

**THE CITY OF LAKE FOREST  
CITY COUNCIL AGENDA**  
Monday, October 5, 2020 at 6:30 pm

**REMOTE ACCESS MEETING**

Please be advised that all of the City Council members will be remotely attending this Council meeting by electronic means, in compliance with the recent amendments to the Open Meetings Act. The Mayor of the City Council has determined that it is not prudent or practical to conduct an in-person meeting due to the COVID-19 pandemic, and that it is not feasible to have the City Council members or members of the public physically present at the meeting due to the pandemic disaster.

The City will be providing members of the public with various opportunities to watch or attend this meeting, as well as provide public comment at the meeting. For example, members of the public can participate remotely in the meeting by following the public audience link which will provide both video and audio means to attend the meeting.

**Public audience link:**

<https://us02web.zoom.us/j/81264991854?pwd=eTZabGhnZUNEOTkSOE0vbzBnbmptQT09>

Webinar ID: 812 6499 1854

Passcode: 1861

**Public Comment: 847-810-3643**

Honorable Mayor, George Pandaleon

James E. Morris, Alderman First Ward

Jennifer Karras, Alderman First Ward

Melanie Rummel, Alderman Second Ward

Edward U. Notz, Jr., Alderman Second Ward

Jim Preschlack, Alderman Third Ward

Ara Goshgarian, Alderman Third Ward

Raymond Buschmann, Alderman Fourth Ward

Eileen Looby Weber, Alderman Fourth Ward

**CALL TO ORDER AND ROLL CALL**

**6:30pm**

**PLEDGE OF ALLEGIANCE**

**REPORTS OF CITY OFFICERS**

<b>1. COMMENTS BY MAYOR</b>
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**A. Deerpath Golf Course Update**

- Vince Juarez, Regional Operations Executive and Jason Petree, General Manager

**B. COVID 19 Financial Impact Update**

- Elizabeth Holleb, Finance Director

- C. Local Business Support
  - Catherine Czerniak, Director of Community Development

<b>2. COMMENTS BY CITY MANAGER</b>
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- A. Community Spotlight
  - Lake Forest Preservation Foundation
  - Laura Luce, Chair of Preservation Awards

- B. Department Spotlight
  - Sally Swarthout, Director of Parks and Recreation

<b>3. OPPORTUNITY FOR CITIZENS TO ADDRESS THE CITY COUNCIL</b>
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Members of the public can provide public comment by calling into the following number during the meeting: 847-810-3643

<b>4. COMMITTEE REPORTS</b>
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<b>5. ITEMS FOR OMNIBUS VOTE CONSIDERATION</b>
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1. Approve the Extension of the Mayor's Declaration of a Local State of Emergency until the next City Council Meeting

STAFF CONTACT, Jason Wicha, City Manager

**PURPOSE AND ACTION REQUESTED:** It is requested that the City Council extend the Declaration to the next City Council meeting.

**BACKGROUND/DISCUSSION:** Over the past month, the U.S. Government and the State of Illinois have issued multiple orders declaring a state of emergency over the country and the State of Illinois in order to address the impact from the global pandemic from COVID-19. In order to address the impact this pandemic has had on the City of Lake Forest, Mayor Pandaleon exercised his authority to issue a Declaration of a Local State of Emergency on Saturday, April 4, 2020. At the April 6, 2020 City Council meeting, the City Council extended the Declaration to the next City Council meeting which was September 8, 2020.

In order to ensure that the emergency powers authorized by the local declaration remain in effect where necessary, the Mayor is asking the City Council to further extend the Declaration of a Local State of Emergency until the next City Council meeting that takes place after the October 5, 2020.

**REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
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City Council	9/8/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	8/3/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	7/20/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	6/15/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	6/1/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	5/18/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	5/4/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	4/20/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	4/6/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
	4/4/2020	Mayor Pandaleon exercised his authority to issue a Declaration of a Local State of Emergency

**BUDGET/FISCAL IMPACT:** N/A

**COUNCIL ACTION:** Approve the extension of the Mayor's Declaration of a Local State of Emergency until the next City Council Meeting

## **2. Approval of the September 8, 2020 City Council Meeting Minutes**

A copy of the minutes can be found beginning on **page 16**

**COUNCIL ACTION:** Approval of the September 8, 2020 City Council Meeting Minutes.

## **3. Approval of the September 21, 2020 City Council Workshop Meeting Minutes**

A copy of the minutes can be found beginning on **page 20**

**COUNCIL ACTION:** Approval of the September 21, 2020 City Council Workshop Meeting Minutes.

## **4. Approval of the Check Register for the Period of August 29 to September 25, 2020**

**STAFF CONTACT:** Elizabeth Holleb, Finance Director (847-810-3612)

**BACKGROUND/DISCUSSION:** City Code Section 38.02 sets forth payment procedures of the City. The Director of Finance is to prepare a monthly summary of all warrants to be drawn on the City treasury for the payment of all sums due from the City (including all warrants relating to payroll and invoice payments) by fund and shall prepare a detailed list of invoice payments which denotes the person to whom the warrant is payable. The warrant list detail of invoice payments shall be presented for review to the Chairperson of the City Council

Finance Committee for review and recommendation. All items on the warrant list detail recommended for payment by the Finance Committee Chairperson shall be presented in summary form to the City Council for approval or ratification. Any member of the City Council shall, upon request to the City Manager or Director of Finance, receive a copy of the warrant list detail as recommended by the Finance Committee Chairperson. The City Council may approve the warrant list as so recommended by the Finance Committee Chairperson by a concurrence of the majority of the City Council as recorded through a roll call vote.

The Council action requested is to ratify the payments as summarized below. The associated payroll and invoice payments have been released during the check register period noted.

Following is the summary of warrants as recommended by the Finance Committee Chairperson:

**Check Register for August 29 - September 25, 2020**

	Fund	Invoice	Payroll	Total
101	General	532,578	1,556,759	2,089,337
501	Water & Sewer	103,384	199,433	302,817
220	Parks & Recreation	155,763	429,910	585,673
311	Capital Improvements	682,129	0	682,129
202	Motor Fuel Tax	0	0	0
230	Cemetery	49,720	32,088	81,808
210	Senior Resources	3,384	25,059	28,443
510	Deerpath Golf Course	10,509	2,986	13,495
601	Fleet	86,247	63,208	149,455
416 - 433	Debt Funds	0	0	0
248	Housing Trust	0	0	0
201	Park & Public Land	1,628	0	1,628
	All other Funds	1,216,974	169,888	1,386,862
		<b>\$2,842,316</b>	<b>\$2,479,329</b>	<b>\$5,321,646</b>

The amount listed in "All other Funds" includes \$511,971 in Water Capital Fund payments and \$514,313 in Medical/Dental claim payments in the Self Insurance Fund.

COUNCIL ACTION: Approval of the Check Register for the Period of August 29 to September 25, 2020.

**5. Approval of a Resolution of Sympathy for Appreciation for Retired Employee Harold "Hal" Robson**

A copy of the Resolution can be found on **page 22**

COUNCIL ACTION: Approval of a Resolution of Sympathy for Appreciation for Retired Employee Harold "Hal" Robson

**6. Consideration of a Resolution Providing Additional Support to Local Businesses During the COVID-19 Pandemic (Approval by Motion)**

**STAFF CONTACT:**

*Catherine Czerniak, Director of Community Development (810-3504)*

**PURPOSE AND ACTION REQUESTED:** Over the course of the last several months, the City Council has directed staff to take various actions in support of local businesses during this difficult time. As the weather changes and based on experience with the initiatives put in place to date, staff is returning to the Council with a recommendation for some modifications, enhancement and additional flexibility in the ways the City can support local businesses in the coming months.

**BACKGROUND/DISCUSSION:** In May of this year, in anticipation of businesses re-opening on a limited basis, the Council approved and directed staff to support businesses in various ways. To date, the City has approved a Local Business Grant Program, use of City rights-of-way to expand dining and merchandising opportunities, use of City barricades and signage at no cost and the installation of tents and heaters to accommodate outdoor activity. The Council's direction to staff was to be flexible and open to creative ways to support local businesses.

To date:

- The City Council allocated \$500,000 in the FY21 Budget for COVID-19 related support to local businesses. On April 20, the City Council designated \$287,000 from that allocation to support the Local Business Grant program. The number of applications for the grants has been lower than anticipated. City staff continues to reach out to local businesses to provide information and to inform business owners that the application process is simple and streamlined. A cap of \$12,500 per applicant was established for this program.
- The City Council also authorized the use of City rights-of-way, sidewalks and parking lots by businesses, the erection of tents, and the provision of City barricades and directional signage to businesses at no cost. Several restaurants, retail stores, service businesses and not for profit entities have taken advantage of these opportunities.
- Separately, not related to local businesses, but of note, the Council also adopted a Resolution in support of local not for profits in the form of City staff support for planning and coordinating events that conform to public health and safety protocols, leniency with respect to use of City rights-of-way and other properties, use of City barricades and signage at no cost and general flexibility as determined to be appropriate by the City Manager.

In considering which initiatives have been of interest to businesses to date, and in light of the cooler weather approaching, staff stepped back to evaluate how continued support could be offered to businesses. Since many businesses to date have chosen not to take advantage of the Local Business Grant Program and, as a result, some of the funds made available for this program by the City Council remain available, staff recommends that the City Manager be given greater flexibility to use the remaining funds in a variety of ways to support local businesses.

Staff has learned that each business has unique needs during this difficult time and as a result, providing the opportunity for businesses to take advantage of the funds previously made available by the City Council, up to a maximum of \$12,500 for each business, in various ways, may appeal to a greater number of businesses. The recommended \$12,500 cap is consistent with the cap placed on the Local Business Grant Program. Under this more flexible program, individual businesses could put together their own "Assistance Package", a package that meets the specific needs of each business. The Assistance Package could include one or more of the following up to the allowed cap: a grant through the program previously established by the City Council, waiver of annual license fees, waiver of permit fees for enhancements at the business location to make accommodations to better serve customers safely or, a 50/50 cost share program with the City for the purchase of materials or equipment to support modified customer service particularly during the colder weather.

This make your own Assistance Package concept is brought forward as a way to build upon the City Council's prior discussions and approvals and, as a way to allow a greater number of businesses to benefit from the City's offer of assistance.

A Resolution is included in the Council packet beginning on **page 23** and in summary, authorizes the City Manager to offer the following subject to staff review and approval:

- a. Financial assistance of up to \$12,500 in total to local businesses.
- b. Individualized Assistance Packages to provide the support each business owner determines to be most valuable and helpful.

**BUDGET/FISCAL IMPACTS:**

This initiative would be funded from the \$500,000 allocation previously approved by the City Council for business stimulus grants which to date, has not been fully expended. The funds are from the FY2020 operating budget surplus in the General Fund and were set aside as of 4/30/20 and included in the FY21 budget rollovers considered by the City Council in July, 2020. When the \$500,000 allocation has been exhausted, the program will end unless additional funds are allocated by the City Council.

**COUNCIL ACTION:** Approve a Resolution in support of providing additional support to local businesses during the COVID-19 pandemic

**7. Approval of the Purchase of Computer Workstations, Laptops, Hybrid Tablets, and Rugged Tablets for All City Departments**

STAFF CONTACT: *Joseph Gabanski, Assistant Director of IT (847-810-3591)*

**PURPOSE AND ACTION REQUESTED:** Staff requests approval to purchase 17 desktop computers, 31 laptops, 3 hybrid tablets, and 3 semi-rugged tablets. The project is to replace computers based on a 5-year replacement cycle for workstations, laptops, and hybrid computers, and a need to transition 12 desktops to laptops in order to provide remote work capabilities for staff.

**BACKGROUND/DISCUSSION:** The City has 17 desktop computers, 31 laptops, 3 hybrid and 3 semi-rugged tablets recommended for replacement in FY21. Twelve of these desktops are being transitioned to laptops to provide remote work capability, while the rest of the

replacements are considered end of life (EOL) as they no longer have a warranty and most are starting to report reduced performance when performing common tasks. The oldest computers of this proposed replacement are 5 years old, with the average being 4 years old. The City's current inventory of computers consists of 147 desktops, 58 laptops, 48 iPads, 27 hybrid tablets, and 34 rugged tablets.

The City standardized all desktops and laptops with Dell products 20 years ago. The standardizations help staff to efficiently deploy, troubleshoot, and maintain the systems. This year the City received pricing from three vendors: CDW, Dell, and SHI. CDW provided the City with a proposal based on the National IPA Technology Solutions (2018011-01) contract pricing.

**BUDGET/FISCAL IMPACT:** Staff received the following pricing for this project:

Vendor	Total Amount Dell Workstations, Laptops, Hybrid and Rugged Tablets
CDW	\$79,168
DELL	\$82,581
SHI	\$82,111

Has competitive pricing been obtained for proposed goods/services? **Yes**

Below is an estimated summary of Project budget:

FY2021 Funding Source	Amount Budgeted	Amount Requested	Budgeted? Y/N
IT Capital 311-1303-466.66-11	\$82,450	\$79,168	Y

**COUNCIL ACTION:** Approval of the Purchase of Computer Workstations, Laptops, Hybrid Tablets, and Rugged Tablets for All City Departments

**8. Award of Proposal to Cyril Regan Heating, Inc. for the Senior Center HVAC Replacement Project in the Amount of \$155,380.00 with a 10% or \$15,538 Contingency**

STAFF CONTACT: *Dan Martin, Superintendent of Public Works (847-810-3561)*

**PURPOSE AND ACTION REQUESTED:** The Public Works Committee and staff request City Council approval to award a proposal to replace the two inline duct furnaces with a hot water heat system, including two boilers, circulation pumps, and heating coils located at the Senior Center Building to Cyril Regan Heating Inc.

**BACKGROUND/DISCUSSION:** In May of 2020, staff enlisted the services of WT Group Engineering to evaluate and redesign the twenty year old heating system at the Senior Center. The current heating system consists of two inline duct furnaces, which have been prone to maintenance issues, mostly from cracked heat exchangers. In addition, the HVAC

system was not designed to control the heating to specific areas of the building causing an imbalance in temperature control. The newly designed heating system will consist of two boilers, two circulation pumps, one main heating and cooling coil in the air handler unit and six smaller hot water coils in each of the separate supply ductwork zones. The system was designed with two boilers for redundancy, thus insuring the building will never be without heat. Also, the project includes providing a new building automation control system for greater efficiency and temperature control for the six zones.

**PROJECT REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
Public Works Committee	9/23/2020	Reviewed and Recommended Approval

**BUDGET/FISCAL IMPACT:** The project followed the public proposal process and was advertised in the paper on August 14, 2020. Invitations were also sent to HVAC contractors that have done favorable work on past projects. A mandatory pre-proposal meeting was held on August 21, 2020. Six contractors attended the pre-proposal meeting and three submitted proposals.

Has City staff obtained competitive pricing for proposed goods/services? **Yes**

On September 4, 2020, staff received the following proposals to replace the boilers and circulation pumps:

Company Name	Dollar Amount Bid
Cyril Regan Heating, Inc.	\$155,380.00
Oak Brook Mechanical	\$187,265.00
Amber Mechanical	\$228,000.00

Upon review of the submitted proposals and references, staff and the consulting engineer, WT Group Engineering recommends proceeding with the lowest responsible proposal received by Cyril Regan Heating, Inc. Cyril Regan Heating, Inc. has done comparable HVAC projects for Lake Bluff Middle School, Moraine Valley Community College and Wentworth Garden Apartments.

Below is an estimated summary of project budget:

FY2021 Capital Funding Source	Amount Budgeted	Amount Requested	Budgeted? Y/N
311-1503-467-67-76	\$174,000.00	\$170,918.00	Y

**COUNCIL ACTION:** Award of Proposal to Cyril Regan Heating, Inc. for the Senior Center HVAC Replacement Project in the Amount of \$155,380.00 with a 10% or \$15,538 Contingency

**9. Award of Proposal to A & A Sprinkler Company, Inc. for a Three-Year Fire Sprinkler Inspection & Maintenance Agreement in the amount of \$43,133.28**

STAFF CONTACT: *Dan Martin, Superintendent of Public Works (810-3561)*

**PURPOSE AND ACTION REQUESTED:** The Public Works Committee and City staff are requesting City Council approval to award a proposal for Fire Sprinkler Inspection & Maintenance agreement to A & A Sprinkler Company, Inc.

