

(b) Each TNC must collect the tax from each TNCD operating a transportation network vehicle in the Village.

(c) If a TNC fails to collect the tax imposed by this Section from a TNCD, then the TNCD must file a return and pay the tax directly to the Village on or before the date required by Sec. 98-356 of this Article.

Sec. 98-354. Administration and enforcement.

The Village Manager or designee will administer and enforce the tax imposed and levied by the Village and will collect all amounts due to the Village from the transportation network companies operating TNCS in the Village.

Sec. 98-355. Books and records.

Every TNC required to collect the tax imposed by this Article must keep accurate books and records of its business or activity, including original source documents, books of entry, and/or digital records, denoting the transaction that gave rise, or may have given rise, to the tax liability or any exemption that may be claimed. All such books and records must be legibly kept in the English language. All books and records regarding the tax imposed and levied are subject to, and must be available for inspection by, the Village Manager or designee.

Sec. 98-356. Transmittal of tax revenue.

(a) A TNC must file tax returns with the Village showing tax receipts received with respect to every transaction for every ride accepted during each and every quarterly calendar period. These returns will be on forms prescribed by the Village Manager or designee. The quarterly return for each completed period is due within twenty (20) days of the completion of the applicable calendar quarter period ending March 31, June 30, September 30, or December 31, as the case may be. At the time of filing such tax returns, the transportation network company must pay to the Village all taxes due for the period to which the tax return applies.

(b) If any tax is not timely paid when due, a penalty at the rate of three percent (3%) per thirty (30) day period, or portion thereof, from the day of delinquency, will be added and collected. The Village may file an action to enforce the payment and collection of the tax imposed by this Section, as well as any penalty that is added. The Village Manager may suspend or revoke the Village registration of any TNC that refuses or fails to pay the tax imposed by this Article.
Sec. 98-357. Deposit of funds.

All proceeds resulting from the imposition of the tax under this article, including interest and penalties, shall be paid into the treasury of the Village and shall be credited to and deposited in the general fund of the Village.

Sec. 98-358. Penalties

Any TNC, TNCD, firm or corporation who violates any of the provisions of this Article shall be subject to the penalties outlined in Section 1-9 of the Skokie Village Code.

Section 2: The effective date of implementation of the tax levied in this Ordinance shall be August 1, 2019.

Section 3: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED this day of May, 2019.

Ayes:
Nays:
Absent:

Attested and filed in my office this day of May, 2019; and published in pamphlet form according to law from May , 2019 to May , 2019.

Village Clerk

Approved by me this day of May, 2019.

Mayor, Village of Skokie

Village Clerk
THIS RESOLUTION MAY BE CITED AS
VILLAGE RESOLUTION NUMBER 19-5-R-

A RESOLUTION AUTHORIZING THE PUBLICATION OF THE OFFICIAL ZONING MAP FOR THE VILLAGE OF SKOKIE, ILLINOIS

WHEREAS, Section 11-13-19 of the Illinois Municipal Code, 65 ILCS 5/11-13-19, provides that the corporate authorities shall cause to be published each year a map clearly showing the existing zoning uses, divisions, restrictions, regulations and classifications of such municipality for the proceeding calendar year (hereinafter the "Official Zoning Map"); and

WHEREAS, the Community Development Department staff for the Village of Skokie (the "Village") have reviewed the prior Official Zoning Map for the Village and made all necessary changes, corrections and alterations that have occurred since its publication in order to prepare the proposed Official Zoning Map; and

WHEREAS, the Director of Community Development has reviewed the proposed Official Zoning Map for the Village, a copy of which is attached hereto and marked Exhibit "1", and recommends it be published and printed as the Official Zoning Map of the Village;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Skokie, Cook County, Illinois, that the recommendation of the Director of Community Development is accepted and the proposed Official Zoning Map, as prepared by the Community Development Department, a copy of which is attached hereto and marked as Exhibit "1", is declared to be the Official Zoning Map for the Village.

BE IT FURTHER RESOLVED by the Mayor and Board of Trustees that the Director of Community Development is hereby authorized and directed to proceed with the printing and publication of the Official Zoning Map for the Village in accordance with law.

BE IT FURTHER RESOLVED by the Mayor and Board of Trustees that the Director of Community Development is hereby authorized to print and publish amended Zoning Maps throughout 2019 that reflect changes that may occur as a result of ordinances that become effective during 2019.

PASSED this day of May, 2019.

Ayes:_________________________________________Village Clerk

Nays:

Absent:

Attest:_________________________________________Approved by me this day of May, 2019.

_________________________________________Mayor, Village of Skokie

Village Clerk
A RESOLUTION APPROVING AND AUTHORIZING THE
APPOINTMENT OF A DIRECTOR AND ALTERNATE DIRECTOR
OF THE SOLID WASTE AGENCY OF NORTHERN COOK COUNTY,
A MUNICIPAL JOINT ACTION AGENCY

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of
Skokie, Cook County, Illinois as follows:

Section 1: It is hereby found and declared that:
(a) The Village of Skokie (hereinafter “Village”) is a member of the Solid Waste Agency of
Northern Cook County (hereinafter “Agency”) formed pursuant to an Agreement
establishing the Solid Waste Agency of Northern Cook County as a Municipal Joint
Action Agency (hereinafter “Agency Agreement”);
(b) On May 18, 2015, the Mayor and Board of Trustees adopted Village Resolution Number
15-5-R-1295 in accordance with Section 8 of the Agency Agreement and the By-Laws of
the Agency, thereby providing for the appointment of George Van Dusen, Director and
John T. Lockerby, Alternate Director to the Agency’s Board of Directors for two-year
terms;
(c) Pursuant to the Agency Agreement, the Village is obligated to appoint a Director and an
Alternate Director to the Agency’s Board of Directors for two-year terms expiring April 30,
2021;
(d) The individuals appointed in Section 2 of this Resolution meet the qualifications stated in
Section 8.2 of the Agency Agreement and the By-Laws of the Agency for serving as
Director and Alternate Director, respectively.

Section 2: The Mayor and Board of Trustees hereby appoint George Van Dusen as Director
and John T. Lockerby as Alternate Director to the Agency’s Board of Directors, in each case for a two-
year term expiring April 30, 2021, or until his successor is appointed.

Section 3: The Clerk of the Village is hereby authorized and directed to send two (2)
certified copies of this Resolution to the Executive Director of the Agency within five (5) days of the
adoption and approval of this Resolution.

Section 4: That this Resolution shall be in full force and effect from and after its passage
and approval as provided by law.

PASSED this day of May, 2019.

Ayes: ____________________________________________
Village Clerk

Nays: ____________________________________________

Absent: __________________________________________

Attest: __________________________________________
Approved by me this day of May, 2019

_________________________________________________
Village Clerk

_________________________________________________
Mayor, Village of Skokie
Memorandum
Village of Skokie
Corporation Counsel’s Office

TO: Mayor George Van Dusen
    Board of Trustees
    Pramod Shah, Village Clerk
    John T. Lockerby, Village Manager

FROM: Michael M. Lorge, Corporation Counsel

DATE: May 6, 2019

SUBJECT: STATE OF ILLINOIS AND COOK COUNTY MINIMUM WAGES WITH DRAFT RESOLUTION

Introduction:
On July 6, 2017, after lengthy debate and consideration by the Village of Skokie Board (hereinafter “Board”), the Cook County minimum wage ordinance took effect in the Village of Skokie (hereinafter “Skokie”). At that time, the Cook County minimum wage ordinance was the only legislation that could boost the income of hourly wage earners because both the State and Federal governments failed to address minimum wage for years. Due to the recent State of Illinois action, passing new minimum wage legislation, the status of minimum wage in Skokie needs to be addressed and clarified for businesses. It is noted that under the Cook County minimum wage ordinance another step-up in the minimum wage scale is scheduled to occur on July 1, 2019.

We have been asked by Skokie elected officials and various Skokie residents and business owners to analyze the legal status of the Cook County minimum wage ordinance in light of the State’s action. In this process, we include the Cook County Earned Sick Leave Ordinance which was passed October 5, 2016. This memo assesses the current status of minimum wage in Skokie and recommends which governing law Skokie should enforce.

Background:
To put this analysis in context, we recognize the historical role of Federal and State government to protect workers in all classes of occupations, including the well documented practice of establishing standards for employees’ well-being. In this regard, the Federal Government first passed a minimum wage law on June 24, 1938. Illinois passed its first minimum wage law in 1971, as part of the negotiation and ratification process of the current Illinois Constitution.
To fully understand the action urged by our Skokie community in 2017, one must recall that Illinois had not increased its minimum wage of $8.25 per hour since 2010. The Federal minimum wage had also remained stagnant for many years. Most businesses informed Skokie at the time that they already paid their employees more than the minimum wage of $8.25 per hour, because a wage of $8.25 per hour was largely recognized to be less than a living wage.

On October 26, 2016, the Cook County Board passed an ordinance establishing a minimum wage of $11.00 per hour throughout Cook County, effective July 1, 2018. This wage is effective through June 30, 2019, at which point it will rise to $12.00 per hour and $13.00 per hour the year after. Then an inflation-adjusted amount will apply each following year. There is no timeframe in which the minimum wage increases would terminate without additional action being taken by the Cook County Board.

On July 6, 2017, the Board considered an ordinance that would have established a Skokie minimum wage in compliance with, and consistent with State law. This would have nullified the minimum wage instituted by Cook County. The theory behind the proposed Skokie ordinance was a provision in the Illinois Constitution which provided that a home rule county ordinance will apply to any municipality within the county territory, unless the “county ordinance conflicts with an ordinance of a municipality,” in which case “the municipal ordinance shall prevail within its jurisdiction.” Illinois Const., Art. VII, § 6. Therefore, given Skokie’s home rule, municipal status, it retained the ability to nullify the effects of the Cook County ordinance by adopting a Skokie ordinance that conflicted with the County ordinance.

Clearly, when the Cook County Board passed its minimum wage and earned sick leave ordinances, it anticipated that all of the municipalities within Cook County would support the ordinances. This would provide a geographic uniformity in a significant region of the State. However, over 80 home rule municipalities and numerous non-home rule municipalities did not embrace the ordinances. As a result, it rendered the Cook County minimum wage, an important, but largely symbolic act with very narrow implementation. Businesses in our community, both large and small, maintain that the result is a hodgepodge of regulations which create unfair competition between businesses from town to town. For example, many of Skokie’s neighboring municipalities such as Morton Grove, Lincolnwood, Niles, Glenview, and Des Plaines opted out of the Cook County minimum wage, but obviously will be compliant with the State of Illinois wage statute.