**PROJECT REVIEW/RECOMMENDATIONS:**

Milestone	Date	Comments
Public Works Committee	9/23/2020	Reviewed and Recommended Approval

**BACKGROUND/DISCUSSION:** An important role provided by the Building Maintenance Section is to hire and oversee contractors that are certified or licensed to perform specialized inspections, testing or maintenance to various facility operating components mandated by Federal, State or local codes. These systems include, but are not limited to elevators, lifts, overhead cranes, backflow preventers, boilers, fire alarms and fire sprinkler systems. The City currently has sixteen buildings that have fire sprinkler systems that require a qualified third party contractor to inspect, test and repair annually. The project specifications required all interested parties submitting proposals to meet all standards outlined in the National Fire Prevention Agency Code (NFPA 25) which is part of the City's Building Code.

**BUDGET/FISCAL IMPACT:** The Fire Sprinkler Inspection & Maintenance Request for Proposals (RFP) followed the public process. The City of Lake Forest advertised the RFP in the newspaper and contacted multiple companies to notify them of the RFP. The City received four responses which were evaluated by staff. A & A Sprinkler Company, Inc. was determined to be the lowest qualified bidder. A & A Sprinkler has performed Fire Sprinkler testing in The City of Lake Forest for the past fifteen years.

Has competitive pricing been obtained for proposed goods/services? **Yes**  
On August 25, 2020, staff received the following proposals for this contract:

Company	FY2021	FY2022	FY2023	Total
A & A Sprinkler Company, Inc.	\$14,094.00	\$14,375.88	\$14,663.40	\$43,133.28
Automatic Fire Systems, Inc.	\$17,616.00	\$17,968.32	\$18,327.69	\$53,912.01
F.E. Moran Fire Protection	\$28,930.00	\$29,508.60	\$30,098.77	\$88,537.37

Cintas Fire Protection	\$41,972.00	\$42,811.44	\$43,667.69	\$128,451.13
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**Fire Sprinkler Inspection/ Maintenance Contract:**

FY2021 -2023 Funding Source	Amount Budgeted	Amount Requested	Budgeted Y / N
Operating Budget	Multiple Accounts	\$43,133.28	Y

**COUNCIL ACTION:** Award of Proposal to A & A Sprinkler Company, Inc. for a Three-Year Fire Sprinkler Inspection & Maintenance Agreement in the amount of \$43,133.28

**10. Authorize the City Manager to Enter into a One Year Agreement with the Illinois Department of Transportation for the Plowing and Salting of Route 43 (Rte. 176-Rte. 22) and Route 60 (Rte. 41-Field Drive) for the Winter of 2020/2021**

STAFF CONTACT: *Michael Thomas, Director of Public Works (810-3540)*

**PURPOSE AND ACTION REQUESTED:** Staff is requesting City Council authorization to allow the City Manager to enter into a one year agreement with the Illinois Department of Transportation for the plowing and salting of Route 43 (Rte. 176-Rte. 22) and Route 60 (Rte. 41-Field Drive) for the winter of 2020/2021. A copy of agreement can be found beginning on **page 26.**

**BACKGROUND/DISCUSSION:** The Illinois Department of Transportation (IDOT hereafter) is responsible for plowing and salting all State routes. In Lake Forest, this includes Rte. 41, 43, and 60. Equipment to plow these roads comes from IDOT's Gurnee Maintenance Facility. Over recent years, IDOT has had its challenges meeting the obligation of plowing Rte. 43 & 60 in a timely manner. For many years, IDOT has had problems with reliability of its older snow plow fleet and was limited on the hours its mechanics could spend repairing said equipment. This, along with reductions in IDOT's operating budget, resulted in many State routes receiving less than expected snow removal and salting services.

Last winter, The City of Lake Forest entered into a one year agreement with IDOT and thereby accepted responsibilities of plowing and salting these two State routes. The agreement was created as a pilot program to see if both the City could incorporate the added responsibilities into its snow program while at the same time meeting IDOT's quality and response time expectations. In conversations this past spring, IDOT officials confirmed that the City had met their expectations throughout the winter season and would be interested in pursuing an additional one year agreement. The City responded to IDOT that it instead would be interested in entering into a 10-year agreement. IDOT informed the City that such long-term agreements were created in their Springfield office and that they did not believe they could have an agreement completed in time for this upcoming winter. IDOT therefore proposed entering into an identical agreement with the same financial terms for the upcoming winter.

The following chart provides a breakdown of the costs associated with last winter's program. IDOT has paid the City in full per the agreed amount of \$93,131.36.

Month	Event Total	Inches of Snow	Reg Hour	Reg Cost	OT Hours	OT Rate	TOTAL Hours	TOTAL Rate	Salt Tons	Salt Cost	Equip. Cost	TOTAL COST
December	2	3"	4.5	\$171.68	8	\$463.35	12.5	\$635.03	21.86	\$1,418.28	\$187.50	<b>\$2,240.81</b>
January	7	10"	7.5	\$286.14	54.5	\$3,118.77	62	\$3,404.91	117.33	\$7,612.37	\$930.00	<b>\$11,947.28</b>
February	5	8.25"	17	\$648.56	28.50	\$1,630.91	45.50	\$2,279.47	90.02	\$5,840.50	\$682.50	<b>\$8,802.47</b>
<b>TOTAL</b>	<b>14</b>	<b>21.25"</b>	<b>29</b>	<b>\$1,113.58</b>	<b>91</b>	<b>\$5,213.03</b>	<b>120</b>	<b>\$6,326.61</b>	<b>229.21</b>	<b>\$14,871.14</b>	<b>\$1,800.00</b>	<b>\$22,997.75</b>

**PAST PROJECT REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
Public Works Committee	September 23, 2020	Recommended City Council Approve the Winter 2020/2021 IDOT Agreement
City Council	May 18, 2020	Salt Purchase Approved
City Council	December 2, 2019	Approved the Winter 2019/2020 IDOT Agreement

**BUDGET/FISCAL IMPACT:** The City's Fiscal Year 2021 budget did not include either the revenue or additional expenses related to this agreement, as the City was in the first pilot year for providing these services. A supplemental appropriation is not anticipated, but would be presented for City Council approval at the end of the fiscal year if needed.

With regards to salt, the City currently has 2,400 tons of salt on hand. At the May 18, 2020 City Council meeting, City Council approved the purchase of an additional 1,500 tons of salt from Morton Salt for the winter 2020/2021 or for use during the following winter. Staff incorporated a conservative salt estimate into both its inventory and the additional approved 1,500 tons.

With regards to equipment, staff will be requesting the purchase of an additional piece of equipment via the FY '22 budgeting process. City plow routes need to be adjusted in order to make available an additional large plow truck for Route 43 & 60. The FY '22 purchase request will be for a mini-loader to work in the CBD and parking lots. This will "free-up" a 5-yard truck that is needed to assist the 12-yard truck to plow and salt Routes 43 & 60.

As far as manpower and potential impacts from Covid, Department staff have been working since mid-summer developing its contingency plan for the upcoming winter. Staff is creating a plan that involves all levels of the Department as well as incorporating personnel from other Departments. The contingency plan will be shared with City Council at an upcoming meeting this fall. Staff feels confident that it will be able to provide plowing and salting services for all Lake Forest roadways and Routes 43 & 60.

**COUNCIL ACTIONS:** Authorize the City Manager to Enter into a One Year Agreement with the Illinois Department of Transportation for the Plowing and Salting of Route 43 (Rte. 176-Rte. 22) and Route 60 (Rte. 41-Field Drive) for the Winter of 2020/2021

**11. Consideration of an Ordinance Approving a Recommendation from the Building Review Board. (First Reading, and if Desired by the City Council, Final Approval)**

STAFF CONTACT: Catherine Czerniak,  
Director of Community Development (810-3504)

**PURPOSE AND ACTION REQUESTED:** The following recommendation from the Building Review Board is presented to the City Council for consideration as part of the Omnibus Agenda.

**BACKGROUND/DISCUSSION:** 710 Green Briar Lane – The Building Review Board recommended approval of a new residence on a vacant lot. A neighboring property owner raised concerns about potential drainage. Staff confirmed that the City Engineer is familiar with the drainage patterns in the area and in particular, is aware of the concerns raised by the neighbor. The drainage and grading plan for the new home reflect areas for short term storage of stormwater as required by the City Engineer. (Board vote: 6 - 0, approved)

The Ordinance approving the petition as recommended by the Building Review Board, with key exhibits attached, is included in the Council packet beginning on **page 39**. The Ordinance, complete with all exhibits, is available for review in the Community Development Department.

**COUNCIL ACTION:** If determined to be appropriate by the City Council, waive first reading and grant final approval of the Ordinance approving the petition in accordance with the Building Review Board's recommendation.

**COUNCIL ACTION:** Approval of the eleven (11) omnibus items as presented.

<b>6. ORDINANCES</b>
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- 1. Consideration of a Recommendation from the Plan Commission in Support of a Special Use Permit for Donati's Pizza/Jefe's Tacos, a Casual Restaurant in the Existing Building at Westwood Center, 950 N. Western Avenue. (If desired by the Council, Waive First Reading and Grant Final Approval of the Ordinance.)**

PRESENTED BY: Catherine Czerniak,  
Director of Community Development (810-3504)

**PURPOSE AND ACTION REQUESTED:** The following recommendation from the Plan Commission is presented to the City Council for consideration and final action.

**BACKGROUND/DISCUSSION:** This is a request for a Special Use Permit to allow a new restaurant to locate in an existing commercial development on the southwest corner of Western Avenue and Woodland Road. The City Code classifies restaurants located within 150' of residential zoning districts as special uses; restaurants located further away from residential properties are permitted outright. Special uses proposed in the City's business districts require consideration by the Plan Commission through the public hearing process and must be evaluated based on the general criteria for special uses and must also comply with the performance standards for restaurants detailed in the Code. The review process assures that the proposed use is considered in the context of both the nearby residential neighborhood and the business district and provides the opportunity for public input. Often,

special uses are approved subject to conditions and limitations as is the case with this petition.

The Westwood Center development, under new ownership, has recently undergone significant improvements both interior and exterior. Much of the exterior work is completed and more work is planned in the coming months. A mix of old and new tenants; including offices, restaurants and service businesses, occupy the updated building returning activity to this previously underutilized and deteriorating property. The revitalization of this commercial development offers an amenity to the increasing number of residents who live within walking distance of the business district as well as to the larger community and visitors.

In 2019, the Council, based on a recommendation from the Plan Commission, granted a Special Use Permit authorizing Scouts, a family restaurant, to locate at Westwood Center however, due to the current health crisis, this project was not able to move forward. Instead, a smaller restaurant, offering limited seating with a focus on delivery and take out services, and offering casual food; pizza, tacos and more, is proposed in a portion of the space previously planned for the larger restaurant. The proposed restaurant will be internal to the development, fronting on the courtyard. Tenant spaces with frontage on Western Avenue will remain available for future tenants.

During the public hearing, the Commission received a presentation from the petitioner and heard testimony from one adjacent resident who spoke of the challenges of living in a neighborhood that is adjacent to a commercial district. The Commission noted that several conditions are recommended to minimize potential impacts on the closest neighbors. After deliberation, the Commission concluded that the proposed restaurant, with the recommended conditions of approval, meets the applicable performance standards and Special Use Permit criteria. The Commission welcomed Donati's back to the community noting that the additional food options and an operational plan that facilitates deliveries and pickups will be a good addition to the business district particularly at this time. The conditions as recommended by the Commission are detailed in the ordinance which is included in the Council packet beginning on **page 49**. In summary, the conditions address parking, noise, outdoor dining, ventilation and deliveries.

The Commission voted 6 to 0 to recommend approval of the Special Use Permit for Donati's/Jefe's. The Commission's report is included in the Council's packet on page XX and provides additional background information.

**COUNCIL ACTION:** If determined to be appropriate by the City Council, waive first reading and grant final approval of the Ordinance approving a Special Use Permit for Donati's Pizza/Jefe's Tacos at Westwood Center, 950 N. Western Avenue in accordance with the Plan Commission's recommendation.

7. OLD BUSINESS
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8. NEW BUSINESS
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<b>9.      ADDITIONAL ITEMS FOR DISCUSSION/ COMMENTS BY COUNCIL MEMBERS</b>
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<b>10.     ADJOURNMENT</b>
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A copy of the Decision Making Parameters can be found beginning on **page 15** of this packet.

Office of the City Manager

September 30, 2020

The City of Lake Forest is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are required to contact City Manager Jason Wicha, at (847) 234-2600 promptly to allow the City to make reasonable accommodations for those persons.



## THE CITY OF LAKE FOREST

### DECISION-MAKING PARAMETERS FOR CITY COUNCIL, AND APPOINTED BOARDS & COMMISSIONS

*Adopted June 18, 2018*

The City of Lake Forest Mission Statement:

*"Be the best-managed, fiscally-responsible and appealing community and promote a community spirit of trust, respect and citizen involvement."*

The Lake Forest City Council, with the advice and recommendations of its appointed advisory Boards and Commissions, Lake Forest Citizens, and City Staff, is responsible for policy formulation and approval. Implementation of adopted strategy, policy, budgets, and other directives of Council is the responsibility of City Staff, led by the City Manager and Senior Staff. The Mayor and Aldermen, and appointed members of Boards and Commissions should address matters in a timely, deliberate, objective and process-driven manner, making decisions guided by the City of Lake Forest Strategic and Comprehensive Plans, the City's Codes, policies and procedures, and the following parameters:

- Motions and votes should comprise what is in the best long-term interests of all Lake Forest citizens, measured in decades, being mindful of proven precedents and new precedents that may be created.
- All points of view should be listened to and considered in making decisions with the long-term benefit to Lake Forest's general public welfare being the highest priority.
- Funding decisions should support effectiveness and economy in providing services and programs, while mindful of the number of citizens benefitting from such expenditures.
- New initiatives should be quantified, qualified, and evaluated for their long-term merit and overall fiscal impact and other consequences to the community.
- Decision makers should be proactive and timely in addressing strategic planning initiatives, external forces not under control of the City, and other opportunities and challenges to the community.

Community trust in, and support of, government is fostered by maintaining the integrity of these decision-making parameters.

*The City of Lake Forest's Decision-Making Parameters shall be reviewed by the City Council on an annual basis and shall be included on all agendas of the City Council and Boards and Commissions.*

The City of Lake Forest  
CITY COUNCIL  
*Proceedings of the Tuesday, September 8, 2020*  
City Council Meeting - City Council Chambers  
**REMOTE ACCESS MEETING**

CALL TO ORDER AND ROLL CALL: Honorable Mayor Pandaleon called the meeting to order at 6:30pm, and the City Clerk Margaret Boyer called the roll of Council members.

Present: Honorable Mayor Pandaleon, Alderman Morris, Alderman Karras, Alderman Rummel, Alderman Preschlack, Alderman Goshgarian, Alderman Buschmann and Alderman Weber.

Absent: Alderman Notz

**CALL TO ORDER AND ROLL CALL**

**PLEDGE OF ALLEGIANCE** was recited.

Mayor Pandaleon made the following statement as required by the Open Meetings Act. In accordance with state statute, Mayor Pandaleon has made a determination that it was not practical or prudent to schedule an in-person City Council meeting because of the COVID-19 pandemic, which is why this September 8, 2020 City Council meeting is being held remotely

**REPORTS OF CITY OFFICERS**

**COMMENTS BY MAYOR**

Mayor Pandaleon made a brief statement regarding Bagpipes and Bonfire, hosted by Lake Forest Open Lands, and explained how the event will be hosted. For more information, you can visit [lfol.org](http://lfol.org).

**A. Lake Forest Fire Department Retirements, Promotions and Resolutions**  
- Kevin Cronin, Deputy Fire Chief

Mayor Pandaleon introduced Deputy Chief, Kevin Cronin, who displayed a brief video to honor two retiring lieutenants. Steve Grost and Paul Pugliesi both received resolutions of appreciation for retiring. The video also honored the promotion to Lieutenant of Chris Roberts and Erik Kositzki within the Fire Department.

Mayor Pandaleon thanked the retiring personnel for their service and congratulated the newly promoted officers within the Fire Department.

**B. COVID 19 Financial Impact Update**  
- Elizabeth Holleb, Finance Director

Mayor Pandaleon introduced Finance Director Elizabeth Holleb to give a brief update on the financial impacts of COVID-19 on City finances. Ms. Holleb updated the City Council on the municipal sales tax revenue, stating that after passing a revised FY21 budget the actual revenue exceeded the projected revenue from the revised document. She also explained the increased income tax revenue, due to the taxable unemployment benefits that saw an increase due to COVID-19.

Ms. Holleb went into to further depth, giving department specific and fund specific revenue loss or expenditure cuts due to COVID-19.

Ms. Holleb gave an update on the Local Business Grant Program stating that only 16 application were received to date and the City has dispersed only \$25,517 compared to the \$287,000 allocated to this fund.

The City Council had discussion on City wide revenue expected shortfalls due to COVID-19. Ms. Holleb stated that this presentation was more specific to expense recovery but stated she would include information in her next briefing about potential changes to the FY22 budget.

There was additional discussion on the CARES Act and how much of the allocated funds would be dispersed to the Library. Ms. Holleb stated it would only be about 10% of the grant funding received from the County.

<b>COMMENTS BY CITY MANAGER</b>
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City Manager Jason Wicha gave a brief statement regarding responding to the 2020 census to ensure an accurate count of the population of the community since State funding is distributed on a per capita basis, he stated it is important to respond by the September 30, 2020 deadline.

**A. Community Spotlight**

- **Dickinson Hall, Lake Forest Lake Bluff Senior Center**
- **Tricia Schwall, Manager Dickinson Hall**

City Manager, Jason Wicha introduced a video from Dickinson Hall, and thanked Manager Tricia Schwall and staff at Dickinson Hall for their hard work and dedication. The City Council had discussion about the demographics of Dickinson hall. Ms. Schwall stated that there was a larger group of members in their 70s, however there is a range of members from 60-90 years of age. Additionally, the City Council thanked Ms. Schwall for the work that her and her staff have continued to conduct throughout a consistently changing environment.

**B. Summary of Recent Watermain Breaks**

- **Michael Thomas, Director of Public Works**

City Manager, Jason Wicha introduced Michael Thomas, Director of Public Works to brief the City Council and the community on the watermain breaks over the weekend of August 15, 2020. Mr. Thomas gave a summary presentation regarding water pressure loss, and the work conducted to locate the main break. He explained that as they worked to contain the main break, there were additional breaks coinciding with this event. Additionally, Lake Bluff and Highland Park were able to help dewater the areas. The City worked to develop a communications plan, issuing a precautionary boil order, which was lifted the following Tuesday.

The City Council had discussion on long term replacements of the pipelines to maintain the infrastructure. Mr. Thomas stated that the City has about 12 main breaks a year, and the life of the pipe that bust has an expectancy to last for 120 years. He continued to explain that the stretch does not need to be replaced, however in the future when pipes are replaced, they will be able to easily control the breaks.

The City Council thanked the staff members for their work to repair the main breaks, and the professional communication provided to the community.

Mayor Pandaleon asked City Manager, Jason Wicha if he could briefly discuss the Fall Ward Meetings. City Manager Wicha explained that these meetings will be conducted via a virtual format on Zoom and are scheduled for the following days:

Ward 2 – Tuesday, September 29<sup>th</sup>, 7 p.m. – 8:30 p.m.  
Ward 4 – Thursday, October 8<sup>th</sup>, 7 p.m. – 8:30 p.m.  
Ward 1 – Tuesday, October 27<sup>th</sup>, 7 p.m. – 8:30 p.m.  
Ward 3 – Thursday, October 29<sup>th</sup>, 7 p.m. – 8:30 p.m.

<b>OPPORTUNITY FOR CITIZENS TO ADDRESS THE CITY COUNCIL ON NON-AGENDA ITEMS</b>
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Members of the public can provide public comment by calling into the following number during the meeting: 847-810-3643

<b>COMMITTEE REPORTS</b>
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<b>ITEMS FOR OMNIBUS VOTE CONSIDERATION</b>
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1. **Approve the Extension of the Mayor’s Declaration of a Local State of Emergency until the next City Council Meeting**
2. **Approval of the August 3, 2020 City Council Meeting Minutes**
3. **Approval of the Check Register for the Period of July 25 – August 28, 2020**
4. **Approval of a Resolution of Appreciation for Retiring Employee Stephen E. Grost**
5. **Approval of a Resolution of Appreciation for Retiring Employee Paul J. Pugliese**
6. **Approve former City Manager’s request for reimbursement of costs incurred in defending against the charges brought by the Lake County States Attorney that were ultimately dismissed in the amount of \$14,519.50**
7. **Ratification of Expenses Related to the Eleven Emergency Water Main Break and Valve Repairs that Occurred August 15<sup>th</sup> – August 21<sup>st</sup>, 2020 in the Total Amount of \$84,800**
8. **Approval of an Intergovernmental Agreement (IGA) between the City of Lake Forest and the Lake Forest Library related to the Lake County COVID 19 Relief Fund**
9. **Consideration of an Ordinance Amending the City of Lake Forest Liquor Code, to increase the number of licenses available in Class A-2 and G-1 and Amend the language relating to the Class G-2 to modify current hours of operation for intuitions of higher learning. (First reading and if appropriate final approval)**
10. **Request Council Approval to Contract with Chicago Communications to Replace Aging Cables and Antennas on the Radio Tower at the Lake Forest Public Safety Building**
11. **Consideration of Ordinances Approving Recommendations from the Building Review Board. (First Reading, and if Desired by the City Council, Final Approval)**
12. **Consideration of a Recommendation from the Plan Commission in Support of a Special Use Permit to Authorize a New Real Estate Office, Compass, at 284 E. Deerpath. (If desired by the Council, Waive First Reading and Grant Final Approval of the Ordinance.)**

**COUNCIL ACTION: Approval of the twelve (12) Omnibus items as presented**

Mayor Pandaleon asked members of the Council if they would like to remove any item or take it separately.

The City Council had discussion on item #6. Mayor Pandaleon asked members of the Council if they would like to remove any item or take it separately.

The City Council had discussion on item #12. Mayor Pandaleon asked members of the Council if they would like to remove any item or take it separately. Seeing none, he asked for a motion.

Alderman Buschmann commented on Item #6. He remarked that Mr. Kiely submitted bills as he was entitled to do and the City Council did what it was required to do in indemnifying his costs. While not on the agenda, he also raised the question of indemnity provisions in our current City Code.

Alderman Morris made a motion to approve the twelve (12) Omnibus items as presented, seconded by Alderman Preschlack. The following voted "Aye": Alderman Morris, Karras, Rummel, Preschlack, Goshgarian, Buschmann and Weber. The following voted "Nay": None. 7-Ayes, 0 Nays, motion carried.

*Information such as Purpose and Action Requested, Background/Discussion, Budget/Fiscal Impact, Recommended Action and a Staff Contact as it relates to the Omnibus items can be found on the agenda.*

<b>ORDINANCES</b>
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<b>OLD BUSINESS</b>
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<b>NEW BUSINESS</b>
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<b>ADDITIONAL ITEMS FOR COUNCIL DISCUSSION/COMMENTS BY COUNCIL MEMBERS</b>
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<b>ADJOURNMENT</b>
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There being no further business Mayor Pandaleon asked for a motion. Alderman Preschlack made a motion to adjourn, seconded by Alderman Weber. Motion carried unanimously by voice vote at 8:13 pm.

Respectfully Submitted  
Margaret Boyer, City Clerk

*A video of the City Council meeting is available for viewing at the Lake Forest Library and on file in the Clerk's office at City Hall. You can also view it on the website by visiting [www.cityoflakeforest.com](http://www.cityoflakeforest.com). Click on I Want To, then click on View, then choose Archived Meetings Videos.*

The City of Lake Forest  
CITY COUNCIL WORKSHOP  
***Proceedings of the Monday, September 21, 2020***  
City Council Workshop Meeting - City Council Chambers  
220 E. Deerpath, Lake Forest, IL

CALL TO ORDER AND ROLL CALL: Honorable Mayor Pandaleon called the meeting to order at 6:30pm, and the City Clerk Margaret Boyer called the roll of Council members.

Present: Honorable Mayor Pandaleon, Alderman Morris, Alderman Karras, Alderman Rummel, Alderman Notz, Alderman Preschlack, Alderman Goshgarian, Alderman Buschmann and Alderman Weber.

Absent: none

**CALL TO ORDER AND ROLL CALL**

**6:30 p.m.**

City Manager Jason Wicha made opening comments stating that because it is a workshop meeting, there will be no decisions about projects. Rather, the City Council will direct Staff on projects. He additionally gave an overview of how the meeting will proceed.

**1. Overview of City's Capital Budget Process**

Director Holleb provided a presentation summarizing the City's capital budget process. She discussed in depth fund accounting, capital budget funding sources, Capital Improvements Fund targets, staff development of the capital budget and analysis of needs. The City Council had discussion on the different funding sources and how departments throughout the City are impacted by the capital funding process. Additionally, there was discussion on budgetary decisions that were made upon approval of the FY21 budget.

**2. Capital Improvement Plan (CIP) Scoring Methodology**  
– ELIZABETH HOLLEB, FINANCE DIRECTOR

Director Holleb gave an overview of the goals that staff wanted to achieve for CIP development. She summarized the changes made to the previous CIP scoresheet this year to help improve the process for prioritizing capital needs of the organization. Based on the recommended changes, City Manager Jason Wicha approved the changes made to the scoresheet. She explained how City staff will utilize this to determine the initial priority designation for projects when entering them into Plan It. The City Council had discussion on the weighting developed included in the recommended scoresheet.

**3. Recommended Revisions to Capital Budgeting Process**  
– ELIZABETH HOLLEB, FINANCE DIRECTOR

Director Holleb gave a summary of the four additional recommendations that will help streamline the City's capital budgeting process. She gave a lengthy overview of four different recommendations that were made including moving maintenance and routine capital replacement to the operating budget, moving Police, Fire and Recreation into the operating budget, eliminating the CIP Scoresheet requirement designated in Plan-It and adjusting criteria necessary for priority 5 projects. The City Council had discussion on the adjustments to the project scoring levels in order for departments to receive funding from the capital fund.

**4. Incorporation of Sustainability in the City's Capital Budget Process**  
– ELIZABETH HOLLEB, FINANCE DIRECTOR

Director Holleb briefly discussed the inclusion of sustainability into the City's capital budget process with the recent creation of the Environmental Sustainability Committee (ESC). She stated that the Committee was interested in making recommendations for stand-alone sustainability initiatives that would have elements within other CIP projects, such as stormwater or ravine projects. To this extent, Director Holleb recommended that the CIP include a "target" for sustainability initiatives. The City Council had lengthy discussion on the potential of capital projects having a sustainability aspect and what that would entail when including them in this process.

**5. COVID 19 and Potential Additional Stimulus to Support City's Business Community  
– JASON WICHA, CITY MANAGER**

City Manager Jason Wicha gave a brief report on low participation in the City's "Local Business Grant Program" with only 16 applications to date. He stated that City staff has continued to work with the Chamber to help promote the grant program and how to help businesses apply, and that additional proposals that would be presented to the City Council at the October 5 meeting. City Manager Wicha presented a potential cost share program to assist with purchases made to allow businesses to remain viable during the fall and winter seasons and waiving liquor licensing fees for the current fiscal year. The City Council had lengthy discussion on the reallocation on the funding already provided for the grant program and the potential waiver of the annual liquor licensing fee.

**6. Opportunity for Public Comment**

Choosri Goebel offered her comments with the City Council in regard to supporting local businesses through incentivized programs through the business owners.

**7. Adjournment**

There being no further discussion. Alderman Goshgarian made a motion to adjourn, seconded by Alderman Rummel. Motion carried unanimously by voice vote at 9:06 p.m.

Respectfully Submitted  
Margaret Boyer, City Clerk

*A complete Binder including all slides and handouts is available at City Hall*

## RESOLUTION OF SYMPATHY

WHEREAS, **HAROLD “HAL” ROBSON** was a dedicated and faithful public servant of The City of Lake Forest for 30 years, beginning January 18, 1960 until his retirement on January 18, 1990; and

WHEREAS, **HAL ROBSON** was Director of Parks and Recreation, and later Director of Parks, Forestry and Public Works, a position he held until his retirement; and

WHEREAS, **HAL ROBSON** became the first City Forester for the City in 1960 and worked tirelessly to promote and make The City of Lake Forest what is today; and

WHEREAS, due to the efforts of **HAL ROBSON**, the City received its first “Tree City USA” award in 1980/81, which the City continues to receive today and of which Hal was most proud; and

WHEREAS, **HAL ROBSON** was instrumental in the plan to prevent beach erosion and the 1985 beach restoration project, and navigated the aftermath of Mr. T’s deforestation of his estate; and

WHEREAS, **HAL ROBSON** performed these duties with pride and commitment to excellence, leaving his mark throughout the City; and

WHEREAS, the passing of **HAL ROBSON** on September 4, 2020 has taken away a highly regarded family member, public servant and friend;

NOW, THEREFORE, BE IT RESOLVED that the City Council of The City of Lake Forest hereby express its deep regret and sincere sympathy to the members of the family of **HAROLD “HAL” ROBSON**.

BE IT FURTHER RESOLVED that this Resolution be appropriately inscribed and conveyed to the ROBSON FAMILY, with a copy to be included in the official minutes of the October 5, 2020, meeting of the Lake Forest City Council.

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Mayor

**THE CITY OF LAKE FOREST**

**RESOLUTION NO. 2020-\_\_**

**RESOLUTION IN SUPPORT OF LOCAL BUSINESSES IN RESPONSE TO IMPACTS  
RESULTING FROM THE COVID-19 PANDEMIC**

**WHEREAS**, The City of Lake Forest (the “**City**”) is a home rule special charter municipality established and existing in accordance with the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the City has a long tradition of establishing processes and programs that protect and promote the health, life safety and general well-being of residents, local businesses and visitors; and

**WHEREAS**, the City overall, and in particular, local businesses including, but not limited to restaurants, retail stores and specialty food and drink establishments, have been and continue to be impacted by the COVID-19 pandemic, and

**WHEREAS**, although Governor Pritzker has allowed phased re-opening of businesses in the “Restore Illinois” plan over the past few months, customer activity for many businesses has not yet returned to pre-COVID levels; and

**WHEREAS**, local businesses are important to the vitality of the City’s business districts, the community’s character, and to our residents; and

**WHEREAS**, since May, 2020, the City Council has directed that temporary programs be put in place and that staff work cooperatively and creatively with local businesses to offer support during this unprecedented time; and

**WHEREAS**, at the direction of the City Council, staff has continued to consider new and different ways to support businesses and as a result, is seeking additional approvals from the Council; and

**WHEREAS**, for the purposes of this Resolution, “local businesses” shall be defined consistent with the Local Business Grant Program approved by City Council on April 20, 2020 ; and

**WHEREAS**, the City Council continues to place a high priority on public health and safety and encourages all businesses and customers to follow the recommended protocols to safeguard our community, employees and visitors; and

**WHEREAS**, the Mayor and City Council of The City of Lake Forest have determined that it is in the best interests of Lake Forest and its residents, and in furtherance of the public health, safety, and welfare, to offer additional City support to business in the interest of allowing them to weather the unprecedented challenges they are currently facing.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAKE FOREST, COUNTY OF LAKE, STATE OF ILLINOIS**, as follows:

**SECTION ONE: Recitals.** The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

**SECTION TWO: DIRECTION TO CITY STAFF.** The City Manager is directed to implement short term initiatives, in addition to those previously approved by the City Council, in support of local businesses during the COVID-19 pandemic in general conformance with the following:

- a. Financial assistance of up to \$12,500 in total shall be made available by the City to local businesses.
- b. The assistance shall be offered in a way that allows each business to create an "Assistance Package" that best suits its needs.
- c. The Assistance Package may include, but is not limited to: the Local Business Grant Program previously approved by the City Council, waiver of annual license fees, waiver of permit fees associated with modifications to support COVID-19 related modifications at the business location, and a 50/50 cost sharing program to support the purchase of materials and equipment by businesses to assist the business in adapting to serve customers during the pandemic particularly as the weather turns colder.
- d. A maximum allocation of \$500,000 is available to support local businesses. All stimulus programs will expire when the maximum allocation has been granted, unless further funds are allocated by the City Council.