The Reasoning:
As set forth above, at the time the Board discussed the Cook County minimum wage, neither the Federal nor the Illinois State governments had established new or robust
minimum wage legislation in years. Even though the discussion was vigorous, and at
times emotional at the Board meeting, few if any people proffered that the minimum wage
then established by the State of Illinois was fair or at a level to provide a living wage. In
fact, most business people stated that they paid more than the current minimum wage but
were against the Cook County minimum wage because the legislation was flawed in
various ways. Chief amongst these flaws was that the Cook County ordinance had an
unreasonable escalator and that over 80 Cook County municipalities had taken action to
block its implementation. It was expressed that this would create unfair competition for
Skokie businesses which would experience increased overhead as compared to other
businesses in nearby municipalities.

The Board found it compelling that the State minimum wage structure was too low to be a
living wage. Some Board members expressed their opinion that if the State of Illinois
would act effectively and pass an appropriate statewide minimum wage structure,
concerns about unfair competition would be solved. A statewide minimum wage statute
would create a fair escalator that applied to all employers across the State. Many noted
at the time, that such bills were passed by the State legislature, and were awaiting
Governor Rauner’s signature, which was not forthcoming. The Board expressed the hope
that by allowing the Cook County minimum wage and earned sick leave provisions to
become effective, the State of Illinois would follow suit. In addition, those from the
community who spoke in favor of the Cook County minimum wage promised to shop
locally and campaign to get others to shop locally.

Current Status:
On February 19, 2019, the State of Illinois passed a bill setting a new, statewide minimum
wage of $9.25 per hour, starting January 1, 2020, and then increasing to $10.00 per hour
on July 1, 2020, with a further increase of $1.00 per hour every January 1st, culminating in
a $15.00 per hour minimum wage on January 1, 2025. While this is a slower increase
than the Cook County ordinance, it is established for the entire State and obviously,
Illinois legislators were aware of the Cook County wage structure and earned sick leave
provisions. The result could be that the State’s minimum wage overtakes the County
structure by 2023, or, should the County follow through on its promised inflation-adjusted
increases, the Cook County minimum wage may continue to be higher than that of the
State for the foreseeable future. While several bills are pending in the State of Illinois to
address earned sick leave, none have passed as yet.

Recommendation:
The following legal analysis is provided as a guide to the Board and suggests the options
that are before the Board. The choices are different at this time than the choices before it
in 2017 because the State of Illinois has now enacted a statewide minimum wage.
Accordingly, the issue before the Board is no longer discourse concerning the importance
and timeliness of minimum wage since the State has now addressed the issue. Rather, the issue is whether Skokie should remain aligned with the patchwork of minimum wage and sick leave standards under Cook County or align itself with the rest of the State of Illinois. Such a discussion would have been easier of course, had the State of Illinois embraced the Cook County minimum wage structure and earned sick leave provisions, but alas, it did not and we do not know if advocates of the Cook County plan pressed the State legislature to adopt it. The goals and purposes of the two variant authorities are in essence the same, but the State statute offers uniformity and parity.

Fundamental Legal Question: There remains a fundamental legal question, which Corporation Counsel raised two years ago, as to whether the Cook County Board had the authority to pass its minimum wage legislation in the first place. In 2017, the Cook County State’s Attorney’s Office, in a legal opinion, concluded that the County Board “lacked the home rule authority” to enact both a minimum wage and a mandatory earned sick leave policy because in Illinois, local government authority is constitutionally limited to address problems faced by the regulating home rule unit, if not addressed by the State or Federal governments. As such, employment matters like minimum wage and earned sick leave policies are best left as statewide matters.

The State’s Attorney’s opinion relied upon People ex rel. Bernardi v. Highland Park, 121 Ill.2d 1, 520 N.E.2d 316 (1988), in which the Illinois Supreme Court held that the grant of power to home rule units is limited, and only provides for local legislative action, granting local governments authority to address problems not faced by the State or Federal government. The analysis emphasized the items enumerated in the Illinois Constitution to determine whether a particular problem was of statewide rather than local concern, such as the nature and extent of the problem, the units of government that had the most vital interest in its solution and the role traditionally played by statewide authorities. Of particular interest as the Board considers the current dilemma is the Court’s language:

Were home rule authorities allowed to govern their local labor conditions, the Illinois Constitution’s vision of home rule units exercising their powers to solve local problems would be corrupted and that power used to create a confederation of modern feudal estates which, to placate local economic and political expediencies, would in time destroy the General Assembly’s carefully crafted and balanced economic policies. It is precisely for this reason, to avoid a chaotic and ultimately ineffective labor policy, that the State has a far more vital interest in regulating labor conditions than do local communities...it is doubtful whether local units of government could agree upon statewide labor policies that would bring to Illinois the benefits of a well-compensated and skilled labor force. (emphasis added). Bernardi, 121 Ill. 2d at 15, 520 N.E.2d at 323.

And further, seemingly anticipating our current situation, stated, “to otherwise improve working conditions has traditionally been a matter of State concern, outside the power of local officials to contradict...” Bernardi, 121 Ill.2d at 14, 520 N.E.2d at 322. It appears that since municipalities could opt-out of the Cook County ordinance, no litigation was filed to force this issue. It is also worth noting that although threatened, supporters of the
Cook County ordinance did not file legal action against those municipalities that opted-out; either because they feared the Bemardi case law or simply did not want to engage in a fight with those who chose to reject the Cook County structure.

It is our concerted opinion, although the Cook County Board was not challenged on this issue, that employee regulations, specifically minimum wage and earned sick leave, are matters solely for the State of Illinois. It is the same legal reasoning that would prohibit Skokie or any other municipality to enact its own ordinances concerning minimum wage or earned sick leave.

**Is An “Opt-Out” Ordinance Necessary:** As discussed above (See “Background”), the concept for a home rule municipality to "opt-out" or block the application of a county ordinance comes from the Illinois Constitution. It is a right that the Village of Skokie will always retain. Skokie may pass an ordinance which creates a conflict by proposing an ordinance as "an ordinance identifying home rule conflicts". However, Corporation Counsel does not recommend such a new ordinance.

Should the Board choose to follow the State of Illinois Minimum Wage Statute, it merely needs to pass a resolution identifying the new State statute and recognizing it as the only authority concerning Skokie workers' wages. By citing the Illinois Constitution and the Bemardi cases, the resolution can invoke Skokie’s adherence to the State’s singular authority on this matter. It would be a single resolution vesting the authority of the matter with the State and no further action would be necessary.

**Conclusion:**
It is Corporation Counsel's determination that an “opt-out” ordinance is neither appropriate nor necessary now that the State of Illinois has passed a new statewide minimum wage statute. The Board can pass a resolution identifying the State of Illinois' sole authority on the matter of employee welfare and rights, or remain silent and allow the status quo under the Cook County ordinance. If the Board remains silent, Skokie might be challenged as to the validity of enforcing the Cook County ordinance. Now that the State of Illinois has enacted legislation to address minimum wage for all businesses in Illinois, it is unequivocal that Skokie should adhere to it as the superseding authority. Should the Board follow this recommendation to act on a resolution invoking the State authority to oversee employee welfare and rights, including minimum wage and the eventuality of earned sick leave, we do not foresee the County challenging its decision. Finally, to whatever degree members of the community seek to establish earned sick leave benefits, we will need to work with our state representatives and state senators to pass such legislation.
A RESOLUTION ESTABLISHING THE STATE OF ILLINOIS’ SOLE AUTHORITY ON EMPLOYEE WELFARE AND RIGHTS

WHEREAS, on October 26, 2016, the Cook County Board of Commissioners adopted an ordinance establishing a minimum wage throughout Cook County, Illinois of $11.00 per hour with progressive increases effective July 1, 2018. This wage is set to rise to $12.00 per hour on July 1, 2019; and

WHEREAS, on July 6, 2017, the Cook County minimum wage ordinance became effective in the Village of Skokie (hereinafter “Skokie”) when the Village of Skokie Board did not approve an ordinance which would have conflicted with the Cook County ordinance on minimum wage. The Cook County Board maintained it had the authority to impose a county-wide ordinance regarding employee welfare; and

WHEREAS, at that time, the Cook County minimum wage ordinance was the only legislation that could boost the income of hourly wage earners because both the State and Federal governments failed to address minimum wage for years and therefore, the Mayor and Village of Skokie Board of Trustees expressed the hope that by allowing the Cook County minimum wage provision to become effective, the State of Illinois would follow suit and provide legislation; and

WHEREAS, the Cook County minimum wage ordinance was only embraced by 6 municipalities and rejected by 80 municipalities in Cook County creating an inconsistent patch work of employee standards; and

WHEREAS, the Cook County State’s Attorney has concluded that the County “lacked the home rule authority” to enact a minimum wage statute, because local government authority is constitutionally limited to address only matters not addressed by State or Federal governments; and

WHEREAS, the Illinois Supreme Court has previously ruled that the grant of power to home rule units is limited, and only provides for local legislative action, granting local governments authority to address problems not faced by the State or Federal governments stating, “to otherwise improve working conditions has traditionally been a matter of State concern, outside the power of local officials to contradict…” People ex rel. Bernardi v. Highland Park, 121 Ill.2d 1, 520 N.E.2d 316 (1988); and

WHEREAS, historically, it has been the role of Federal and State government to protect workers in all classes of occupations, including the well documented practice of establishing standards for employees’ well-being and minimum wage; and
WHEREAS, on February 19, 2019, the State of Illinois enacted the “Lifting Up Illinois Working Families Act”, Public Act 101-0001, setting a new, statewide minimum wage of $9.25 per hour, commencing January 1, 2020, and then increasing to $10.00 per hour on July 1, 2020, with a further increase of $1.00 per hour every January 1st, culminating in a $15.00 per hour minimum wage; and

WHEREAS, the statewide minimum wage statute, approved by the representatives and senators from across Illinois including our own state legislators, creates a uniform wage escalator for all employers and businesses to apply to all employees; and

WHEREAS, the statewide minimum wage statute provides uniformity, predictability and parity for all Skokie employers with other employers in nearby municipalities and throughout the state, so as to assure similar operational costs to and to avoid a chaotic and ultimately ineffective labor policy, because it is doubtful whether local units of government could agree upon consistent labor policies; and

WHEREAS, the Mayor and Village of Skokie Board of Trustees is satisfied that the State of Illinois has debated and passed legislation concerning minimum wage and recognizes that for the reasons enumerated above such matters are best left as a statewide statute and therefore, determines that Skokie employers and businesses must recognize and adhere to the State minimum wage as the superseding authority on such matters.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Skokie, Cook County, Illinois, that the minimum wage as established by the State of Illinois “Lifting Up Illinois Working Families Act”, Public Act 101-0001, signed by the Governor of Illinois on February 19, 2019, is the only applicable minimum wage for all employers and businesses in the State of Illinois, including the Village of Skokie, and as the superseding and sole authority on matters of workers’ conditions and standards, the Illinois minimum wage and no other home rule minimum wage, shall have legal authority or standing in the Village of Skokie.

PASSED this day of May, 2019.

Ayes: 
Nays: 
Absent: 

Village Clerk

Approved by me this day of May, 2019.

Attest:

Village Clerk

Mayor, Village of Skokie
To: Mayor and Board of Trustees
From: Paul Luke, Chairman
Case: **2019-09P: Zoning Map Amendment**
9726 Gross Point Road

**Related Cases** — 2019-10P: Subdivision
2019-11P: Site Plan Approval
2019-12P: Special Use Permit

**PLAN COMMISSION ANALYSIS**

At its April 18, 2019 meeting, the Plan Commission heard the request of SCI Illinois Services, LLC, to amend the zoning map to change the zoning district for 9726 Gross Point Road from H1 Hospital to R1 Single-Family. The petitioner desires to rezone the subject site, which presently contains a vacant lot that was the former site of the caretaker’s residence for Memorial Park Cemetery, in order to make the zoning uniform throughout the cemetery and utilize the land for future burials.

The Plan Commission concurred with Staff’s recommendation to grant the zoning map amendment. Based on existing land uses and development trends within the immediate area, the proposed R1 zoning is more suitable for the subject site. Although the proposed zoning map amendment is not consistent with the service employment land use designation in the Comprehensive Plan, it is consistent with the long-term land use of the site. Furthermore, cemeteries are not a permitted use within the existing H1 Hospital zoning district.

**INTERESTED PARTIES**

Legal notice was properly posted, advertised, and delivered to all property owners in the area of the subject site as prescribed by the Zoning Chapter. No interested parties spoke regarding this case.

**PLAN COMMISSION RECOMMENDATIONS AND VOTING**

The Plan Commission recommends by a vote of 6 ayes and 0 nays, with 3 members absent, that the petitioner’s request to amend the zoning map to change the zoning district for 9726 Gross Point Road from H1 Hospital to R1 Single-Family be **APPROVED**, subject to the attached Proposed Positive Findings of Fact.
ATTENDANCE

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<thead>
<tr>
<th></th>
<th>AYES</th>
<th>NAYS</th>
<th>ABSENT</th>
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<td>Mitchell</td>
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<td>Luke</td>
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ATTACHMENTS

1. Plan Commission Positive Findings of Fact for 2019-09P
2. Staff Report, dated April 18, 2019
3. Plan Commission Meeting Minutes for April 18, 2019
4. Land Use and Zoning Map
## Consideration

The map amendment is consistent with the Comprehensive Plan or development trends in the area that have taken place since the affected property was placed in the present zoning district.

<table>
<thead>
<tr>
<th>Consideration</th>
<th>Finding</th>
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<tbody>
<tr>
<td>The map amendment is consistent with the Comprehensive Plan or development trends in the area that have taken place since the affected property was placed in the present zoning district.</td>
<td>Although the proposed zoning map amendment is inconsistent with the service employment land use designation in the Comprehensive Plan, it is consistent with the long-term land use of the site.</td>
</tr>
<tr>
<td>After identifying the existing uses and zoning districts in the area, the property in question is more suitable for the uses allowed under proposed zoning district than the existing zoning district.</td>
<td>Under the current H1 Hospital zoning, cemeteries are not a permitted use. R1 Single-Family is an appropriate zone for the subject site. Rezoning the site to R1 makes the zoning uniform throughout Memorial Park Cemetery and enables the cemetery to utilize the land for future burials.</td>
</tr>
</tbody>
</table>
To: Paul Luke, Chairman, Skokie Plan Commission
From: Mike Voitik, Associate Planner
Re: 2019-09P: Zoning Map Amendment
9726 Gross Point Road

Related Cases – 2019-10P: Subdivision
2019-11P: Site Plan Approval
2019-12P: Special Use Permit

### General Information

<table>
<thead>
<tr>
<th>Location</th>
<th>9726 Gross Point Road</th>
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<tbody>
<tr>
<td>Purpose</td>
<td>To amend the zoning map to change the zoning district for 9726 Gross Point Road from H1 Hospital to R2 Single-Family.</td>
</tr>
<tr>
<td>Petitioner</td>
<td>SCI Illinois Services, LLC</td>
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<tr>
<td>Size of Site</td>
<td>7,083 square feet (0.162 acres) with frontage on Gross Point Road.</td>
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<tr>
<td>Existing Zoning &amp; Land Use</td>
<td>H1 Hospital – vacant lot</td>
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<tr>
<td>Comprehensive Plan</td>
<td>The site is designated as service employment.</td>
</tr>
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</table>

### PETITIONER’S SUBMITTAL

The petitioner is requesting to change the zoning district for 9726 Gross Point Road from H1 Hospital to R1 Single-Family. The petitioner desires to rezone the subject site, which presently contains a vacant lot that was the former site of the caretaker’s residence for Memorial Park Cemetery, in order to make the zoning uniform throughout the cemetery and utilize the land for future burials.
STAFF ANALYSIS

Comments

All pertinent departments and divisions were offered an opportunity to comment on this case. Other than the Planning Division comments below, all others did not respond or approved the request without comment.

Planning Division

The Planning Division has reviewed the submitted material and supports the proposed zoning map amendment to allow for the proposed site plan approval for the planned development. Although the proposed zoning map amendment is not consistent with the service employment land use designation in the Comprehensive Plan, it is consistent with the long-term land use of the site. Furthermore, cemeteries are not a permitted use within the existing H1 Hospital zoning district.

The subject site was initially zoned A Single Family in 1946. At some point between 1952 and 1955, the subject site was rezoned to R1 Single-Family. In 1971, the B6 Medical Hospital zoning district was created (case 71-25P). The subject site, along with the block bounded by Golf Road, Kenton Avenue, Payne Street, and Knox Avenue, as well as the then-Skokie Valley Hospital and the land currently occupied by the Lieberman Center for Health & Rehabilitation were all placed under that new zoning designation. All B6-zoned properties in the Village were subsequently reclassified to H1 Hospital in 2007 (case 2006-19P).

A single-family residence was constructed at the site at some point prior to the opening of the cemetery in 1923 and was demolished in 2013. The site has remained undeveloped since then.

Current surrounding uses include a cemetery, detached residences, an assisted-living facility, and a skilled nursing facility. Other than expansion of the Skokie Hospital campus west of the subject site and the construction of a child day care not in a residence on the east side of Gross Point Road to the south of the subject site, the trend in development in the general area over the past 25 years has been stable.

STAFF RECOMMENDATIONS

Staff recommends that the petitioner’s request to change the zoning district for 9726 Gross Point Road from H1 Hospital to R1 Single-Family be GRANTED, subject to the attached Proposed Positive Findings of Fact.

ATTACHMENTS

1. Proposed Positive Findings of Fact for 2019-09P
2. Land Use and Zoning Map
Plan Commission Meeting Minutes
Date: April 19, 2019

A motion was made by Commissioner D. Laxpati and seconded by Commissioner J. Burman to approve the minutes of the April 4, 2019 meeting.

Vice-Chairman George Mitchell conducted the meeting in the absence of Chairman Paul Luke.

Case Description

2019-09P - Zoning Map Amendment: 9726 Gross Point Road
SCI Illinois Services, LLC, requests to amend the zoning map to change the zoning district for 9726 Gross Point Road from H1 Hospital to R1 Single-Family.

2019-10P - Subdivision: 9726 and 9900 Gross Point Road
SCI Illinois Services, LLC, request a resubdivision of 2 lots into 1 lot in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case.

2019-11P - Site Plan Approval: 9726 and 9900 Gross Point Road
SCI Illinois Services, LLC, requests site plan approval in order to expand a cemetery on a site that is 1 acre or greater in size in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case.

2019-12P - Special Use Permit: 9900 Gross Point Road
SCI Illinois Services, LLC, requests a special use permit for a cemetery in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case.

PINS: 10-10-301-016-0000 and 10-10-411-002-0000

Discussion and Interested Parties

Legal notice was advertised, posted, and delivered to property owners in the area as prescribed by the Zoning Chapter. It was determined by Corporation Counsel that notice was proper and correct.

As all 4 cases were related, there was combined discussion but each case was voted on separately.

Ms. Lauren Ryan, attorney, on behalf of SCI Illinois Services, LLC presented the cases with testimony from Anthony Campos, construction manager for Memorial Park Cemetery.

SCI Illinois Services owns and operates the Memorial Park Cemetery, zoned R1 Residential and the triangular piece of land at 9726 Gross Point Road, zoned H1 Hospital. The house at 9726 Gross Point Road, which belonged to the cemetery
caretaker, was demolished in 2013 and the property has been vacant ever since. SCI wishes to expand the cemetery by using the vacant land for burial sites.

The re-zoning request is needed to change the H1 designation to R1, to match the zoning of the rest of the cemetery. The resubdivision request is necessary to keep the entire cemetery under 1 lot of record. In order to bring the site into compliance with Village Code, site plan approval is necessary because the combined site is greater than 1 acre in size. The request for special use is needed to allow the existing cemetery to remain in a residential district.

Ms. Ryan wanted to discuss a few recommended conditions in the site plan approval report. Condition #1a. requires a tree removal permit for trees removed in 2017. She is requesting that the condition be re-evaluated since the house was demolished in 2013 and the site is vacant. There will be no enlargement or enhancement of any structures, nor an increase in impermeable surfaces. She wanted clarification of Condition #13 regarding signage. Staff confirmed that the condition was for any new signage – existing signage can stay as is. She also wanted an explanation of Condition #15 which asks for new site and landscape plans. Staff stated that if future changes occur then a new site plan will be required. In this case it is not necessary - the aerial map can act as a site plan.