**SECTION FOUR: Effective Date.** This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2020.

AYES: (\_\_\_\_)

NAYS: ( )

ABSENT: ( )

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

DRAFT



# Illinois Department of Transportation

## Intergovernmental Agreement

Governmental Body Name City of Lake Forest			
Address 220 East Deerpath Road			
City, State, Zip Lake Forest, IL, 60045			
Remittance Address (if different from above)			
City, State, Zip			
Telephone Number (847) 810-3540	Fax Number	FEIN/TIN E9995-7671-07	DUNS N/A
Brief Description of Service (full description specified in Part 5) Snow and Ice Control on Specified State Routes			
Compensation Method (full details specified in Part 6) Lump Sum			Agreement Term
Total Compensation Amount \$93,131.36			Start Date: 11/1/2020 Expiration Date: 4/30/2021
Advance Pay <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

### REQUIRED SIGNATURES

By signing below, the GOVERNMENTAL BODY and the DEPARTMENT agree to comply with and abide by all provisions set forth in Parts 1-8 herein and any Appendices thereto.

#### FOR THE GOVERNMENTAL BODY:

Signed Name	Printed Name	(Title)	Date
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#### FOR THE DEPARTMENT:

*James Stumpner*  
James Stumpner

8/27/2020  
Date

Omer Osman, P.E., Acting Secretary of Transportation Date

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Title: \_\_\_\_\_

☒ Check if under \$250,000 and no further signatures are required. If under \$250,000 the Secretary's signature may be delegated.

Date

Joanne Woodworth, Acting Chief Fiscal Officer

Date

Philip C. Kaufmann, Chief Counsel  
(Approved as to form)

Date

**INTERGOVERNMENTAL AGREEMENT  
FOR  
SNOW AND ICE REMOVAL**

This Agreement is by and between

City of Lake Forest

Please type or print legibly the GOVERNMENTAL BODY'S legal name and address


220 East Deerpath Road

Lake Forest, IL, 60045


**Attn:** Michael Thomas - Director of Public Works

**E-mail:** ThomasM@cityoflakeforest.com

referred to as the GOVERNMENTAL BODY, and the State of Illinois, acting by and through its Department of Transportation, referred to as the DEPARTMENT individually referred to as a PARTY, and collectively referred to as the PARTIES.



Part 1	Scope/Compensation/Term
Part 2	General Provisions
Part 3	Federally Funded Agreements
Part 4	Specific Provisions
Part 5	Scope of Services/Responsibilities
Part 6	Compensation for Services
Part 7	Certification Regarding Lobbying
Part 8	Agreement Award Notification



**PART 1  
SCOPE / COMPENSATION / TERM**

- A. Scope of Services and Responsibilities** The DEPARTMENT and the GOVERNMENTAL BODY agree as specified in Part 5.
- B. Compensation** Compensation (if any) shall be as specified in Part 6.
- C. Term of Agreement** This Agreement will start 11/1/2020 and will expire 4/30/2021.
- D. Amendments** All changes to this Agreement must be mutually agreed upon by the DEPARTMENT and the GOVERNMENTAL BODY and be incorporated by written amendment, signed by the parties.
- E. Renewal** This Agreement may not be renewed.

## PART 2 GENERAL PROVISIONS

- A. Changes** If any circumstance or condition in this Agreement changes, the GOVERNMENTAL BODY must notify the DEPARTMENT in writing within seven (7) days.
- B. Compliance/Governing Law** The terms of this Agreement shall be construed in accordance with the laws of the State of Illinois. Any obligations and services performed under this Agreement shall be performed in compliance with all applicable state and federal laws. The Parties hereby enter into this Intergovernmental Agreement pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq.
- C. Availability of Appropriation** This Agreement is contingent upon and subject to the availability of funds. The DEPARTMENT, at its sole option, may terminate or suspend this Agreement, in whole or in part, without penalty or further payment being required, if (1) the Illinois General Assembly or the federal funding source fails to make an appropriation sufficient to pay such obligation, or if funds needed are insufficient for any reason, (2) the Governor decreases the DEPARTMENT's funding by reserving some or all of the DEPARTMENT's appropriation(s) pursuant to power delegated to the Governor by the Illinois General Assembly; or (3) the DEPARTMENT determines, in its sole discretion or as directed by the Office of the Governor, that a reduction is necessary or advisable based upon actual or projected budgetary considerations. GOVERNMENTAL BODY will be notified in writing of the failure of appropriation or of a reduction or decrease.
- D. Records Inspection** The DEPARTMENT or a designated representative shall have access to the GOVERNMENTAL BODY's work and applicable records whenever it is in preparation or progress, and the GOVERNMENTAL BODY shall provide for such access and inspection.
- E. Records Preservation** The GOVERNMENTAL BODY, shall maintain for a minimum of **three (3) years** after the completion of the Agreement, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the Agreement.
- F. Cost Category Transfer Request** For all transfers between or among appropriated and allocated cost categories, DEPARTMENT approval is required. To secure approval, the GOVERNMENTAL BODY must submit a written request to the DEPARTMENT detailing the amount of transfer, the cost categories from and to which the transfer is to be made, and rationale of the transfer.
- G. Subcontracting/Procurement Procedures/Employment of DEPARTMENT Personnel**
1. **Subcontracting** Subcontracting, assignment or transfer of all or part of the interests of the GOVERNMENTAL BODY concerning any of the obligations covered by this Agreement is prohibited without prior written consent of the DEPARTMENT.
  2. **Procurement of Goods or Services – Federal Funds** For purchases of products or services with any Federal funds that cost more than \$3,000.00 but less than the simplified acquisition threshold fixed at 41 U.S.C. 134, (currently set at \$100,000.00) the GOVERNMENTAL BODY shall obtain price or rate quotations from an adequate number (at least three) of qualified sources. Procurement of products or services with any Federal funds for \$100,000 or more will require the GOVERNMENTAL BODY to use the Invitation for Bid process or the Request for Proposal process. In the absence of formal codified procedures of the GOVERNMENTAL BODY, the procedures of the DEPARTMENT will be used, provided that the procurement procedures conform to the provisions in Part 3(K) below. The GOVERNMENTAL BODY may only procure products or services from one source with any Federal funds if: (1) the products or services are available only from a single source; or (2) the DEPARTMENT authorizes such a procedure; or, (3) the DEPARTMENT determines competition is inadequate after solicitation from a number of sources.
  3. **Procurement of Goods or Services – State Funds** For purchases of products or services with any State of Illinois funds that cost more than \$20,000.00, (\$10,000.00 for professional and artistic services) but less than the small purchase amount set by the Illinois Procurement Code Rules, currently set at \$80,000.00; and \$20,000.00 for professional and artistic services, (See 30 ILCS 500/20-20(a) and 44 Ill. Admin Code 6.100) the GOVERNMENTAL BODY shall obtain price or rate quotations from an adequate number (at least three) of qualified sources. Procurement of products or services with any State of Illinois funds for \$80,000.00 or more for goods and services and \$20,000.00 or more for professional and artistic services) will require the GOVERNMENTAL BODY to use the Invitation for Bid process or the Request for Proposal process. In the absence of formal codified procedures of the GOVERNMENTAL BODY, the procedures of the DEPARTMENT will be used. The GOVERNMENTAL BODY may only procure products or

services from one source with any State of Illinois funds if: (1) the products or services are available only from a single source; or (2) the DEPARTMENT authorizes such a procedure; or, (3) the DEPARTMENT determines competition is inadequate after solicitation from a number of sources.

The GOVERNMENTAL BODY GOVERNMENTAL BODY shall include a requirement in all contracts with third parties that the contractor or consultant will comply with the requirements of this Agreement in performing such contract, and that the contract is subject to the terms and conditions of this Agreement.

4. **EMPLOYMENT OF DEPARTMENT PERSONNEL** The GOVERNMENTAL BODY will not employ any person or persons currently employed by the DEPARTMENT for any work required by the terms of this Agreement.

### **PART 3 FEDERALLY FUNDED AGREEMENTS**

[Not applicable to this Agreement.]

### **PART 4 SPECIFIC PROVISIONS**

**A. Invoices** Invoices submitted by the GOVERNMENTAL BODY will be for costs that have been incurred to complete the Part 5, Scope of Services. If the GOVERNMENTAL BODY'S invoices are deemed by the DEPARTMENT or auditors to not be sufficiently documented for work completed, the DEPARTMENT may require further records and supporting documents to verify the amounts, recipients and uses of all funds invoiced pursuant to this Agreement. Furthermore, if any of the deliverables in Part 5 are not satisfactorily completed, GOVERNMENTAL BODY will refund payments made under this agreement to the extent that such payments were made for any such incomplete or unsatisfactory deliverable.

Any invoices/bills issued by the GOVERNMENTAL BODY to the DEPARTMENT pursuant to this Agreement shall be sent to the following address:

Illinois Department of Transportation  
Gurnee Maintenance Facility  
Attn.: Roshan Morgan  
3516 W. Washington Street  
Gurnee, IL, 60031

All invoices shall be signed by an authorized representative of the GOVERNMENTAL BODY.

**B. Billing and Payment** All invoices for services performed and costs incurred by the GOVERNMENTAL BODY prior to July 1st of each year must be presented to the DEPARTMENT no later than July 31st of that same year for payment under this Agreement. Notwithstanding any other provision of this Agreement, the DEPARTMENT shall not be obligated to make payment to the GOVERNMENTAL BODY on invoices presented after said date. Failure by the GOVERNMENTAL BODY to present such invoices prior to said date may require the GOVERNMENTAL BODY to seek payment of such invoices through the Illinois Court of Claims and the Illinois General Assembly. No payments will be made for services performed prior to the effective date of this Agreement. The DEPARTMENT will direct all payments to the GOVERNMENTAL BODY's remittance address listed in this Agreement.

**C. Termination** This Agreement may be terminated by either party by giving thirty (30) calendar days written notice. If the DEPARTMENT is dissatisfied with the GOVERNMENTAL BODY'S performance or believes that there has been a substantial decrease in the GOVERNMENTAL BODY'S performance, the DEPARTMENT may give written notice that remedial action shall be taken by the GOVERNMENTAL BODY within seven (7) calendar days. If such action is not taken within the time afforded, the DEPARTMENT may terminate the Agreement by giving seven (7) calendar days written notice to the GOVERNMENTAL BODY. In either instance, the GOVERNMENTAL BODY shall be paid for the value of all authorized and acceptable work performed prior to the date of termination, including non-cancelable obligations made prior to receipt of notice of termination and for which work will be completed within thirty (30) days of receipt of notice of termination, based upon the payment terms set forth in the Agreement.

**D. Location of Service** Service to be performed by the GOVERNMENTAL BODY shall be performed as described in Part 5.

**E. Ownership of Documents/Title to Work** [Not Applicable To This Agreement]

**F. Software** [Not Applicable To This Agreement]

**G. Confidentiality Clause** Any documents, data, records, or other information given to or prepared by the GOVERNMENTAL BODY pursuant to this Agreement shall not be made available to any individual or organization without prior written approval by the DEPARTMENT. All information secured by the GOVERNMENTAL BODY from the DEPARTMENT in connection with the performance of services pursuant to this Agreement shall be kept confidential unless disclosure of such information is approved in writing by the DEPARTMENT.

**H. Compliance with Freedom of Information Act.** Upon request, GOVERNMENTAL BODY shall make available to DEPARTMENT all documents in its possession that DEPARTMENT deems necessary to comply with requests made under the Freedom of Information Act. (5 ILCS 140/7(2)).

**I. Reporting/Consultation** The GOVERNMENTAL BODY shall consult with and keep the DEPARTMENT fully informed as to the progress of all matters covered by this Agreement.

**J. Travel Expenses** Expenses for travel, lodging, or per diem is NOT allowed pursuant to this Agreement.

**K. Indemnification** Unless prohibited by State law, the GOVERNMENTAL BODY agrees under this agreement to hold harmless and indemnify the DEPARTMENT, and its officials, employees, and agents, from any and all losses, expenses, damages (including loss of use), suits, demands and claims, and shall defend any suit or action, whether at law or in equity, based on any alleged injury or damage of any type arising from the actions or inactions of the GOVERNMENTAL BODY and/or the GOVERNMENTAL BODY'S employees, officials, agents, contractors and subcontractors, and shall pay all damages, judgments, costs, expenses, and fees, including attorney's fees, incurred by the DEPARTMENT and its officials, employees and agents in connection therewith.

GOVERNMENTAL BODY shall defend, indemnify and hold the DEPARTMENT harmless against a third-party action, suit or proceeding ("Claim") against the DEPARTMENT to the extent such Claim is based upon an allegation that a Product, as of its delivery date under this Agreement, infringes a valid United States patent or copyright or misappropriates a third party's trade secret.

**L. Equal Employment Practice** The GOVERNMENTAL BODY must comply with the "Equal Employment Opportunity Clause" required by the Illinois Department of Human Rights. The GOVERNMENTAL BODY must include a requirement in all contracts with third parties (contractor or consultant) to comply with the requirements of this clause. The Equal Employment Opportunity Clause reads as follows:

In the event that the GOVERNMENTAL BODY, its contractor or consultant fails to comply with any provisions of this Equal Employment Opportunity Clause, the Illinois Human Rights Act Rules and Regulations of the Illinois Department of Human Rights ("IDHR"), the GOVERNMENTAL BODY, its contractor or consultant may be declared ineligible for future contracts or subcontracts with the state of Illinois or any of its political subdivisions or municipal corporations, and the contract may be canceled or voided in whole or in part, and such other sanctions or penalties may be imposed or remedies invoked as provided by statute or regulation. During the performance of this contract, the GOVERNMENTAL BODY agrees as follows:

1. That it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, ancestry, age, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service; and further that it will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any such underutilization;
2. That, if it hires additional employees in order to perform this contract or any portion thereof, it will determine the availability (in accordance with IDHR's Rules and Regulations) of minorities and women in the area(s) from which it may reasonably recruit and it will hire for each job classification for which employees are hired in such a way that minorities and women are not underutilized;

3. That, in all solicitations or advertisements for employees placed by it or on its behalf, it will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, national origin or ancestry, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service;
4. That it will send to each labor organization or representative of workers with which it has or is bound by a collective bargaining or other agreement or understanding, a notice advising such labor organizations or representative of the contractor's obligations under the Illinois Human Rights Act and IDHR's Rules and Regulations. If any such labor organization or representative fails or refuses to cooperate with the contractor in its efforts to comply with such Act and Rules and Regulations, the contractor will promptly notify IDHR and the contracting agency and will recruit employees from other sources when necessary to fulfill its obligations thereunder;
5. That it will submit reports as required by IDHR's Rules and Regulations, furnish all relevant information as may from time to time be requested by IDHR or the contracting agency, and in all respects comply with the Illinois Human Rights Act and IDHR's Rules and Regulations;
6. That it will permit access to all relevant books, records, accounts, and work sites by personnel of the contracting agency and IDHR for purposes of investigation to ascertain compliance with the Illinois Human Rights Act and IDHR's Rules and Regulations;
7. That it will include verbatim or by reference the provisions of this Clause in every contract and subcontract it awards under which any portion of the contract obligations are undertaken or assumed, so that such provisions will be binding upon such subcontractor. In the same manner as with other provisions of this Agreement, the GOVERNMENTAL BODY, its contractor or consultant will be liable for compliance with applicable provisions of this clause; and further it will promptly notify the contracting agency and the Department in the event any of its contractor or subcontractor fails or refuses to comply therewith. In addition, the GOVERNMENTAL BODY will not utilize any contractor or subcontractor declared by the Illinois Human Rights Commission to be ineligible for contracts or subcontracts with the state of Illinois or any of its political subdivisions or municipal corporations;
8. The GOVERNMENTAL BODY must have written sexual harassment policies that include, at a minimum, the following information: (i) the illegality of sexual harassment; (ii) the definition of sexual harassment, under State law; (iii) a description of sexual harassment, utilizing examples; (iv) the Grantee's internal complaint process including penalties; (v) the legal recourse, investigative, and complaint process available through the Department of Human Rights and the Human Rights Commission; (vi) directions on how to contact the Department and Commission; and (vii) protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act. A copy of the policies must be provided to the DEPARTMENT upon request; and

In addition, the GOVERNMENTAL BODY is subject to the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq., which prohibits discrimination in connection with the availability of public accommodations.