In the special use permit request, Ms. Ryan wanted clarification of the condition requiring new parking lot and exterior lighting. Staff again agreed that the condition only pertains to new construction sites. Staff will accept what is on site now.

Staff commented that the petitioner gave an excellent overview of the cases and he didn't have much to add. He requested that all staff reports be accepted into the record as presented.

In the site plan approval case, for trees being removed on private property or in the parkway a tree removal permit is required as stated in the standard conditions. Staff is looking at it as the trees were removed for the purpose of creating grave sites. The property will not be staying vacant. The Forester estimated a fee of $2,400 to be paid into the tree fund for the 2 trees removed to be replaced by planting 6 new trees.

A commissioner wanted confirmation that the language in the standard conditions will be cleaned up.

Another commissioner asked if they needed to pay for the tree removal permit now or wait until new trees are put in. Staff answered that during the building permit stage the Village would take a bond for the tree permit and hold it. After the work is completed, they will count up all the replacement trees by circumference to check if it balances out. If so, the bond would be returned – if not, the Village would keep the money. Ms. Ryan stated that a building permit is not being requested – it will just be used as grave sites. Staff answered that the bond could be linked to the fence permit.

Mr. Anthony Campos stated that there were trees taken down in 2017 and new trees put in since 2017. They should just call it even. The director of Community Development stated that he needs specifics - it depends on the size of the trees put in but the issue can be worked out.
Recommendations and Voting

Case 2019-09P - Zoning Map Amendment: 9726 Gross Point Road
A motion was made to approve the request as presented to change the zoning district from H1 Hospital to R1 Single-Family.

Motion: Laxpati  Second: Franklin  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  Nays: 0

Case 2019-10P - Subdivision: 9726 and 9900 Gross Point Road
A motion was made to approve the request as presented to resubdivide 2 lots into 1 lot in an R1 Single-Family zoning district.

Motion: Mathee  Second: Laxpati  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  Nays: 0

Case 2019-11P - Site Plan Approval: 9726 and 9900 Gross Point Road
A motion was made to approve the site plan approval request with minor language changes to expand a cemetery on a site that is 1 acre or greater in size.

Motion: Laxpati  Second: Franklin  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  Nays: 0

Case 2019-12P - Special Use Permit: 9900 Gross Point Road
A motion was made to approve as presented a special use permit for a cemetery in an R1 Single-Family zoning district.

Motion: J. Burman  Second: Laxpati  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  Nays: 0
To: Mayor and Board of Trustees
From: Paul Luke, Chairman
Case: **2019-10P: Subdivision**
9726 and 9900 Gross Point Road

**PLAN COMMISSION ANALYSIS**

At its April 18, 2019, meeting, the Plan Commission heard the request of SCI Illinois Services, LLC, to resubdivide 2 lots into 1 lot in an R1 Single-Family zoning district. The new lot will contain the existing Memorial Park Cemetery as well as land that the cemetery intends to expand onto at 9726 Gross Point Road (cases 2019-11P and 2019-12P).

Relief was required to be requested from §94-6(a)(2) of the Skokie Village Code in order to maintain the existing width of Gross Point Road at less than the required 33’ minimum. Gross Point Road’s right-of-way width adjacent to the subject site varies between 30’ and 33.27’. This relief can be justified because a future IDOT project to upgrade Gross Point Road could necessitate a dedication of a portion of the cemetery’s land in order to widen the right-of-way. The extent of additional right-of-way that may be needed by IDOT is not known at this time.

The Plan Commission concurred with Staff’s recommendation to grant the subdivision approval subject to conditions.

**INTERESTED PARTIES**

Legal notice was properly posted, advertised, and delivered to all property owners in the area of the subject site as prescribed by the Zoning Chapter. No interested parties spoke regarding the case.

**PLAN COMMISSION RECOMMENDATIONS AND VOTING**

The Plan Commission recommends by a vote of 6 ayes and 0 nays, with 3 members absent, that the petitioner’s request to resubdivide 2 lots into 1 lot in an R1 Single-Family zoning district be **APPROVED**, subject to the attached recommended conditions, and that relief be granted from §94-6(a)(2) to maintain the existing width of Gross Point Road at less than the required 33’ minimum.
ATTENDANCE

<table>
<thead>
<tr>
<th>AYES</th>
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ATTACHMENTS

1. Plan Commission Recommended Conditions, dated May 20, 2019
2. Staff Report, dated April 18, 2019
3. Plan Commission Meeting Minutes for April 18, 2019
4. Memorial Park Addition, dated April 2, 2019
5. Plat of Survey of Memorial Park Cemetery & Proposed Project Site Location: West Field Estates, dated December 14, 2018
6. Land Use and Zoning Map
1. The property must be subdivided pursuant to the Memorial Park Addition, dated April 2, 2019, and as may be further revised with the approval of the Village Manager, or designee, and Corporation Counsel.

2. The Memorial Park Addition shall be effective upon its recording by the Village in the Office of the Recorder of Deeds of Cook County, Illinois.

3. All monuments must be set no later than 1 year after the date of the recording of the plat.

4. If work is to be performed on public property or if public property is utilized or impacted during construction and or development, the owners must provide, or must cause the developer and/or contractor to provide, the Village of Skokie with a certificate of insurance naming the Village of Skokie as additionally insured for any and all claims related to any and all work. The owners shall hold, and shall cause the developer and/or contractor to hold, the Village of Skokie harmless and indemnify the Village for any and all claims for property damage or personal injury related to work on or use of public property.

5. The petitioner must comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations.
To: Paul Luke, Chairman, Skokie Plan Commission  
From: Mike Voitik, Associate Planner  
Re: 2019-10P: Subdivision  
9726 and 9900 Gross Point Road

Related Cases –  2019-09P: Zoning Map Amendment  
2019-11P: Site Plan Approval  
2019-12P: Special Use Permit

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<tr>
<th>General Information</th>
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<tr>
<td><strong>Location</strong></td>
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<td><strong>Purpose</strong></td>
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<td><strong>Petitioner</strong></td>
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<td><strong>Size of Site</strong></td>
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| East            | R1 Single-Family – detached residences, park  
|                | R2 Single-Family – detached residences, religious assembly  
|                | B1 Service Commercial – parking lot for full service restaurant  
|                | B2 Commercial – 3-or more unit multifamily residence; clinics; monument dealer; detached residences; full service restaurant; beer, wine, and liquor store  
| West           | B4 Regional – Westfield Old Orchard shopping center  

**Comprehensive Plan**
The site is designated as open space and service employment.

**SITE INFORMATION**
- A public sidewalk runs along Skokie Boulevard. A multi-use path runs along Old Orchard Road. No public sidewalk is present along Gross Point Road.
- Driveways provide access to the subject site from Gross Point Road and Skokie Boulevard.
- Overhead utilities run along the south side of Old Orchard Road and along the west side of Gross Point Road.
- The site is directly served by the CTA 201 Central/Ridge bus. The CTA 97 Skokie, CTA 54A North Cicero/Skokie Blvd., Pace 208 Golf Road, Pace 215 Crawford-Howard, and Pace 422 Linden CTA/Glenview/Northbrook Court buses all have stops within a maximum distance of 2 blocks from the subject site.

**PETITIONER’S SUBMITTAL**
The petitioner is requesting to resubdivide 2 lots into 1 lot in an R1 Single-Family zoning district. The new lot will contain the existing Memorial Park Cemetery as well as land that the cemetery intends to expand onto at 9726 Gross Point Road (cases 2019-11P and 2019-12P).

**STAFF ANALYSIS**

*Comments*
All pertinent departments and divisions were offered an opportunity to comment on this case. Other than the Planning Division comments below, all others did not respond or approved the request without comment.

*Planning Division*
The Planning Division supports the proposed subdivision, which is necessary because the existing property spans multiple subdivisions and Cook County does not
allow tax parcels in separate subdivisions to be combined through the simple PIN consolidation process. The subdivision is required to be heard by the Plan Commission because the subject site is 4 acres or greater in size.

The petitioner will be required to request relief from §94-6(a)(2) of the Skokie Village Code in order to maintain the existing width of Gross Point Road at less than the required 33’ minimum. Gross Point Road’s right-of-way width adjacent to the subject site varies between 30’ and 33.27’. This relief can be justified because a future IDOT project to upgrade Gross Point Road could necessitate a dedication of a portion of the cemetery’s land in order to widen the right-of-way. The extent of additional right-of-way that may be needed by IDOT is not known at this time.

STAFF RECOMMENDATIONS

Staff recommends that the petitioner’s request to resubdivide 2 lots into 1 lot in an R1 Single-Family district be **APPROVED** subject to the conditions listed below and that relief be granted from §94-6(a)(2) to maintain the existing width of Gross Point Road at less than the required 33’ minimum.

RECOMMENDED SUBDIVISION CONDITIONS

1. Upon the passage of the ordinance by the Board of Trustees, the Mylar of the Memorial Park Addition must be submitted to the Village with all signatures other than Village staff or elected officials.

2. The Memorial Park Addition shall be effective upon its recording by the Village in the Office of the Recorder of Deeds of Cook County, Illinois.

3. All monuments must be set no later than 1 year after the date of the recording of the plat.

4. If work is to be performed on public property or if public property is utilized or impacted during construction and or development, the owners must provide, or must cause the developer and/or contractor to provide, the Village of Skokie with a certificate of insurance naming the Village of Skokie as additionally insured for any and all claims related to any and all work. The owners shall hold, and shall cause the developer and/or contractor to hold, the Village of Skokie harmless and indemnify the Village for any and all claims for property damage or personal injury related to work on or use of public property.

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PINS: 10-10-301-016-0000 and 10-10-411-002-0000

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The re-zoning request is needed to change the H1 designation to R1, to match the zoning of the rest of the cemetery. The resubdivision request is necessary to keep the entire cemetery under 1 lot of record. In order to bring the site into compliance with Village Code, site plan approval is necessary because the combined site is greater than 1 acre in size. The request for special use is needed to allow the existing cemetery to remain in a residential district.

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Recommendations and Voting

Case 2019-09P - Zoning Map Amendment: 9726 Gross Point Road
A motion was made to approve the request as presented to change the zoning district from H1 Hospital to R1 Single-Family.

Motion: Laxpati  Second: Franklin  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  
Nays: 0

Case 2019-10P - Subdivision: 9726 and 9900 Gross Point Road
A motion was made to approve the request as presented to resubdivide 2 lots into 1 lot in an R1 Single-Family zoning district.