**M. Tax Identification Number**

GOVERNMENTAL BODY certifies that:

1. The number shown on this form is a correct taxpayer identification number (or it is waiting for a number to be issued.), **and**
2. It is not subject to backup withholding because: (a) it is exempt from backup withholding, or (b) has not been notified by the Internal Revenue Service (IRS) that it is subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified the GOVERNMENTAL BODY that it is no longer subject to backup withholding, **and**
3. It is a U.S. entity (including a U.S. resident alien).

NAME OF GOVERNMENTAL BODY: City of Lake Forest

Taxpayer Identification Number: E9995-7671-07

Legal Status (check one):

☐

Tax-exempt

☒

Government

☐

Other \_\_\_\_\_

**N. International Boycott** The GOVERNMENTAL BODY certifies that neither GOVERNMENTAL BODY nor any substantially owned affiliate is participating or shall participate in an international boycott in violation of the U.S. Export Administration Act of 1979 or the applicable regulations of the U.S. Department of Commerce. This applies to contracts that exceed \$10,000 (30 ILCS 582).

**O. Forced Labor** The GOVERNMENTAL BODY certifies it complies with the State Prohibition of Goods from Forced Labor Act, and certifies that no foreign-made equipment, materials, or supplies furnished to the DEPARTMENT under this Agreement have been or will be produced in whole or in part by forced labor, or indentured labor under penal sanction (30 ILCS 583).

## **PART 5**

### **SCOPE OF SERVICE/RESPONSIBILITIES**

To compensate the GOVERNMENTAL BODY for routine snow and ice control work it performs on Illinois highways that are designated as "State routes" within the GOVERNMENTAL BODY's boundary, which the GOVERNMENTAL BODY has agreed to maintain per Computation Sheet – Municipal Maintenance (Attachment A) of this AGREEMENT. Snow and Ice control is described in the DEPARTMENT's District 1 Snow and Ice Control Manual (most recent edition).

This maintenance location listing may be modified as appropriate and mutually agreed to by both parties. Such modification shall be reduced to writing and must be approved by the Regional Engineer or his or her designee on behalf of IDOT and by Michael Thomas, Director of Public Works for the City of Lake Forest, on behalf of the Governmental Body. It is understood these modifications may result in a modification to the total payments under this agreement. However, the parties hereby agree that a formal amendment to the agreement is not necessary to modify the locations, nor is a formal amendment necessary to modify a change in cost associated with the change in locations, provided the change in amount of total payments is less than 10%.

In the event that snow and ice control costs for the winter of 2020-2021 exceed the value of this agreement prior to April 30, 2021, the DEPARTMENT and the GOVERNMENTAL BODY will meet and negotiate for further compensation based on the previous 5 year average snow and ice control cost per lane mile.

**PART 6  
COMPENSATION FOR SERVICES**

Funding		
State Funds (Appropriation Code: 011-49408-1900-0119)	\$93,131.36	100%
Subtotal	<u>\$93,131.36</u>	
Local Match Provided Through the GOVERNMENTAL BODY	\$0	0%
GRAND TOTAL	\$93,131.36	

**TERMS AND CONDITIONS**

1. Upon execution of the agreement, the GOVERNMENTAL BODY will receive a payment equal to 50% of the agreement value. The DEPARTMENT will compensate the GOVERNMENTAL BODY, subject to Part 4A of this AGREEMENT, and according to the attached Computation Sheet – Municipal Maintenance (Attachment A); and
2. The DEPARTMENT will pay the GOVERNMENTAL BODY in two invoice vouchers each equal to 25% of the agreement value on or about January 31, 2021 and April 30, 2021, subject to the DEPARTMENT's inspection for satisfactory operation and maintenance of covered streets.

**PART 7**

**CERTIFICATION REGARDING LOBBYING  
(49 CFR PART 20)  
[NOT APPLICABLE TO THIS AGREEMENT]**

**PART 8  
AGREEMENT AWARD NOTIFICATION**

**REQUIRED FOR ALL PROJECTS**

Does this project receive Federal funds? ☐ Yes ☒ No

Amount of Federal funds: None

Federal Project Number: N/A

Name of Project: Snow and Ice Removal

CFDA Number\*, Federal Agency, Program Title: N/A

\*For CFDA (Catalog of Federal Domestic Assistance) Number, refer to original Federal Award/Grant Agreement.

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STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION

COMPUTATION SHEET - MUNICIPAL MAINTENANCE  
For the Period beginning November 1, 2020, ending April 30, 2021

LINE NO.	ROUTE	SECTION	INTERSECTING STREETS		BUILT BY	WIDTH	NO. LANES	PORTIONS UNDER AGREEMENT					RATE/ LN. MI.	ADJ. FACTOR	MAINT. ALLOWANCE	
			STREET NAME	FROM TO				LOCATION	LENGTH IN FEET	LANE MILES	ADT/ LANE	SOURCE			ROUTE TOTALS	SUB-TOTALS
1			Illinois Route 60	1000 Lf W. of Field Dr. 738 Lf E. of Field Dr.	S	2 @ 36'	6.00	Adj to Median	1,737	1.97	3,933.00	S-17	547.00	6.67		
2			Illinois Route 60	738 Lf E. of Field Dr. 586 Lf E. of Field Ct.	S	2 @ 24'	4.00	Adj to Median	1,407	1.07	5,900.00	S-17	618.00	6.67		
3			Illinois Route 60	586 Lf E. of Field Ct. 845 Lf E. of Academy Rd.	S	2 @ 24'	4.00	Adj to Median	1,451	1.10	5,900.00	S-17	618.00	6.67		
4		Pt Median	Illinois Route 60	586 Lf E. of Field Ct. 845 Lf E. of Academy Rd.		12' V			1,451	0.27	Pt Median	S-17	165.00	6.67		
5			Illinois Route 60	845 Lf E. of Academy Rd. 138 Lf E. of N. Branch of Chicago Rvr	S	48'	4.00	Full Roadway	678	0.51	5,900.00	S-17	618.00	6.67		
6			Illinois Route 60	138 Lf E. of N. Branch of Chicago river Us 41	S	2 @ 24'	4.00	Adj to Median	4,779	3.62	5,217.00	S-17	604.00	6.67		
7		Pt Median	Illinois Route 60	138 Lf E. of N. Branch of Chicago river US 41		12' V			4,779	0.91	Pt Median	S-17	165.00	6.67		
8			Illinois Route 43	Il.22 1060 Lf N. of Il.22	S	2 @ 24'	4.00	Adj to Median	1,060	0.80	3,525.00	S-17	526.00	6.67		
9			Illinois Route 43	1060 Lf N. of Il.22 3212 Lf S. of Old Mill Rd.	S	48'	4.00	Full Roadway	727	0.55	3,525.00	S-17	526.00	6.67		
10			Illinois Route 43	3212 Lf S. of Old Mill Rd. 640 Lf S. of Everett Rd.	S	48'	4.00	Full Roadway	6,600	5.00	3,525.00	S-17	526.00	6.67		
11			Illinois Route 43	640 Lf S. of Everett Rd. 320 Lf S. of Everett Rd.	S	2 @ 24'	4.00	Adj to Median	321	0.24	3,525.00	S-17	526.00	6.67		
12		Pt Median	Illinois Route 43	640 Lf S. of Everett Rd. 320 Lf S. of Everett Rd.		12' V			321	0.06	Pt Median	S-17	165.00	6.67		
13			Illinois Route 43	320 Lf S. of Everett Rd. 140 Lf N. of Conway Rd.	S	48'	4.00	Full Roadway	1,793	1.36	4,300.00	S-17	565.00	6.67		
14			Illinois Route 43	140 Lf N. of Conway Rd. 457 Lf N. of Conway Rd.	S	2 @ 24'	4.00	Adj to Median	317	0.24	4,300.00	S-17	565.00	6.67		
15		Pt Median	Illinois Route 43	140 Lf N. of Conway Rd. 457 Lf N. of Conway Rd.		12' V			317	0.06	Pt Median	S-17	165.00	6.67		
PAGE TOTALS									27,738	17.76						

STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION

COMPUTATION SHEET - MUNICIPAL MAINTENANCE  
For the Period beginning November 1, 2020, ending April 30, 2021

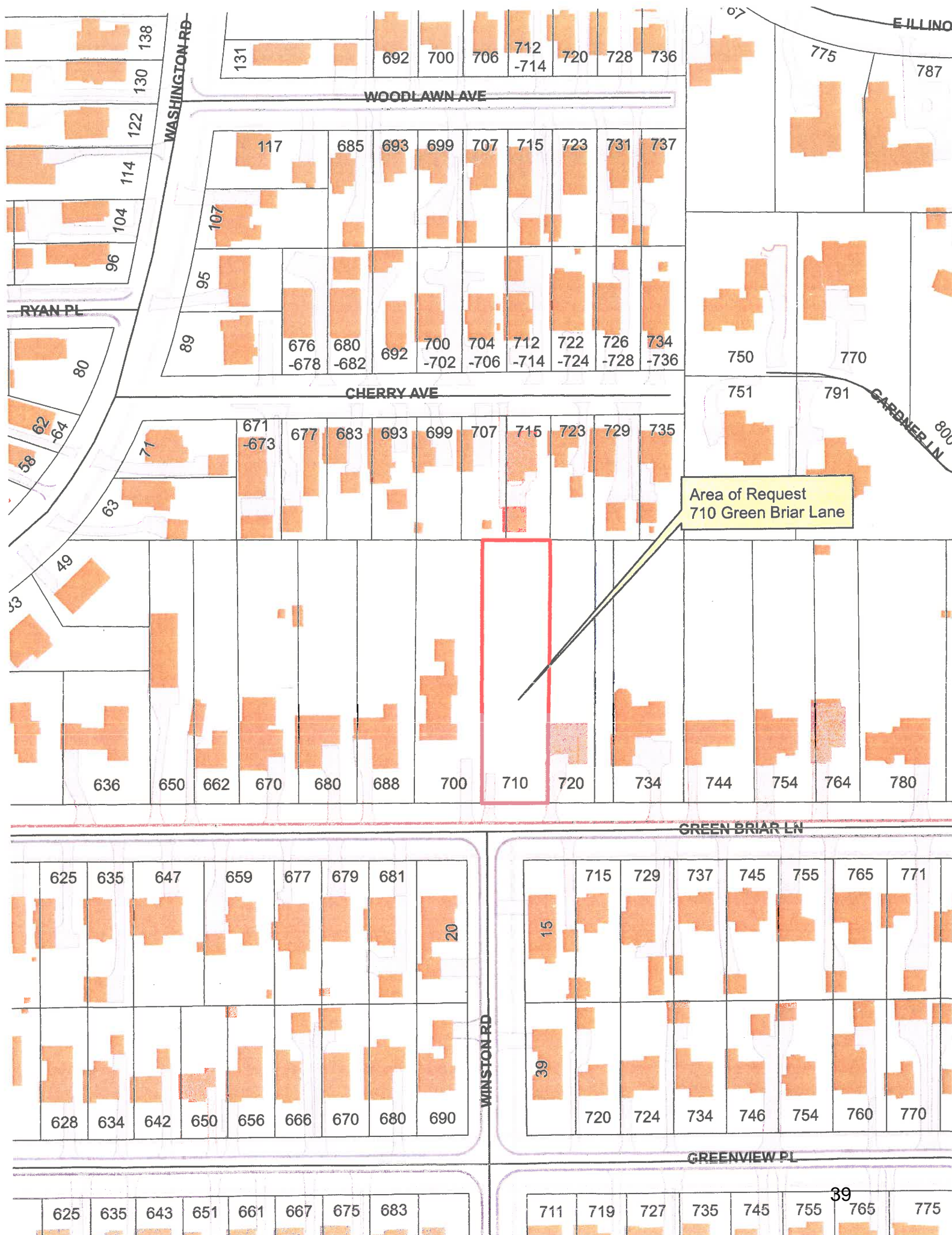
LINE NO.	ROUTE	SECTION	INTERSECTING STREETS		BUILT BY	WIDTH	NO. LANES	PORTIONS UNDER AGREEMENT					RATE/ LN. ML.	ADJ. FACTOR	MAINT. ALLOWANCE	
			STREET NAME	FROM TO				LOCATION	LENGTH IN FEET	LANE MILES	ADT/ LANE	SOURCE			ROUTE TOTALS	SUB-TOTALS
16			Illinois Route 43	457 Lf N. of Conway Rd.	S	48'	4.00	Full Roadway	4,197	3.18	4,300.00	S-17	565.00	6.67		
17			Illinois Route 43	300 Lf S. of Pinecroft Ln.	S	2 @ 24'	4.00	Adj to Median	470	0.36	4,300.00	S-17	565.00	6.67		
18		Pt Median	Illinois Route 43	300 Lf S. of Pinecroft Ln.		12' V			470	0.09	Pt Median	S-17	165.00	6.67		
19			Illinois Route 43	170 Lf N. of Pinecroft Ln.	S	48'	4.00	Full Roadway	3,130	2.37	5,375.00	S-17	608.00	6.67		
20			Illinois Route 43	226 Lf N. of Deer Path Rd.	S	2 @ 24'	4.00	Adj to Median	434	0.33	4,700.00	S-17	585.00	6.67		
21		Pt Median	Illinois Route 43	226 Lf N. of Deer Path Rd.		12' V			434	0.08	Pt Median	S-17	165.00	6.67		
22			Illinois Route 43	24 Lf S. of N.cliffe Way	S	48'	4.00	Full Roadway	2,900	2.20	4,700.00	S-17	585.00	6.67		
23			Illinois Route 43	865 Lf S. of N. W.moreland Rd.	S	2 @ 24'	4.00	Adj to Median	665	0.50	4,700.00	S-17	585.00	6.67		
24		Pt Median	Illinois Route 43	865 Lf S. of N. W.moreland Rd.		12' V			665	0.13	Pt Median	S-17	165.00	6.67		
25			Illinois Route 43	246 Lf S. of N. W.moreland Rd.	S	48'	4.00	Full Roadway	517	0.39	4,700.00	S-17	585.00	6.67		
26			Illinois Route 43	267 Lf N. of N. W.moreland Rd.	S	2 @ 24'	4.00	Adj to Median	392	0.30	4,700.00	S-17	585.00	6.67		
27			Illinois Route 43	788 Lf S. of Winwood Dr.	S	2 @ 24'	4.00	Full Roadway	3,961	3.00	4,700.00	S-17	585.00	6.67		
28			Illinois Route 43	O'Leary Ln	S	2 @ 24'	4.00	Adj to Median	1,685	1.28	4,700.00	S-17	585.00	6.67		
PAGE TOTALS									19,920	14.21						

STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION

COMPUTATION SHEET - MUNICIPAL MAINTENANCE  
For the Period beginning November 1, 2020, ending April 30, 2021