Motion: Mathee  Second: Laxpati  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  
Nays: 0

Case 2019-11P - Site Plan Approval: 9726 and 9900 Gross Point Road
A motion was made to approve the site plan approval request with minor language changes to expand a cemetery on a site that is 1 acre or greater in size.

Motion: Laxpati  Second: Franklin  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  
Nays: 0

Case 2019-12P - Special Use Permit: 9900 Gross Point Road
A motion was made to approve as presented a special use permit for a cemetery in an R1 Single-Family zoning district.

Motion: J. Burman  Second: Laxpati  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  
Nays: 0
PLAT OF SURVEY of MEMORIAL PARK CEMETERY & PROPOSED PROJECT SITE LOCATION: WEST FIELD ESTATES

LEGAL DESCRIPTION

LOT 2 IN MEMORIAL PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH 1/2 OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 29, 1999 AS DOCUMENT NO. 99626242, IN COOK COUNTY, ILLINOIS.

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL
MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE
SOUTHEAST 1/4 CORNER OF SAID SECTION 10; THENCE NORTH 00
DEGREES 22 MINUTES 37 SECONDS EAST, 871.67 FEET, TO THE
NORTHERLY RIGHT OF WAY LINE OF GROSS POINT ROAD FOR THE
POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 22
MINUTES 37 SECONDS EAST, 118.06 FEET TO THE NORTH LINE OF THE
SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE
SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 89
DEGREES 35 MINUTES 31 SECONDS EAST, ALONG SAID NORTH LINE
EXTENDED EAST, 121.02 FEET, TO THE NORTHERLY RIGHT OF WAY
LINE OF GROSS POINT ROAD; THENCE SOUTH 45 DEGREES 40
MINUTES 59 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 170.22
FEET, TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

EXHIBIT OF PROPOSED PROJECT SITE
WEST FIELD ESTATES

NOTE: SITE CURRENTLY UNDER CONSTRUCTION

SCALE: 1: = 30'
To: Mayor and Board of Trustees  
From: Paul Luke, Plan Commission Chairperson  
Re: 2019-11P: Site Plan Approval  
9900 Gross Point Road

Related Case –  
2019-09P: Zoning Map Amendment  
2019-10P: Subdivision  
2019-11P: Special Use Permit  
2019-12P: Special Use Permit

PLAN COMMISSION ANALYSIS

During its April 18, 2019 meeting, the Plan Commission heard a request for site plan approval in order to expand a cemetery on a site that is 1 acre or greater in size in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case.

SCI Illinois Services owns and operates the Memorial Park Cemetery, zoned R1 Residential, and the triangular piece of land at 9726 Gross Point Road, zoned H1 Hospital. The house at 9726 Gross Point Road, which was occupied by the cemetery caretaker, was demolished in 2013 and the property has been vacant ever since. SCI wishes to expand the cemetery by using the vacant land for burial sites. In order to bring the site into compliance with Village Code, site plan approval is necessary because the combined site is greater than 1 acre in size.

Staff clarified that any new signage would need to conform to the sign code and that condition was amended to reflect that. There was also some discussion about the payment of fees for trees that were removed without a permit. Since the trees were removed for the purpose of creating grave sites and the property will not be staying vacant, the fees must be paid. These fees will be reimbursed based on the quantities and sizes of the new trees planted.

INTERESTED PARTIES

Legal notice was advertised, posted, and delivered to property owners in the area as prescribed by the Zoning Chapter. No interested parties spoke at the meeting.

APPEARANCE COMMISSION

No Appearance Commission review was necessary for this case.
PLAN COMMISSION RECOMMENDATIONS AND VOTING

The Plan Commission recommended, by a vote of 6 ayes, 0 nays, and 3 commissioners absent, that the petitioner’s request for site plan approval in order to expand a cemetery on a site that is 1 acre or greater in size in an R1 Single-Family zoning district be APPROVED based upon the Plan Commission Positive Findings of Fact and subject to the recommended site plan approval conditions below.

ATTENDANCE AYES NAYS ABSENT ABSTAIN

Mathee X
J. Burman X
Laxpati (moved) X
Franklin (second) X
Villegas X
S. Berman X
Quane X
Mitchell X
Luke X

ATTACHMENTS

3. Staff Report for 2019-11P, dated April 18, 2019
4. Minutes of Plan Commission Meeting, dated April 18, 2019
5. Plat of Survey and Project Site, dated December 14, 2018
6. Zoning and Land Use Map
1. Prior to the approval of the ordinance by the Board of Trustees, the petitioners shall:
   a. Obtain a Tree Removal Permit for the 2 trees removed at 9726 Gross Point Road since November 2017.

2. The petitioner shall develop the Subject Property in substantial conformance with the final Village approved Land Use and Zoning Map dated <insert date of final approved plan>.

3. A full 132.494-acre site plan shall be comprised of a cemetery grave plot map with building footprints and pavement edges, and shall be provided prior to any full or modified review of a future site plan approval or special use permit application.

4. The petitioner shall test the well water and septic system on an annual basis, and they shall be maintained in a good state of repair. These facilities shall be properly abandoned once connections are made to Village water and sewer systems.

5. All future tree removals for new construction will require Tree Removal Permits. A Site Tree Reimbursement Form may be submitted to the Village Forester after the replacement trees have been planted.

6. No objects are allowed within a 10' sight distance triangle, between 30" and 84" in height from grade except traffic control devices listed in the Manual on Uniform Traffic Control Devices. (Standard)

7. All fencing, walls, sidewalks, driveways, curbs, wheel stops, parking areas, signage, landscaping, structures, and any other facilities or infrastructure on the Subject Property shall be maintained in a good state of repair, and when needed, be repaired or replaced in a timely manner. (Standard)

8. All private and public sidewalks shall be maintained free of snow, ice, sleet, or other objects that may impede travel. (Standard)

9. Any plan to modify parking lot striping must be approved by the Director of Engineering. (Standard)

10. The handicapped parking spaces shall be installed and maintained in compliance with State of Illinois Accessibility Standards and the Skokie Village Code, including required signage. (Standard)

11. All new construction, alterations, and remodeling shall meet current International Building and NFPA Life Safety Codes as amended. (Standard)

12. The petitioner shall obtain all required permits and approvals for improvements to County, State, or Federal rights-of-way from the governing jurisdiction. (Standard)
13. All new signage shall conform to the Skokie Village Code. Any sign on the Subject Property that is in violation of that Code must be removed or modified to conform with the Village Code prior to the issuance of an occupancy permit. (Standard)

14. All modifications to building elevations, signage, and landscaping shall be subject to the review and approval of the Skokie Appearance Commission. (Standard)

15. If future changes occur, the petitioner shall submit to the Planning Division electronic files of the site plan and landscape plan in their approved and finalized form. (Standard)

16. Prior to the issuance of building permits, the petitioner shall submit to the Planning Division of the Community Development Department the name, property address, email address, and telephone number of the company and contact person responsible for site maintenance in compliance with this site plan approval. (Standard)

17. If work is to be performed on public property or if public property is utilized or impacted during construction and/or development, the owner shall provide, or shall cause the developer and/or contractor to provide, the Village of Skokie with a certificate of insurance naming the Village of Skokie as additionally insured for any and all claims related to any and all work. The owner shall hold, and shall cause the developer and/or contractor to hold, the Village of Skokie harmless and indemnify the Village for any and all claims for property damage or personal injury related to work on or use of public property. (Standard)

18. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations. (Standard)

19. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to initiate hearings to determine whether the subject Ordinance, as well as any applicable business licenses, should be revised or revoked. The petitioner shall pay all costs related to any hearings conducted as a result of non-compliance with any of the provisions of the enabling ordinance. The costs shall include but not be limited to court reporter fees, attorney fees, and staff time required researching and conducting said hearing. (Standard)
## PLAN COMMISSION
**POSITIVE FINDINGS OF FACT**

**2019-11P: Site Plan Approval**

Community Development Department  
**Council Chambers, 8:00 PM, May 20, 2019**

<table>
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<tr>
<th>Consideration</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>The request is harmonious with and does not adversely affect adjacent properties.</td>
<td>The site being added to the existing cemetery has been vacant land for at least 5 years and has been in common ownership for decades. There will be no negative effect on adjacent property.</td>
</tr>
<tr>
<td>The request can demonstrate that adequate public facilities, including roads, drainage, utilities, and police and fire protection exist or will exist to serve the requested use at the time such facilities are needed.</td>
<td>There will be no change to the provision of adequate public facilities.</td>
</tr>
<tr>
<td>The request demonstrates adequate provision for maintenance of the associated structures.</td>
<td>No problems are anticipated with respect to the maintenance of the associated structures.</td>
</tr>
<tr>
<td>The request has considered and, to the degree possible, addressed the adverse effects on the natural environment.</td>
<td>There will be no negative effect to the natural environment.</td>
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<tr>
<td>The request will not create undue traffic congestion.</td>
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<td>The request will not adversely affect public health, safety, and welfare.</td>
<td>The request will not adversely affect public health, safety, and welfare.</td>
</tr>
<tr>
<td>The request conforms to all applicable provisions of this code, except where relief is granted with the request.</td>
<td>All building, structures, and signage are pre-existing.</td>
</tr>
</tbody>
</table>
**Staff Report 2019-11P: Site Plan Approval**

Community Development Department

Council Chambers, 7:30 PM, April 18, 2019

To: Paul Luke, Chairman, Skokie Plan Commission  
From: Steve Marciani, Planning Supervisor  
Re: **2019-11P: Site Plan Approval**  
9900 Gross Point Road

**Related Case** –  
2019-09P: Zoning Map Amendment  
2019-10P: Subdivision  
2019-11P: Site Plan Approval  
2019-12P: Special Use Permit

<table>
<thead>
<tr>
<th><strong>General Information</strong></th>
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<tbody>
<tr>
<td><strong>Location</strong></td>
<td>9900 Gross Point Road</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>Site plan approval in order to expand a cemetery on a site that is 1 acre or greater in size in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case.</td>
</tr>
<tr>
<td><strong>Petitioner</strong></td>
<td>SCI Illinois Services, LLC</td>
</tr>
<tr>
<td><strong>Size of Site</strong></td>
<td>5,771,444 square feet (132.494 acres) with frontage on Gross Point Road, Old Orchard Road, and Skokie Boulevard</td>
</tr>
<tr>
<td><strong>Existing Zoning &amp; Land Use</strong></td>
<td>R1 Single-Family – cemetery</td>
</tr>
<tr>
<td><strong>Adjacent Zoning &amp; Land Use</strong></td>
<td></td>
</tr>
</tbody>
</table>
| **North**               | B2 Commercial – furniture store, skilled nursing facility  
                          | R4 Multifamily Housing – 3-or more unit multifamily residences  
                          | R1 Single-Family – golf course  
                          | R2 Single Family Residential – detached residences (City of Evanston)  
                          | C2 Commercial – vacant lot (City of Evanston) |
| **South**               | B3 Business – clinic, bakery, electronics and appliances sales, bank, furniture store, jewelry store  
<pre><code>                      | H1 Hospital – hospital, clinics, assisted-living facility, skilled nursing facility |
</code></pre>
<table>
<thead>
<tr>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1 Single-Family – detached residences, park</td>
<td>B4 Regional – Westfield Old Orchard shopping center</td>
</tr>
<tr>
<td>R2 Single-Family – detached residences, religious assembly</td>
<td></td>
</tr>
<tr>
<td>B1 Service Commercial – parking lot for full service restaurant</td>
<td></td>
</tr>
<tr>
<td>B2 Commercial – 3-or more unit multifamily residence; clinics; monument dealer; detached residences; full service restaurant; beer, wine, and liquor store</td>
<td></td>
</tr>
</tbody>
</table>

Comprehensive Plan

The site is designated as open space and service employment.

SITE INFORMATION

- Driveways provide access to the subject site from Gross Point Road and Skokie Boulevard.
- Overhead utilities run along the south side of Old Orchard Road and along the west side of Gross Point Road.

Complete Streets

- Public sidewalks are present along Skokie Boulevard and the east side of Gross Point Road.
- Along the south side of Old Orchard Road, a 5’-wide sidewalk exists along the western 500’ and a 10’-wide multi-use path exists along the eastern 3,700’. The sidewalk is expected to be replaced with a multi-use path in the near future.
- Bike lanes are expected to be installed in the Gross Point Road right-of-way in 2020.
- The site is directly served by the CTA 201 Central/Ridge bus. The CTA 97 Skokie, CTA 54A North Cicero/Skokie Blvd., Pace 208 Golf Road, Pace 215 Crawford-Howard, and Pace 422 Linden CTA/Glenview/Northbrook Court buses all have stops within a maximum distance of 2 blocks from the subject site.
- The subject property is within walking distance of residential neighborhoods, services, shopping, and schools.
- Emergency and business delivery access is available from Skokie Boulevard and Gross Point Road.
PETITIONER’S SUBMITTAL

The petitioner is requesting site plan approval in order to expand a cemetery on a site that is 1 acre or greater in size in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case.

In the applicant’s Statement of Effects, the petitioner contends the followings:

The purpose of these Petitions is so that SCI’s property, identified as P.1.N. 10-10-411-002, can obtain the same zoning as the rest of SCI’s property known as Memorial Park Cemetery (“Cemetery”), and to make the entire Cemetery one single lot of record. The use of the property and the rest of the Cemetery will not change; therefore, the requested site plan approval will have no adverse effect on the character of the neighborhood, surrounding property values, traffic conditions, public utilities, storm water detention, or any other matters pertaining to the public health, safety, morals and general welfare of the community.

STAFF ANALYSIS

All pertinent departments and divisions were offered an opportunity to comment on this case. As this case is mostly administrative, no comments on the subject case were received, other than the Planning Division.

Memorial Park Cemetery was established in 1923 and has operated continuously since then. In 2016, the Village modified the Zoning chapter of the Village code to require site plan approval for new developments and site plan modifications on sites greater than 1 acre.

Combining the sites of the main portion of the cemetery and the former caretaker house causes the need for a site plan approval ordinance to bring the site into compliance with the Village Code. At this time, the existing facilities as of the date of the passage of the ordinance will constitute the approved plan. Amendments to this ordinance will be required to approve future modifications, just like all other sites with site plan approval ordinances in the Village.

No relief was discovered during the review of this case.

APPEARANCE COMMISSION

No Appearance Commission review was necessary for this case.

STAFF RECOMMENDATIONS

Staff recommends that the petitioner’s request for site plan approval in order to expand a cemetery on a site that is 1 acre or greater in size in an R1 Single-Family zoning district be APPROVED based upon the Proposed Positive Findings of Fact and subject to the recommended site plan approval conditions listed below.
RECOMMENDED SITE PLAN APPROVAL CONDITIONS

1. Prior to the hearing of the subject case before the Board of Trustees, the petitioners shall:
   a. Obtain a Tree Removal Permit for the trees removed at 9726 Gross Point Road since November 2017.

2. The petitioner shall develop the Subject Property in substantial conformance with the final Village approved Land Use and Zoning Map dated <insert date of final approved plan>.

3. A full 132.494-acre site plan shall be comprised of a cemetery grave plot map with building footprints and pavement edges, and shall be provided prior to any full or modified review of a future site plan approval or special use permit application.

4. The petitioner shall test the well water and septic system on an annual basis, and they shall be maintained in a good state of repair. These facilities shall be properly abandoned once connections are made to Village water and sewer systems.

5. All future tree removals for new construction will require Tree Removal Permits. A Site Tree Reimbursement Form may be submitted to the Village Forester after the replacement trees have been planted.

6. No objects are allowed within a 10' sight distance triangle, between 30" and 84" in height from grade except traffic control devices listed in the Manual on Uniform Traffic Control Devices. (Standard)

7. All fencing, walls, sidewalks, driveways, curbs, wheel stops, parking areas, signage, landscaping, structures, and any other facilities or infrastructure on the Subject Property shall be maintained in a good state of repair, and when needed, be repaired or replaced in a timely manner. (Standard)

8. All private and public sidewalks shall be maintained free of snow, ice, sleet, or other objects that may impede travel. (Standard)

9. Any plan to modify parking lot striping must be approved by the Director of Engineering. (Standard)

10. The handicapped parking spaces shall be installed and maintained in compliance with State of Illinois Accessibility Standards and the Skokie Village Code, including required signage. (Standard)

11. All new construction, alterations, and remodeling shall meet current International Building and NFPA Life Safety Codes as amended. (Standard)

12. The petitioner shall obtain all required permits and approvals for improvements to County, State, or Federal rights-of-way from the governing jurisdiction. (Standard)

13. All signage shall conform to the Skokie Village Code. Any sign on the Subject Property that is in violation of that Code must be removed or modified to conform with the Village Code prior to the issuance of an occupancy permit. (Standard)
14. All modifications to building elevations, signage, and landscaping shall be subject to the review and approval of the Skokie Appearance Commission. (Standard)

15. The petitioner shall submit to the Planning Division electronic files of the site plan and landscape plan in their approved and finalized form. (Standard)

16. Prior to the issuance of building permits, the petitioner shall submit to the Planning Division of the Community Development Department the name, property address, email address, and telephone number of the company and contact person responsible for site maintenance in compliance with this site plan approval. (Standard)

17. If work is to be performed on public property or if public property is utilized or impacted during construction and/or development, the owner shall provide, or shall cause the developer and/or contractor to provide, the Village of Skokie with a certificate of insurance naming the Village of Skokie as additionally insured for any and all claims related to any and all work. The owner shall hold, and shall cause the developer and/or contractor to hold, the Village of Skokie harmless and indemnify the Village for any and all claims for property damage or personal injury related to work on or use of public property. (Standard)

18. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations. (Standard)

19. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to initiate hearings to determine whether the subject Ordinance, as well as any applicable business licenses, should be revised or revoked. The petitioner shall pay all costs related to any hearings conducted as a result of non-compliance with any of the provisions of the enabling ordinance. The costs shall include but not be limited to court reporter fees, attorney fees, and staff time required researching and conducting said hearing. (Standard)

ATTACHMENTS

1. Proposed Positive Findings of Fact for 2019-11P
2. Plat of Survey and Project Site, dated December 14, 2018
3. Land Use and Zoning Map, dated April 18, 2019
Plan Commission Meeting Minutes
Date: April 19, 2019

A motion was made by Commissioner D. Laxpati and seconded by Commissioner J. Burman to approve the minutes of the April 4, 2019 meeting.

Vice-Chairman George Mitchell conducted the meeting in the absence of Chairman Paul Luke.

Case Description

2019-09P - Zoning Map Amendment: 9726 Gross Point Road
SCI Illinois Services, LLC, requests to amend the zoning map to change the zoning district for 9726 Gross Point Road from H1 Hospital to R1 Single-Family.

2019-10P - Subdivision: 9726 and 9900 Gross Point Road
SCI Illinois Services, LLC, request a resubdivision of 2 lots into 1 lot in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case.

2019-11P - Site Plan Approval: 9726 and 9900 Gross Point Road
SCI Illinois Services, LLC, requests site plan approval in order to expand a cemetery on a site that is 1 acre or greater in size in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case.

2019-12P - Special Use Permit: 9900 Gross Point Road
SCI Illinois Services, LLC, requests a special use permit for a cemetery in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case.

PINS: 10-10-301-016-0000 and 10-10-411-002-0000

Discussion and Interested Parties

Legal notice was advertised, posted, and delivered to property owners in the area as prescribed by the Zoning Chapter. It was determined by Corporation Counsel that notice was proper and correct.

As all 4 cases were related, there was combined discussion but each case was voted on separately.

Ms. Lauren Ryan, attorney, on behalf of SCI Illinois Services, LLC presented the cases with testimony from Anthony Campos, construction manager for Memorial Park Cemetery.

SCI Illinois Services owns and operates the Memorial Park Cemetery, zoned R1 Residential and the triangular piece of land at 9726 Gross Point Road, zoned H1 Hospital. The house at 9726 Gross Point Road, which belonged to the cemetery caretaker, was demolished in 2013 and the property has been vacant ever since. SCI wishes to expand the cemetery by using the vacant land for burial sites.
The re-zoning request is needed to change the H1 designation to R1, to match the zoning of the rest of the cemetery. The resubdivision request is necessary to keep the entire cemetery under 1 lot of record. In order to bring the site into compliance with Village Code, site plan approval is necessary because the combined site is greater than 1 acre in size. The request for special use is needed to allow the existing cemetery to remain in a residential district.