LINE NO.	ROUTE	SECTION	INTERSECTING STREETS			BUILT BY	WIDTH	NO. LANES	PORTIONS UNDER AGREEMENT					RATE/ LN. MI.	ADJ. FACTOR	MAINT. ALLOWANCE	
			STREET NAME	FROM	TO				LOCATION	LENGTH IN FEET	LANE MILES	ADT/ LANE	SOURCE			ROUTE TOTALS	SUB-TOTALS
29		Pt Median	Illinois Route 43	O'Leary Ln	143 Lf N. of Albrecht Dr.		12' V			1,685	0.32	Pt Median	S-17	165.00	6.67		
30			Illinois Route 43	143 Lf N. of Albrecht Dr.	386 Lf S. of Carriage Park Ln.		48'	4.00	Full Roadway	679	0.51	4,700.00	S-17	585.00	6.67		
31			Illinois Route 43	386 Lf S. of Carriage Park Ln.	153 Lf N. Of Knollwood Rd.	S	2 @ 24'	4.00	Adj to Median	996	0.75	4,700.00	S-17	585.00	6.67		
32		Pt Median	Illinois Route 43	386 Lf S. of Carriage Park Ln.	153 Lf N. Of Knollwood Rd.		12' V			996	0.19	Pt Median	S-17	165.00	6.67		
33			Illinois Route 43	153 Lf N. Of Knollwood Rd.	IL. 176		48'	4.00	Full Roadway	268	0.20	4,700.00	S-17	585.00	6.67		
PAGE TOTALS										0	1.97						
TOTAL LANE MILES										52,282	33.94						

TOTALS      Lane Miles      Rate/ LM      Grand Total  
33.94      \$2,744/ LM      \$93,131.36



THE CITY OF LAKE FOREST

ORDINANCE NO. 2020- \_\_\_\_

AN ORDINANCE APPROVING ARCHITECTURAL AND SITE DESIGN FOR THE  
PROPERTY LOCATED AT 710 GREEN BRIAR LANE

**WHEREAS**, 28835 Properties LLC (Richard and Lena Hall) ("**Owners**") are the owners of that certain real property commonly known as 710 Green Briar Lane, Lake Forest, Illinois and legally described in Exhibit A, attached hereto ("**Property**"); and

**WHEREAS**, the Property is located in the R-1, Single Family Residence Zoning District; and

**WHEREAS**, the Property is a vacant, buildable lot; and

**WHEREAS**, the Owners desire to construct a new residence, attached garage and make other site improvements ("**Improvements**") as depicted on the site plan and architectural drawings that are attached hereto as Group Exhibit B ("**Plans**"); and

**WHEREAS**, the Owners submitted an application ("**Application**") to permit the construction of the Improvements and were required to present the Plans to the Building Review Board ("**BRB**") for its evaluation and recommendation; and

**WHEREAS**, pursuant to notice duly published, the BRB reviewed and evaluated the Plans at a public hearing held on September 2, 2020; and

**WHEREAS**, the BRB, having fully heard and having considered the evidence and testimony by all those attending the public hearing who wished to testify, made the following findings:

1. the Property is located within the R-1, Single Family Residence District under the City Code,
2. Owners propose to construct the Improvements as depicted on the plans,
3. the evidence presented indicates that the construction of the Improvements, if undertaken in conformity with the recommended conditions and the Plans, will meet the design standards and requirements of Section 150.147 of the City Code,

and recommended that the City Council approve the Application and the Plans, subject to the terms and conditions hereinafter set forth; and

**WHEREAS**, the Mayor and City Council, having considered Owners' Application to construct the Improvements on the Property, and the findings and recommendations of the BRB, have determined that it is in the best interests of the City and its residents to grant approval to the Application, subject to the terms and conditions hereinafter set forth;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAKE FOREST, COUNTY OF LAKE, STATE OF ILLINOIS**, as follows:

**SECTION ONE: Recitals.** The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

**SECTION TWO: Approval of Application.** Pursuant to Section 150.147 of the City Code, and subject to the limitations therein and the conditions set forth in Section Three of this Ordinance, the City Council does hereby grant approval of the Application to allow the construction of the Improvements on the Property, as more fully depicted on the Plans.

**SECTION THREE: Conditions on Approval.** The approval granted pursuant to Section Two of this Ordinance shall be, and is hereby, conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the Mayor and City Council, render void the approvals granted by this Ordinance:

- A. No Authorization of Work. This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the City, no work of any kind shall be commenced on the Property pursuant to the approvals granted in this Ordinance except only after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. Compliance with Laws. Chapters 150, regarding buildings and construction, 156, regarding subdivisions, and 159, regarding zoning, of the City Code, and all other applicable ordinances and regulations of the City shall continue to apply to the Property, and the development and use of the Property shall be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.
- C. Tree Preservation. The Owners will fully comply with Chapter 99 of the City Code, regarding trees, as it relates to the construction of the Improvements.
- D. Compliance with the Plans. The Improvements must be developed on the Property in substantial compliance with the Plans.
- E. Fees and Costs. The Owners shall be responsible for paying all applicable fees relating to the granting of the approvals set forth herein in accordance with the City Code. In addition, the Owner shall reimburse the City for all of its costs (including without limitation engineering, planning, and legal expenses) incurred in connection with the review, consideration, approval, implementation, or successful enforcement of this Ordinance. Any amount not paid within

30 days after delivery of a demand in writing for such payment shall, along with interest and the costs of collection, become a lien upon the Property, and the City shall have the right to foreclose such lien in the name of the City as in the case of foreclosure of liens against real estate.

- F. Other conditions. The improvements shall be substantially in conformance with the Board's deliberations as reflected on Exhibit C, Notice of Action – Board Recommendation, attached hereto.

**SECTION FOUR: Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law; provided, however, that this Ordinance shall, in the discretion of the City Council, be of no force or effect if the Owners have not (i) executed and (ii) thereafter filed with the City Clerk, within 90 days following the passage of this Ordinance, the unconditional agreement and consent, in the form attached hereto as Exhibit D and by this reference made a part hereof, to accept and abide by each and all of the terms, conditions, and limitations set forth herein.

PASSED THIS \_\_ DAY OF \_\_\_\_\_, 2020.

AYES: ( )

NAYS: ( )

ABSENT: ( )

ABSTAIN: ( )

PASSED THIS \_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

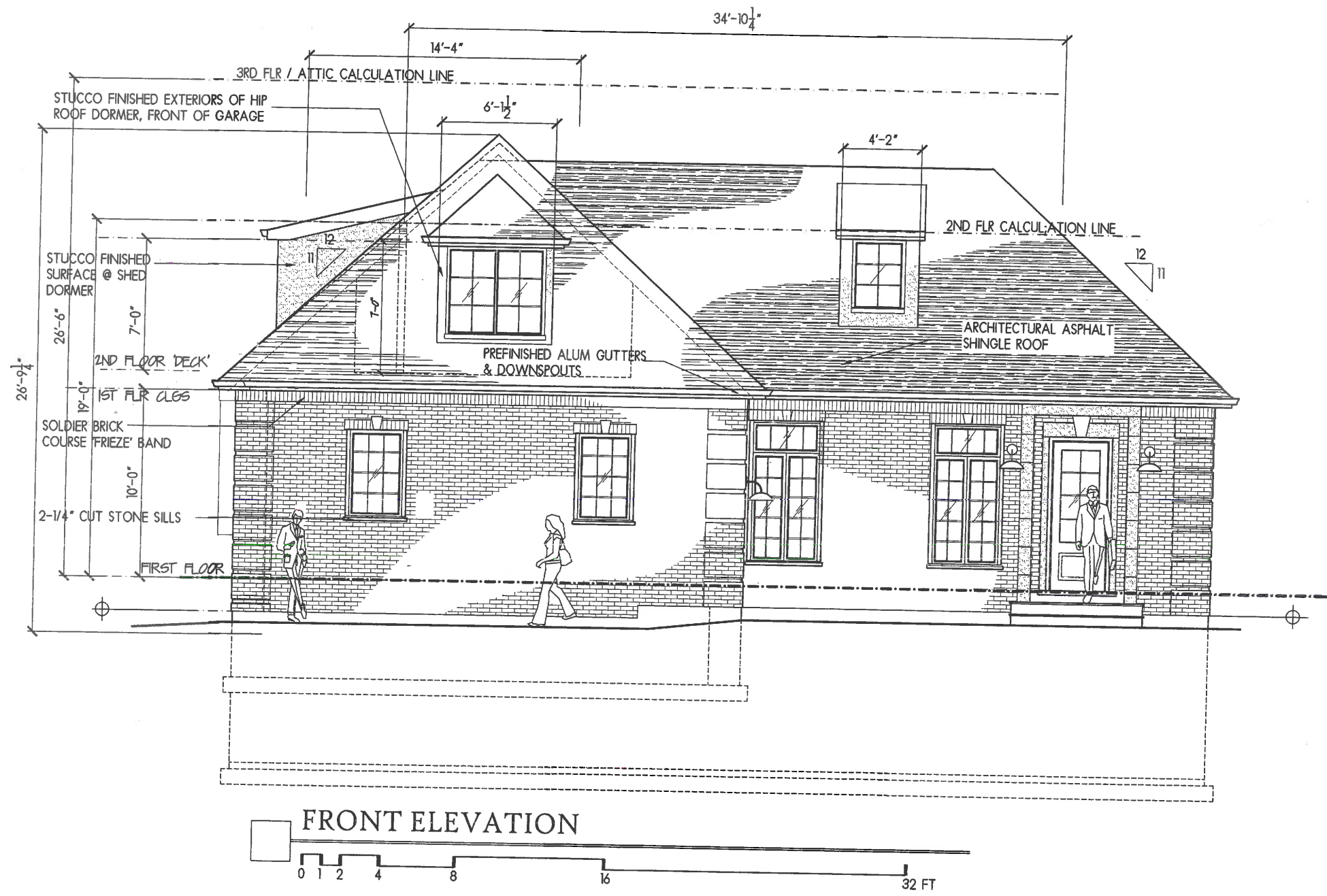
ATTEST:

\_\_\_\_\_  
City Clerk

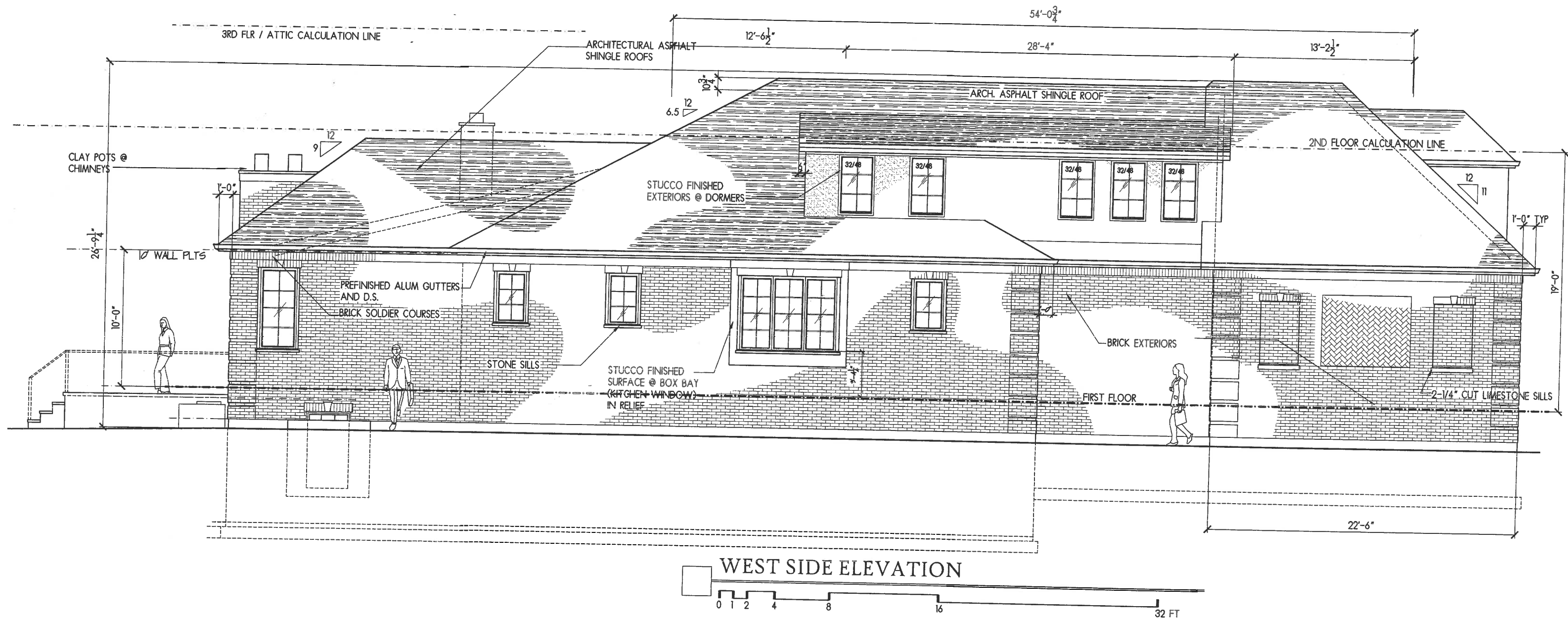
GREENBRIAR LANE



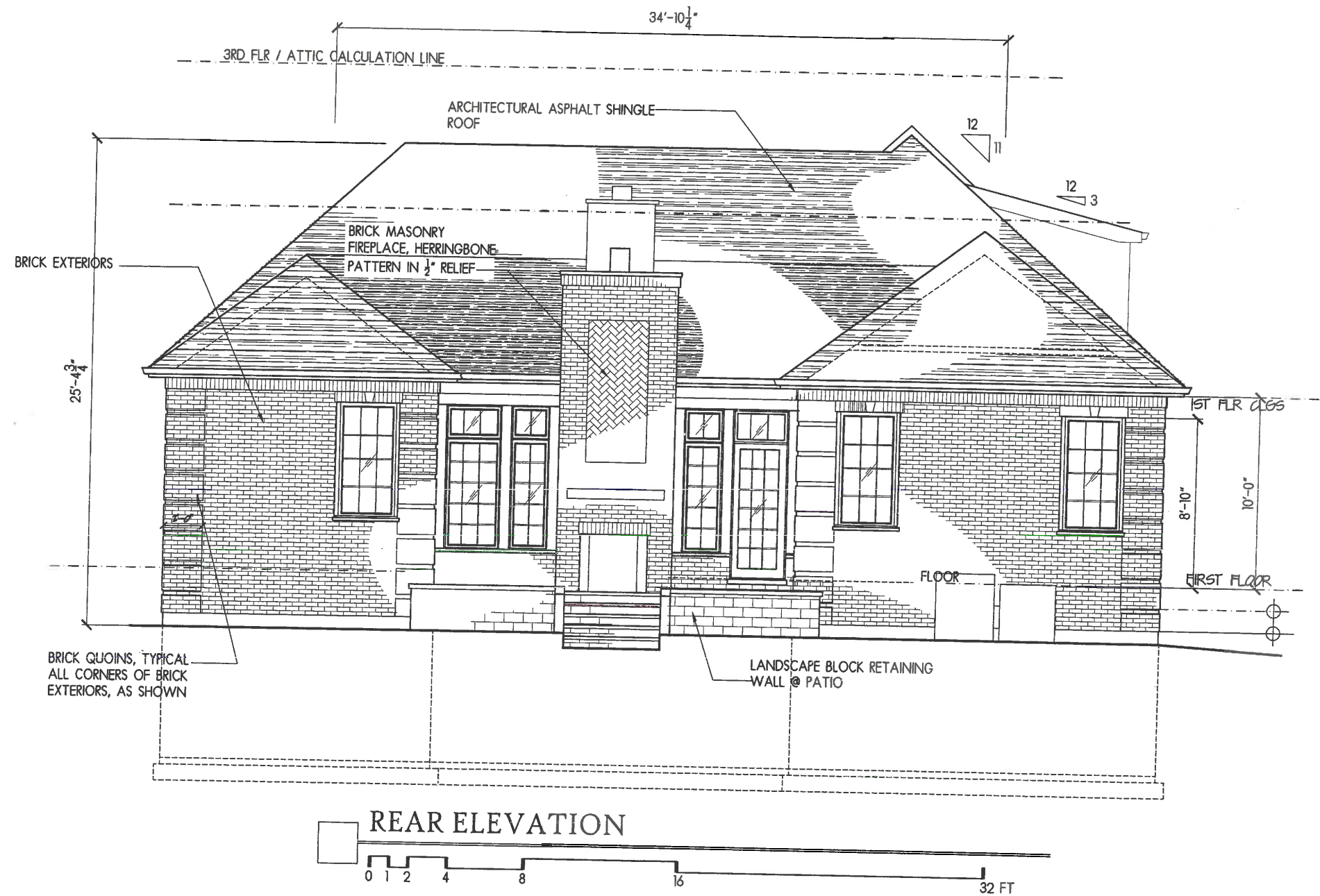
The Plans

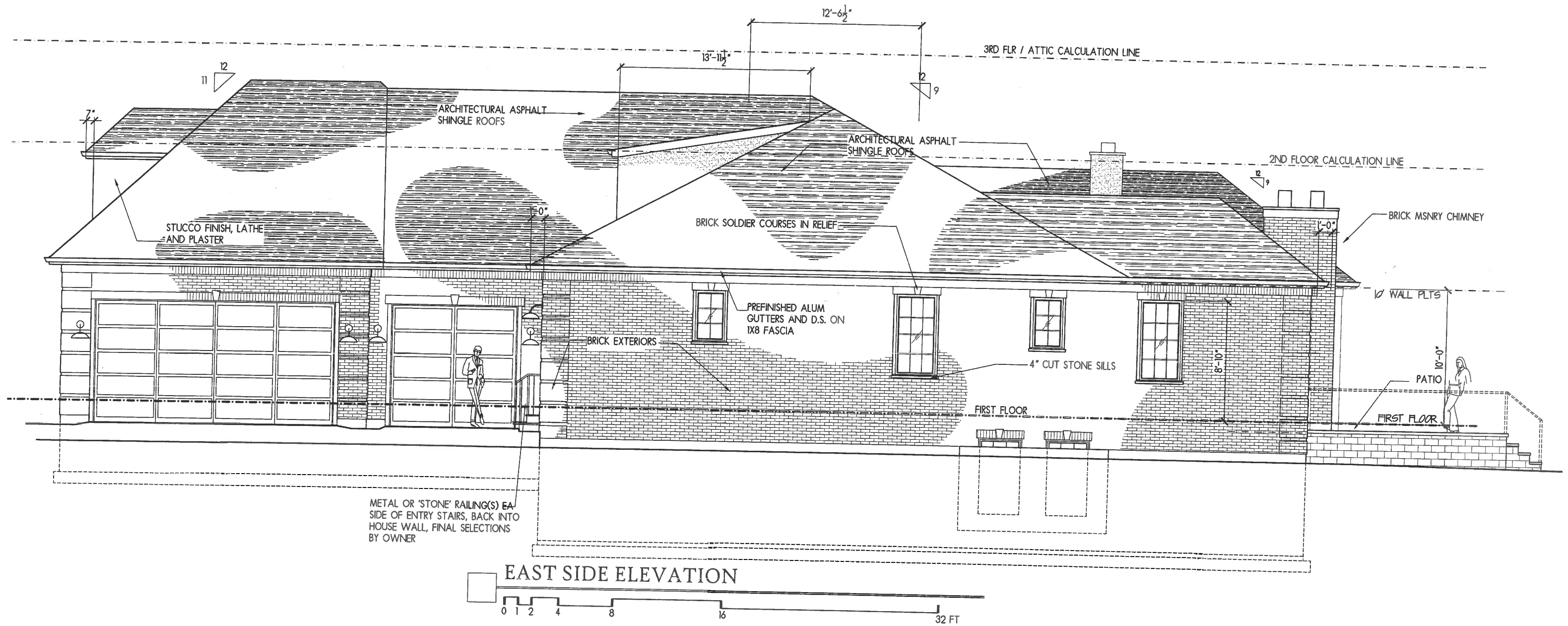


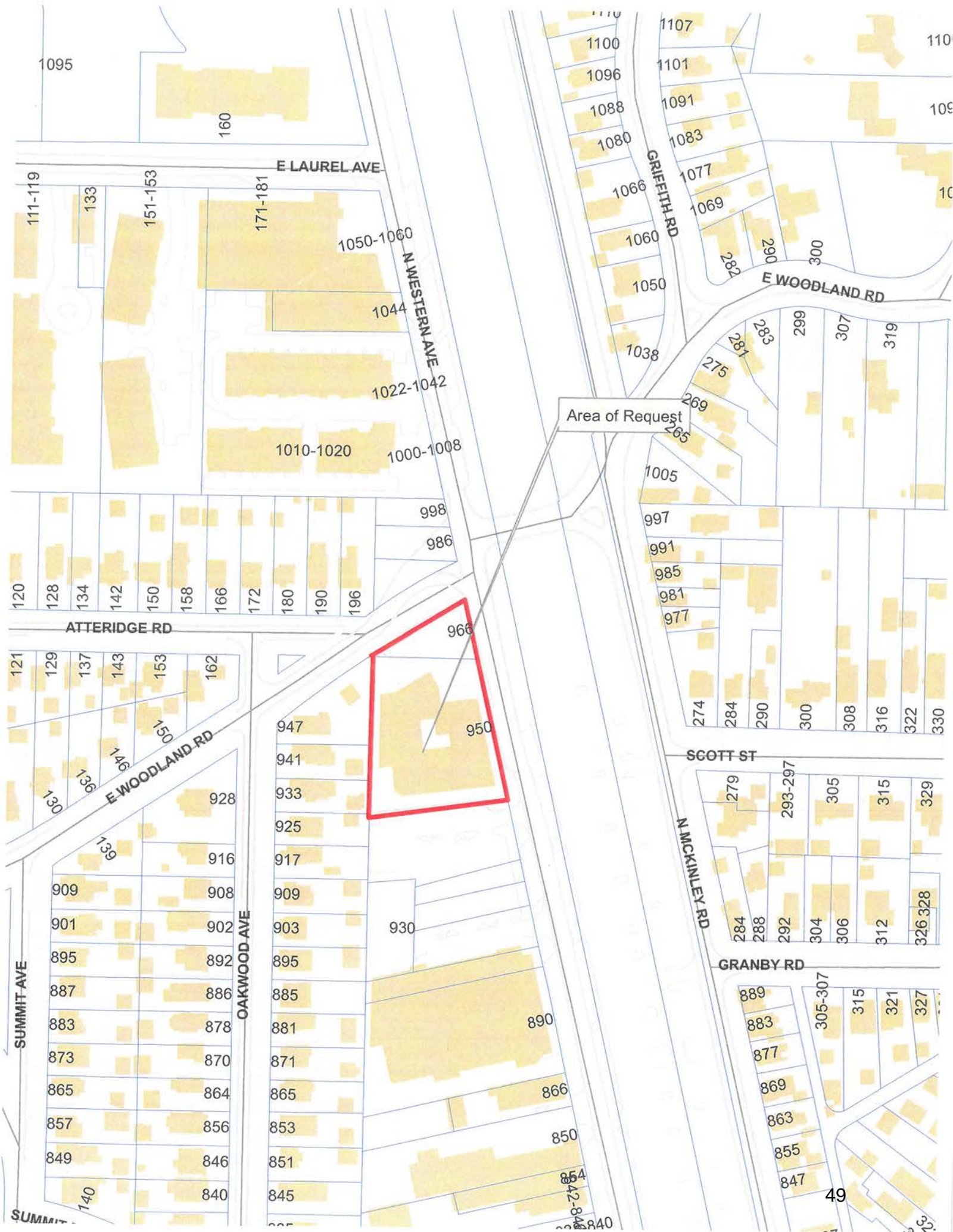
The Plans



The Plans







THE CITY OF LAKE FOREST

ORDINANCE NO. 2020-\_\_\_\_\_

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AUTHORIZING DONATI'S PIZZA – JEFE'S TACOS, A RESTAURANT TO OPERATE AT 950 N. WESTERN AVENUE, WITHIN 150 FEET OF A RESIDENTIAL ZONING DISTRICT

**WHEREAS**, Westwood Square LLC, Todd Altounian 25%, Nicole Altounian 25%, Jennifer Bianchi 25%, James Altounian II 25% (collectively, the "**Owners**") are the owners of that certain real property commonly known as 950 N. Western Avenue Lake Forest, Illinois and legally described in Exhibit A, attached hereto (the "**Property**"); and

**WHEREAS**, Jeff Urso is the owner and operator of the proposed restaurant (the "**Tenant**"); and

**WHEREAS**, the Owner has filed a petition (the "**Petition**") requesting approval of a Special Use Permit ("**SUP**") to authorize a new restaurant, Donati's/Jefe's, and its location and operation within 150 feet of a residential zoning district, with the Plan Commission for its evaluation and recommendation; and

**WHEREAS**, the Petition was filed in accordance with the regulations of Section 159.045, Special Uses, of the Lake Forest Zoning Code; and

**WHEREAS**, the Plan Commission did conduct a properly noticed public hearing on the Petition on September 9, 2020 and, after having fully heard and having considered the evidence and testimony by all those who wished to testify and after deliberating, voted 6 to 0, to recommend approval of the request subject to the terms and conditions of approval hereinafter set forth and made findings as detailed on Exhibit B, attached hereto and made a part hereof; and

**WHEREAS**, the City Council (i) concurs with the findings of the Plan Commission, (ii) finds that the uses and Improvements as authorized herein will satisfy the requirements of Sections 159.045 and 159.111(C) of the Zoning Code, and (iii) subject to the terms and conditions herein set forth, finds and determines that it is in the best interests of the City and its residents to approve the Petition and grant the SUP as set forth in the Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY MAYOR AND THE CITY COUNCIL OF THE CITY OF LAKE FOREST, ILLINOIS**, as follows:

**SECTION ONE.**    **Recitals:**    The foregoing recitals are incorporated into this Ordinance as if fully set forth.

**SECTION TWO.**    **Approval of SUP:** Pursuant to Sections 159.045 and 159.111(C) of the Zoning Code and subject to the limitations set forth in the City Code and the conditions set forth in Section Three of this Ordinance, the City Council hereby approves the Petition and grants the SUP authorizing the establishment and operation of Donati's Pizza - Jefe's Tacos a family friendly restaurant providing delivery and take out services, on the Property generally in conformance with the plans as depicted on Group Exhibit C attached hereto and made a part hereof.

**SECTION THREE:**    **Conditions on Approval.** The approval granted pursuant to Section Two of this Ordinance shall be, and is hereby, conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the Mayor and City Council, render void the approvals granted by this Ordinance:

- A.    **No Authorization of Work.** This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the City, no work of any kind shall be commenced on the Property pursuant to the approvals granted in this Ordinance except only after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.

- B. Compliance with Laws. Chapters 150, regarding building and construction, 156, regarding subdivisions, and 159, regarding zoning, of the City Code, and all other applicable ordinances and regulations of the City shall continue to apply to the Property, and the development and use of the Property shall be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.
- C. Compliance with the Plans. The Improvements must be developed on the Property in substantial compliance with the Plans, as recommended by the Building Review Board and previously approved by the City Council.
- D. Fees and Costs. The Owners/Tenant shall be responsible for paying all applicable fees relating to the granting of the approvals set forth herein in accordance with the City Code. In addition, the Owners/Tenant shall reimburse the City for all of its costs (including without limitation engineering, planning, and legal expenses) incurred in connection with the review, consideration, approval, implementation, or successful enforcement of this Ordinance. Any amount not paid within 30 days after delivery of a demand in writing for such payment shall, along with interest and the costs of collection, become a lien upon the Property, and the City shall have the right to foreclose such lien in the name of the City as in the case of foreclosure of liens against real estate.
- E. Conditions Pertaining to the Overall Westwood Square Development.
1. Perimeter fencing, retaining walls and landscaping at the north and west boundaries of the site shall be regularly inspected and maintained by the property owner. The fence must remain sturdy and in a full upright position, with all fence panels in place and in good condition. The retaining wall must remain in a solid and sturdy condition; any loose materials must be replaced. Landscaping along Woodland Road must be maintained in good condition and replaced as necessary, subject to the determination of the City's Certified Arborist, to provide substantial screening along the fence.
  2. Vegetation along the public sidewalk on Woodland Road must be kept trimmed and may not obstruct or endanger pedestrian or bicycle traffic on the sidewalk.
  3. Use of the alley on the south and west sides of the building shall be limited as follows:
    - a. The alley shall be used only for deliveries, trash pick-up and by emergency and security vehicles.
    - b. No parking, standing or staging of vehicles, other than for the purposes noted above, is permitted.
    - c. No portion of the alley shall be used as a drive thru or staging area for pick up by individuals, delivery services or by restaurant delivery personnel.

- d. No gathering, loitering or smoking in the alley is permitted.
  - e. A sign shall remain posted stating that deliveries and trash pickup is permitted only between the hours of 7 a.m. and 6 p.m., on weekdays.
4. The property owner is responsible for establishing parking policies that give priority to customer parking, rather than employee parking, on the site. The property owner is responsible for monitoring parking activities and working with all of the tenants on an ongoing basis to assure compliance with the policies. The policies shall address the following:
    - a. Employees shall park off site in the Central Business District employee parking lot on McKinley Road during peak customer times.
    - b. No employee parking shall be permitted on Western Avenue.
    - c. No parking by employees or customers shall be permitted on residential streets.

Conditions Specific to Donati's – Jefe's Restaurant

5. Signage, if not consistent with the previously approved signage for the overall building, shall be subject to review and approval by the Building Review Board.
6. Documentation of maintenance and inspection of the ventilation system must be submitted to the City on a regular basis after installation and after the opening of the restaurant.
7. Delivery drivers shall queue in the underground garage. No delivery drive access or staging shall occur in the alley.
8. All activity in the outdoor courtyard shall end no later than 30 minutes after the business closes. No gathering in the courtyard by customers or employees is permitted after hours.
9. During peak hours, the restaurant owners are responsible for assuring regular monitoring of the parking lots and neighboring residential streets to verify that parking is occurring consistent with the established policies and to take corrective action if necessary.
10. The property owners and restaurant owners are responsible for informing and directing employees and customers to appropriate parking areas. As necessary, the owners shall inform City staff of recurring parking or circulation issues on the site and corrective action shall be taken.

**SECTION FOUR: Amendment to Ordinance.** Any amendments to the terms, conditions, or provisions of this Ordinance that may be requested after the effective date of this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in Section 159.045 of the Zoning Code, or by

an amendment to the SUP itself in the manner provided in the Zoning Code and by applicable law.

**SECTION FIVE: Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law; provided, however, that this Ordinance shall, in the discretion of the City Council, be of no force or effect if Owners have not (i) executed and (ii) thereafter filed with the City Clerk, within 60 days following the passage of this Ordinance, the unconditional agreement and consent, in the form attached hereto as Exhibit D and by this reference made a part hereof, to accept and abide by each and all of the terms, conditions, and limitations set forth herein. The City Clerk is hereby directed to record this Ordinance and such agreement and consent with the Recorder of Deeds of Lake County.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

## EXHIBIT B Findings of Fact

### *Performance Standard - Availability of parking*

Westwood Center differs from many other developments and commercial buildings located in the Central Business District because there are a significant number of parking spaces on site. In addition to the surface parking lot on the northern portion of the site, which has 24 spaces, there is parking underneath the building for about 60 cars.

The spaces in the surface lot and in the underground garage are shared by all of the tenants in the building. The majority of businesses in the development, particularly the second floor office tenants, are daytime businesses so in the evenings, most of the spaces on the site will be available for customers of the restaurants. Public parking for customers is also available on both sides of Western Avenue. Currently, in the evenings, the Western Avenue parking spaces in the immediate area are unused with the exception of the spaces closer to the entrance to Jewel. Employee permit parking is available on the east side of the railroad tracks, no permits are required for parking in these lots in the late afternoons and evenings.

Importantly, given the convenient location, it is expected that some customers, from the surrounding residential areas, will walk to the restaurant.

The owners of Westwood Center will be responsible for advising all tenants that the on site parking, both the surface parking and underground parking, is intended for customers first and foremost, not employees. During peak customer hours, the building management must require employees of all of the businesses in Westwood Center to park in the Central Business District employee parking lot on the east side of the railroad tracks. Westwood Center has a distinct advantage over many other businesses in the Central Business District because employees will have only a short walk along Woodland Road, under the lighted viaduct, to the off site employee parking lot on McKinley Road, east of the railroad tracks.