Ms. Ryan wanted to discuss a few recommended conditions in the site plan approval report. Condition #1a requires a tree removal permit for trees removed in 2017. She is requesting that the condition be re-evaluated since the house was demolished in 2013 and the site is vacant. There will be no enlargement or enhancement of any structures, nor an increase in impermeable surfaces. She wanted clarification of Condition #13 regarding signage. Staff confirmed that the condition was for any new signage – existing signage can stay as is. She also wanted an explanation of Condition #15 which asks for new site and landscape plans. Staff stated that if future changes occur then a new site plan will be required. In this case it is not necessary - the aerial map can act as a site plan.

In the special use permit request, Ms. Ryan wanted clarification of the condition requiring new parking lot and exterior lighting. Staff again agreed that the condition only pertains to new construction sites. Staff will accept what is on site now.

Staff commented that the petitioner gave an excellent overview of the cases and he didn’t have much to add. He requested that all staff reports be accepted into the record as presented.

In the site plan approval case, for trees being removed on private property or in the parkway a tree removal permit is required as stated in the standard conditions. Staff is looking at it as the trees were removed for the purpose of creating grave sites. The property will not be staying vacant. The Forester estimated a fee of $2,400 to be paid into the tree fund for the 2 trees removed to be replaced by planting 6 new trees.

A commissioner wanted confirmation that the language in the standard conditions will be cleaned up.

Another commissioner asked if they needed to pay for the tree removal permit now or wait until new trees are put in. Staff answered that during the building permit stage the Village would take a bond for the tree permit and hold it. After the work is completed, they will count up all the replacement trees by circumference to check if it balances out. If so, the bond would be returned – if not, the Village would keep the money. Ms. Ryan stated that a building permit is not being requested – it will just be used as grave sites. Staff answered that the bond could be linked to the fence permit.

Mr. Anthony Campos stated that there were trees taken down in 2017 and new trees put in since 2017. They should just call it even. The director of Community Development stated that he needs specifics - it depends on the size of the trees put in but the issue can be worked out.
Recommendations and Voting

Case 2019-09P - Zoning Map Amendment: 9726 Gross Point Road
A motion was made to approve the request as presented to change the zoning district from H1 Hospital to R1 Single-Family.

Motion: Laxpati  Second: Franklin  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  Nays: 0

Case 2019-10P - Subdivision: 9726 and 9900 Gross Point Road
A motion was made to approve the request as presented to resubdivide 2 lots into 1 lot in an R1 Single-Family zoning district.

Motion: Mathee  Second: Laxpati  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  Nays: 0

Case 2019-11P - Site Plan Approval: 9726 and 9900 Gross Point Road
A motion was made to approve the site plan approval request with minor language changes to expand a cemetery on a site that is 1 acre or greater in size.

Motion: Laxpati  Second: Franklin  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  Nays: 0

Case 2019-12P - Special Use Permit: 9900 Gross Point Road
A motion was made to approve as presented a special use permit for a cemetery in an R1 Single-Family zoning district.

Motion: J. Burman  Second: Laxpati  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  Nays: 0
LEGAL DESCRIPTION
A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 10,
TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL
MERIDIAN, DESCRIBED AS FOLLOWS:  COMMENCING AT THE
SOUTHEAST 1/4 CORNER OF SAID SECTION 10;  THENCE NORTH
00 DEGREES 22 MINUTES 37 SECONDS EAST, 871.67 FEET, TO THE
NORTHERLY RIGHT OF WAY LINE OF GROSS POINT ROAD FOR THE
POINT OF BEGINNING;  THENCE CONTINUING NORTH 00 DEGREES 22
MINUTES 37 SECONDS EAST, 118.06 FEET TO THE NORTH LINE OF THE
SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE
SOUTHEAST 1/4 AFORESAID SECTION 10;  THENCE NORTH 89
DEGREES 35 MINUTES 31 SECONDS EAST, ALONG SAID NORTH LINE
EXTENDED EAST, 121.02 FEET, TO THE NORTHERLY RIGHT OF WAY
LINE OF GROSS POINT ROAD;  THENCE SOUTH 45 DEGREES 40
MINUTES 59 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 170.22
FEET, TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

LEGAL DESCRIPTION
LOT 2 IN MEMORIAL PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH 1/2 OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 29, 1999 AS DOCUMENT NO. 99626242, IN COOK COUNTY, ILLINOIS.

EXHIBIT OF PROPOSED PROJECT SITE
WEST FIELD ESTATES

NOTE: SITE CURRENTLY UNDER CONSTRUCTION
SCALE: 1: = 30'
2019-11P - Site Plan Approval: 9726 and 9900 Gross Point Road
PLAN COMMISSION REPORT

2019-12P: Special Use Permit

Plan Commission
Council Chambers, 8:00 PM, May 20, 2019

To: Mayor and Board of Trustees
From: Paul Luke, Plan Commission Chairperson
Case: 2019-12P: Special Use Permit

9900 Gross Point Road

Related Cases – 2019-09P: Zoning Map Amendment
2019-10P: Subdivision
2019-11P: Site Plan Approval
2019-12P: Special Use Permit – cemetery

PLAN COMMISSION ANALYSIS

The case was heard at the April 18, 2019 Plan Commission meeting and involves a request for a special use permit for a cemetery in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case, ensuring the subject property continues to operate as a cemetery.

The Plan Commission is supportive of the existing cemetery use to remain, with a minor expansion of burial sites into an area of 0.162 acres at the southeast corner of the property, and implementing the future plans for Skokie, including a full-width, multi-use path along Old Orchard Road.

In addition to the discussion of other related cases, clarification regarding any new parking lot and exterior lighting must meet the Illuminating Engineering Society of North America (IES) standards as stated in the Plan Commission recommended conditions found later in this report.

INTERESTED PARTIES

Legal notice was advertised, posted, and delivered to property owners in the area as prescribed by the Zoning Chapter. It was determined by Corporation Counsel that notice was proper and correct. There were no interested parties who spoke regarding this case.

APPEARANCE COMMISSION

Appearance Commission approval is not needed at this time. Should new construction, landscaping, and/or signage be desired in the future, a request for a Certificate of Appropriateness, and a full Plan Commission review process or a modified review process, will be conducted at that time.
PLAN COMMISSION RECOMMENDATIONS AND VOTING

The Plan Commission recommended, by a vote of 6 ayes, 0 nays, and 3 absent that the petitioner’s request for a special use permit for a cemetery at 9900 Gross Point Road in an R1 Single-Family zoning district be APPROVED, based upon the Proposed Positive Findings of Fact and the conditions below.

ATTENDANCE

<table>
<thead>
<tr>
<th>ATTENDANCE</th>
<th>AYES</th>
<th>NAYS</th>
<th>ABSENT</th>
<th>VACANT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mathee</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>J. Burman (moved)</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Laxpati (second)</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Franklin</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Villegas</td>
<td></td>
<td>X</td>
<td></td>
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<td>S. Berman</td>
<td></td>
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<tr>
<td>Quane</td>
<td>X</td>
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<tr>
<td>Mitchell</td>
<td>X</td>
<td></td>
<td></td>
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<tr>
<td>Luke</td>
<td></td>
<td>X</td>
<td></td>
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</tr>
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</table>

ATTACHMENTS

1. Plan Commission Recommended Conditions, dated May 20, 2019
2. Plan Commission Positive Findings of Fact, dated May 20, 2019
3. Staff Report for 2019-12P, dated April 18, 2019
4. Minutes of Plan Commission Meeting, dated April 18, 2019
5. Plat of Survey and Project Site, dated December 14, 2018
6. Land Use and Zoning Map
PLAN COMMISSION
RECOMMENDED CONDITIONS 2019-12P: Special Use Permit

Plan Commission

Council Chambers, 8:00 PM, May 20, 2019

In addition to the conditions of cases 2019-10P and 2019-11P, the following conditions shall apply to a special use permit for a cemetery at 9900 Gross Point Road:

Site and Use

1. Any new parking lot and exterior lighting shall meet Illuminating Engineering Society of North America (IES) standards, be full cut-off design, and be directed away from adjacent properties, subject to the approval of the Engineering Division. (Standard)

2. Any outdoor sound systems shall at all times maintain audio levels that are compliant with the Skokie Village Code. (Standard)

Governance

3. If work is to be performed on public property or if public property is utilized or impacted during construction and/or development, the owner shall provide, or shall cause the developer and/or contractor to provide, the Village of Skokie with a certificate of insurance naming the Village of Skokie as additionally insured for any and all claims related to any and all work. The owner shall hold, and shall cause the developer and/or contractor to hold, the Village of Skokie harmless and indemnify the Village for any and all claims for property damage or personal injury related to work on or use of public property. (Standard)

4. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations. (Standard)

5. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to initiate hearings to determine whether the subject Ordinance, as well as any applicable business licenses, should be revised or revoked. The petitioner shall pay all costs related to any hearings conducted as a result of non-compliance with any of the provisions of the enabling ordinance. The costs shall include but not be limited to court reporter fees, attorney fees, and staff time required researching and conducting said hearing. (Standard)
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<td>The request is consistent with the intent of the Comprehensive Plan.</td>
<td>The proposed use is consistent with the <em>open space and service employment</em> land use designations in the Comprehensive Plan.</td>
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<td>The request will not adversely affect adjacent properties.</td>
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STAFF REPORT 2019-12P: Special Use Permit

Community Development Department

Council Chambers, 7:30 PM, April 18, 2019

To: Paul Luke, Plan Commission Chairperson

From: Carrie Haberstich, AICP, Planner/CDBG Administrator

Re: 2019-12P: Special Use Permit
9900 Gross Point Road

Related Cases – 2019-09P: Zoning Map Amendment
2019-10P: Subdivision
2019-11P: Site Plan Approval
2019-12P: Special Use Permit – cemetery

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<td></td>
<td>C2 Commercial – vacant lot (City of Evanston)</td>
</tr>
<tr>
<td><strong>South</strong></td>
<td>B3 Business – clinic, bakery, electronics and appliances sales, bank, furniture store, jewelry store</td>
</tr>
<tr>
<td></td>
<td>H1 Hospital – hospital, clinics, assisted-living facility, skilled nursing facility</td>
</tr>
</tbody>
</table>
| East                          | R1 Single-Family – detached residences, park  
|                              | R2 Single-Family – detached residences, religious assembly  
|                              | B1 Service Commercial – parking lot for full service restaurant  
|                              | B2 Commercial – 3-or more unit multifamily residence; clinics; monument dealer; detached residences; full service restaurant; beer, wine, and liquor store  
| West                         | B4 Regional – Westfield Old Orchard shopping center  

**Comprehensive Plan**  
The site is designated as open space and service employment.

**SITE INFORMATION**

See case 2019-11P for site and Complete Streets information.

**PETITIONER’S SUBMITTAL**

As part of this Petition, SCI Illinois Services, LLC ("SCI") is also applying for the following:

- Petition for Zoning Map Amendment;
- Petition for Subdivision;
- Petition for Site Plan Approval;
- Preliminary Plan Review.

The purpose of these Petitions is so that SCI’s property, identified as P.I.N. 10-10-411-002, can obtain the same zoning as the rest of SCI’s property, Memorial Park Cemetery ("Cemetery"), and to make the entire Cemetery on single lot of record. SCI’s use of this property will not change; therefore, the requested special use permit will have no adverse effect on the character of the neighborhood, surrounding property values, traffic conditions, public utilities, storm water detention, or any other matters pertaining to the public health, safety, morals and general welfare of the community. The Special Use Permit will ensure that SCI’s property continues to operate as a cemetery.

**STAFF ANALYSIS**

Staff Comment and Review requests were sent to all pertinent departments and were received from Engineering and Planning. All other departments returned the requests with no comments regarding the subject case.

**Engineering**

A portion of the northwest corner of property may be needed for future bike path.
Planning
The Planning Division is supportive of the Comprehensive Plan of Skokie, Illinois, therefore, staff is supportive of the existing cemetery use to remain and implementing the future plans for Skokie, including a full-width, multi-use path along Old Orchard Road.

APPEARANCE COMMISSION
Appearance Commission approval is not needed at this time. Should new construction, landscaping, and/or signage be desired in the future, a request for a Certificate of Appropriateness, and a full Plan Commission review process or a modified review process, will be conducted at that time.

STAFF RECOMMENDATIONS
Staff recommends that the petitioner’s request for a special use permit for a cemetery at 9900 Gross Point Road in an R1 Single-Family district be APPROVED, based upon the Proposed Positive Findings of Fact and subject to the recommended conditions in subdivision case 2019-10P, site plan approval case 2019-11P, and the conditions below.

RECOMMENDED SPECIAL USE PERMIT CONDITIONS
In addition to the conditions of cases 2019-10P and 2019-11P, the following conditions shall apply to the cemetery:

Site and Use
1. New parking lot and exterior lighting shall meet Illuminating Engineering Society of North America (IES) standards, be full cut-off design, and be directed away from adjacent properties, subject to the approval of the Engineering Division. (Standard)
2. Any outdoor sound systems shall at all times maintain audio levels that are compliant with the Skokie Village Code. (Standard)

Governance
3. If work is to be performed on public property or if public property is utilized or impacted during construction and/or development, the owner shall provide, or shall cause the developer and/or contractor to provide, the Village of Skokie with a certificate of insurance naming the Village of Skokie as additionally insured for any and all claims related to any and all work. The owner shall hold, and shall cause the developer and/or contractor to hold, the Village of Skokie harmless and indemnify the Village for any and all claims for property damage or personal injury related to work on or use of public property. (Standard)
4. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations. (Standard)

5. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to initiate hearings to determine whether the subject Ordinance, as well as any applicable business licenses, should be revised or revoked. The petitioner shall pay all costs related to any hearings conducted as a result of non-compliance with any of the provisions of the enabling ordinance. The costs shall include but not be limited to court reporter fees, attorney fees, and staff time required researching and conducting said hearing. (Standard)

ATTACHMENTS

1. Proposed Positive Findings of Fact
2. Plat of Survey, dated December 14, 2018
3. Land Use and Zoning Map
Plan Commission Meeting Minutes  
Date: April 19, 2019

A motion was made by Commissioner D. Laxpati and seconded by Commissioner J. Burman to approve the minutes of the April 4, 2019 meeting.

Vice-Chairman George Mitchell conducted the meeting in the absence of Chairman Paul Luke.

Case Description

2019-09P - Zoning Map Amendment: 9726 Gross Point Road  
SCI Illinois Services, LLC, requests to amend the zoning map to change the zoning district for 9726 Gross Point Road from H1 Hospital to R1 Single-Family.

2019-10P - Subdivision: 9726 and 9900 Gross Point Road  
SCI Illinois Services, LLC, request a resubdivision of 2 lots into 1 lot in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case.

2019-11P - Site Plan Approval: 9726 and 9900 Gross Point Road  
SCI Illinois Services, LLC, requests site plan approval in order to expand a cemetery on a site that is 1 acre or greater in size in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case.

2019-12P - Special Use Permit: 9900 Gross Point Road  
SCI Illinois Services, LLC, requests a special use permit for a cemetery in an R1 Single-Family zoning district, and any relief that may be discovered during the review of this case.

PINS: 10-10-301-016-0000 and 10-10-411-002-0000

Discussion and Interested Parties

Legal notice was advertised, posted, and delivered to property owners in the area as prescribed by the Zoning Chapter. It was determined by Corporation Counsel that notice was proper and correct.

As all 4 cases were related, there was combined discussion but each case was voted on separately.

Ms. Lauren Ryan, attorney, on behalf of SCI Illinois Services, LLC presented the cases with testimony from Anthony Campos, construction manager for Memorial Park Cemetery.

SCI Illinois Services owns and operates the Memorial Park Cemetery, zoned R1 Residential and the triangular piece of land at 9726 Gross Point Road, zoned H1 Hospital. The house at 9726 Gross Point Road, which belonged to the cemetery
caretaker, was demolished in 2013 and the property has been vacant ever since. SCI wishes to expand the cemetery by using the vacant land for burial sites.

The re-zoning request is needed to change the H1 designation to R1, to match the zoning of the rest of the cemetery. The resubdivision request is necessary to keep the entire cemetery under 1 lot of record. In order to bring the site into compliance with Village Code, site plan approval is necessary because the combined site is greater than 1 acre in size. The request for special use is needed to allow the existing cemetery to remain in a residential district.

Ms. Ryan wanted to discuss a few recommended conditions in the site plan approval report. Condition #1a. requires a tree removal permit for trees removed in 2017. She is requesting that the condition be re-evaluated since the house was demolished in 2013 and the site is vacant. There will be no enlargement or enhancement of any structures, nor an increase in impermeable surfaces. She wanted clarification of Condition #13 regarding signage. Staff confirmed that the condition was for any new signage – existing signage can stay as is. She also wanted an explanation of Condition #15 which asks for new site and landscape plans. Staff stated that if future changes occur then a new site plan will be required. In this case it is not necessary - the aerial map can act as a site plan.

In the special use permit request, Ms. Ryan wanted clarification of the condition requiring new parking lot and exterior lighting. Staff again agreed that the condition only pertains to new construction sites. Staff will accept what is on site now.

Staff commented that the petitioner gave an excellent overview of the cases and he didn't have much to add. He requested that all staff reports be accepted into the record as presented.

In the site plan approval case, for trees being removed on private property or in the parkway a tree removal permit is required as stated in the standard conditions. Staff is looking at it as the trees were removed for the purpose of creating grave sites. The property will not be staying vacant. The Forester estimated a fee of $2,400 to be paid into the tree fund for the 2 trees removed to be replaced by planting 6 new trees.

A commissioner wanted confirmation that the language in the standard conditions will be cleaned up.

Another commissioner asked if they needed to pay for the tree removal permit now or wait until new trees are put in. Staff answered that during the building permit stage the Village would take a bond for the tree permit and hold it. After the work is completed, they will count up all the replacement trees by circumference to check if it balances out. If so, the bond would be returned – if not, the Village would keep the money. Ms. Ryan stated that a building permit is not being requested – it will just be used as grave sites. Staff answered that the bond could be linked to the fence permit.

Mr. Anthony Campos stated that there were trees taken down in 2017 and new trees put in since 2017. They should just call it even. The director of Community Development stated that he needs specifics - it depends on the size of the trees put in but the issue can be worked out.

VOSDOCS-#551665-v1-Plan_Commission_meeting_minutes_-_4-18-19_-special_use_permit
Recommendations and Voting

Case 2019-09P - Zoning Map Amendment: 9726 Gross Point Road
A motion was made to approve the request as presented to change the zoning district from H1 Hospital to R1 Single-Family.

Motion: Laxpati  Second: Franklin  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  
Nays: 0

Case 2019-10P - Subdivision: 9726 and 9900 Gross Point Road
A motion was made to approve the request as presented to resubdivide 2 lots into 1 lot in an R1 Single-Family zoning district.

Motion: Mathee  Second: Laxpati  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  
Nays: 0

Case 2019-11P - Site Plan Approval: 9726 and 9900 Gross Point Road
A motion was made to approve the site plan approval request with minor language changes to expand a cemetery on a site that is 1 acre or greater in size.

Motion: Laxpati  Second: Franklin  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  
Nays: 0

Case 2019-12P - Special Use Permit: 9900 Gross Point Road
A motion was made to approve as presented a special use permit for a cemetery in an R1 Single-Family zoning district.

Motion: J. Burman  Second: Laxpati  Absent: S. Berman, P. Luke, & M. Villegas

Ayes: 6  
Nays: 0
LEGAL DESCRIPTION
LOT 2 IN MEMORIAL PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH 1/2 OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 29, 1999 AS DOCUMENT NO. 99626242, IN COOK COUNTY, ILLINOIS.

LEGAL DESCRIPTION
A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:  COMMENCING AT THE SOUTHEAST 1/4 CORNER OF SAID SECTION 10;  THENCE NORTH 00 DEGREES 22 MINUTES 37 SECONDS EAST, 871.67 FEET, TO THE NORTHERLY RIGHT OF WAY LINE OF GROSS POINT ROAD FOR THE POINT OF BEGINNING;  THENCE CONTINUING NORTH 00 DEGREES 22 MINUTES 37 SECONDS EAST, 118.06 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF AFORESAID SECTION 10;  THENCE NORTH 89 DEGREES 35 MINUTES 31 SECONDS EAST, ALONG SAID NORTH LINE EXTENDED EAST, 121.02 FEET, TO THE NORTHERLY RIGHT OF WAY LINE OF GROSS POINT ROAD;  THENCE SOUTH 45 DEGREES 40 MINUTES 59 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 170.22 FEET, TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.