No employee or customer parking is permitted on streets in the adjacent residential neighborhoods. Community Development staff will work with the property and business owners and the City's Police Department to assure that parking for Westwood Center does not occur on residential streets. With the available parking on the site, on Western Avenue and in the parking lot on the east side of the railroad tracks; parking in adjacent residential neighborhoods has not been an issue in the past. If parking by employees or customers of the restaurants, offices or other businesses in Westwood Center does occur on residential streets, the City will take action promptly to stop that activity. This staff report includes a recommendation prohibiting employee and customer parking on residential streets.

### *Performance Standard – Building Review Board Approval*

No exterior alterations are proposed as part of this petition. If the proposed signage for the business does not conform to previous approvals for the building, Building Review Board review may be required.

#### *Performance Standard – Issuance of a Liquor License*

The City Council has jurisdiction over issuing liquor licenses and determining whether businesses should or should not be permitted to serve or sell alcohol. If a liquor license is desired, application for a liquor license must be made to City Hall and considered by the City Council. The sale of alcohol is not regulated by a Special Use Permit.

Liquor licenses granted by the City Council establish hours during which liquor can be sold. Most liquor licenses allow the sale of alcohol between the hours of 11 a.m. and midnight. The petitioner states that the new restaurant will close at 9 p.m. daily.

#### *Performance Standard – Ventilation Systems*

The City Code requires the installation of high quality air filtration systems and ventilation systems for all restaurants. Plans for the system will need to be submitted to the City for review and approval prior to the issuance of a building permit to allow buildout of the restaurant to proceed. The system will be inspected and must pass City inspections prior to the issuance of a Certificate of Occupancy to allow the restaurant to open.

The Code requires the submittal of confirmation of regular maintenance and cleaning of the ventilation systems in restaurants to the City on an ongoing basis.

#### *Performance Standard – Amplified Sound*

No amplified sound is proposed in conjunction with this restaurant.

#### *Performance Standard – Schedules for deliveries and trash pickup*

Hours for deliveries to restaurants and trash pickup for the overall Westwood Center development are limited to 7 a.m. to 6 p.m. The owner of the new restaurant states that deliveries will not be accepted before 8 a.m. Deliveries will be made on the south side of the building or through the front door, off of Western Avenue.

Although the Performance Standards in the Code do not specifically address deliveries *from* the restaurant to customers. Delivery service is planned as part of the new restaurant. The petitioner addresses delivery operations in the statement of intent noting that delivery drivers will stage in the underground parking area. There is a direct stairway from the new restaurant space to the parking garage. The alley will not be used by delivery drivers for staging or pickups. The north/south portion of the alley is immediately adjacent to the rear yards and private spaces of adjacent homes and in the past, activity in the alley, staging for deliveries, resulted in complaints from neighboring residents. Staging the drivers in the parking garage minimizes the potential for impact on neighboring property owners.

The trash from the restaurant will be housed in the alcove provided for a dumpster located on the south side of the building. Per City Code, trash and grease must be kept in closed containers. As noted in the petitioner's statement of intent, trash will be collected no less than three times a week.

*Performance Standard – Minimizing impacts on single family homes: light, noise, traffic*

The proposed restaurant will be located in an existing commercial building. Delivery trucks and other users of the alley shall only enter the alley from Woodland Road and exit on to Western Avenue to minimize the impact of headlights and noise on the neighborhood. The building owner shall provide appropriate signage and is responsible for enforcement. As noted above, conditions are proposed at the end of this report prohibiting the use of the alley as a staging area for deliveries or a break area for employees from any of the businesses at Westwood Center. Various conditions of approval as recommended at the end of this report are proposed in an effort to minimize impacts on the adjacent residential neighborhood.

Provided below is an evaluation of the **Criteria for Special Use Permits** in the City Code.

*Special Use Permit Criteria #1: The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.*

The proposed restaurant is consistent with other uses in the Central Business District and is not unlike other uses that are located in proximity to the residential neighborhoods that border the full length of the City's business. In general, the business and residential uses have been able to co-exist for many years. Issues do come up at various locations from time to time and efforts are made to resolve them by working with all parties to assure that both the residential neighborhoods and the business district thrive.

The continued operation of Westwood Center as an upgraded and fully occupied commercial development, with increased attention to operations and maintenance, will not be detrimental to or endanger public health, safety, morals, comfort or general welfare.

*Special Use Permit Criteria #2: The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted and will not substantially diminish and impair property values within the neighborhood.*

The proposed new restaurant is consistent with the commercial nature of the Westwood Center development and generally consistent with the type of uses that have existed at this location in the past. The proposed use, if operated consistent with the recommended conditions of approval, will not be injurious to the use and enjoyment or value of properties in the immediate area. Importantly, the restaurant operator is experienced, and known and respected in the community. The proposed restaurant will be an amenity to the neighboring residential area and add vitality to the City's business district.

Consistently, resident surveys have indicated an interest in bringing new restaurants into the City's business district. In addition, the City's Strategic Plan places a high

priority on encouraging new businesses to bring increased activity into the City's core and support property values throughout the community.

*Special Use Permit Criteria #3: The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. In business districts, the special use will not negatively affect the overall character of the area or detract from the primary retail nature of the district.*

The surrounding area is already developed. The proposed restaurant will likely help to attract other tenants to Westwood Center to provide options and meet the needs and interests of the growing residential population located within walking distance of this commercial development. The proposed restaurant will add to the vitality of the Central Business District and offer an additional dining option in the City's core area. The proposed restaurant, if operated consistent with the proposed conditions of approval, will not negatively affect the overall character of the area and will support and enhance the business district.

*Special Use Permit Criteria #4: The exterior architectural appearance and functional plan of any proposed structure will not be incompatible with existing buildings, sites, the larger neighborhood or district so as to cause a substantial depreciation in the property values.*

No new buildings are proposed. Exterior renovations to the building are nearly complete and were previously approved by the Building Review Board.

*Special Use Permit Criteria #5: Adequate utilities, access roads, drainage and or necessary facilities have been or are being provided.*

Adequate utilities and other infrastructure are in place to serve the new restaurant which will be located in an existing commercial development.

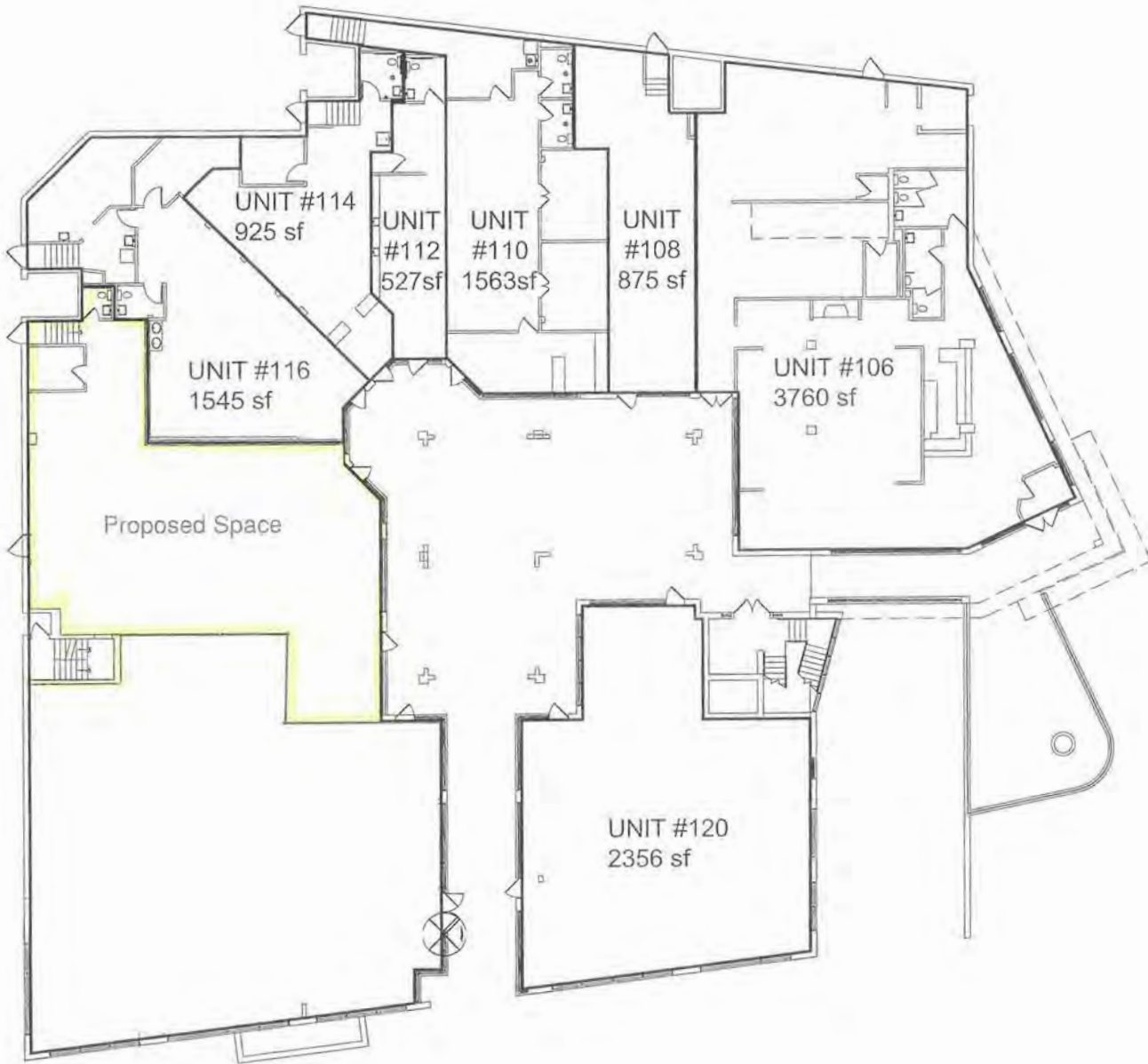
*Special Use Permit Criteria #6: Adequate measures have been or will be taken to provide ingress and egress.*

This is an existing commercial site. No changes are planned to the location or configuration of the curb cuts. The alley is designated for one-way travel, allowing entry to the alley from the north and exit on to Western Avenue, into the commercial district, rather than into the residential neighborhood.

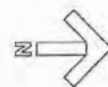
*Special Use Permit Criteria #7: The special use shall conform to the applicable regulations of the district in which it is located except as such regulations may in each instance be modified by the City Council as part of the Special Use Permit.*

As recommended, the Special Use Permit for the proposed restaurant will allow operation of the restaurant in a manner consistent with the regulations of the B-2, Community Commercial Business District. No variances from the regulations of the district are requested and the recommended conditions of approval will put

operating parameters in place for the new restaurant and the overall Westwood Center.



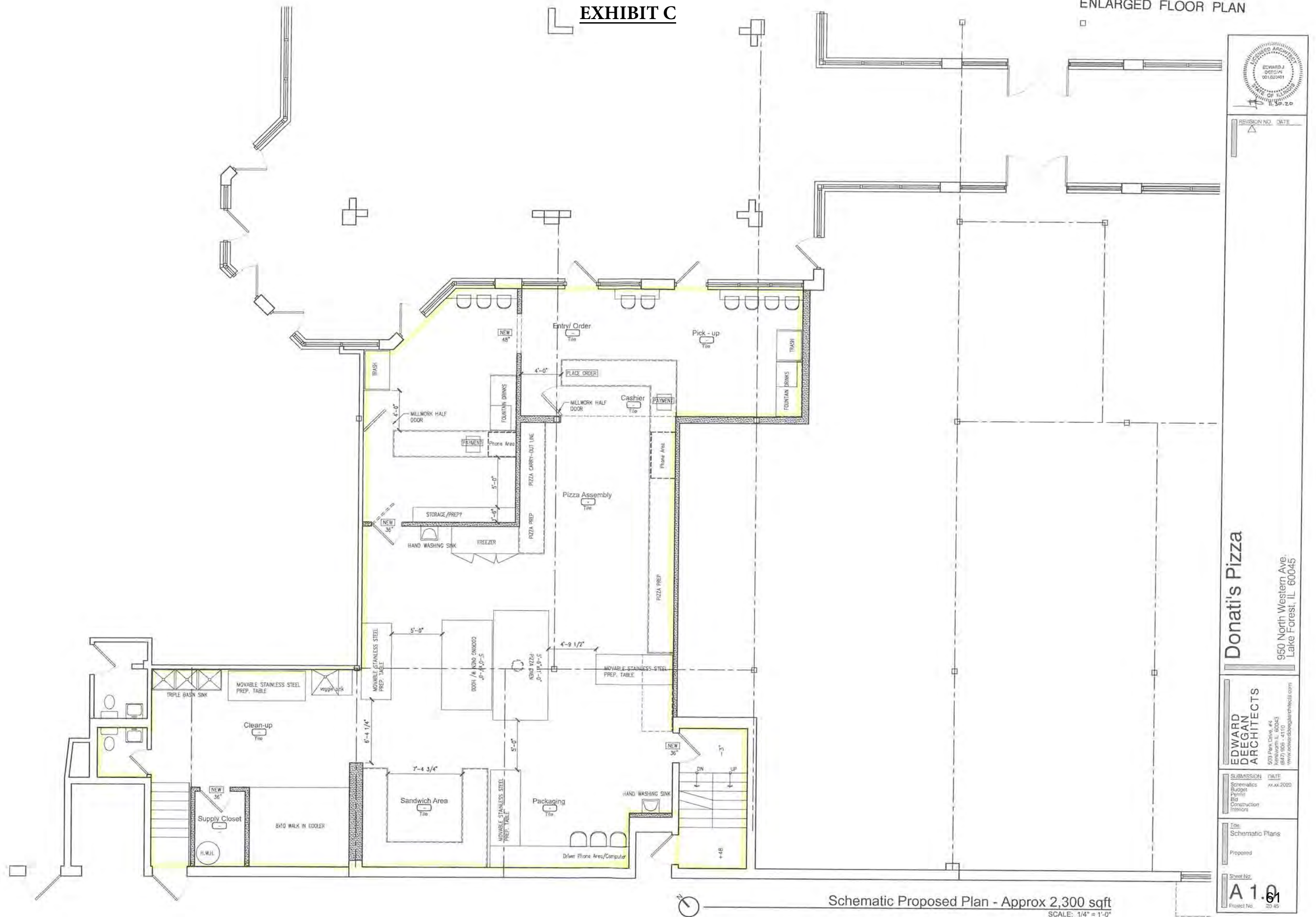
Witmer & Associates  
Architecture and Interior Design  
witmerandassoc.com



**WESTWOOD CENTER  
FIRST FLOOR PLAN**  
2019.04.29 SCALE: N.T.S.

EXHIBIT C

ENLARGED FLOOR PLAN



Schematic Proposed Plan - Approx 2,300 sqft  
SCALE: 1/4" = 1'-0"



REVISION NO.	DATE
1	

Donati's Pizza

950 North Western Ave.  
Lake Forest, IL 60045

EDWARD DEEGAN ARCHITECTS  
599 Pine Clow, #2  
Naperville, IL 60563  
(847) 505-4110  
www.edwarddeeganarchitects.com

SUBMISSION	DATE
Schematic	11.25.20
Budget	
Permit	
Construction	
Interior	

Title  
Schematic Plans

Proposed

Sheet No.  
A 1.0  
Project No.  
20-45



## PLAN COMMISSION REPORT AND RECOMMENDATION

TO:	Honorable Mayor Pandaleon and members of the Council
DATE:	September 9, 2020
FROM:	Chairman Kehr and members of the Plan Commission
SUBJECT:	<i>Special Use Permit – New Restaurant in Westwood Center, 950 N. Western Avenue</i>

### **Property Owner**

Westwood Square LLC  
13110 W. Highway 137  
Lake Bluff, IL 60044  
(Todd Altounian 25%,  
Nicole Altounian 25%,  
Jennifer Bianchi 25%  
James Altounian II 25%)

### **Property Location**

950 N. Western Avenue

### **Zoning District**

B-2, Community Commercial

### **Tenant – Restaurant Owner**

Jeff Urso

### **Plan Commission Recommendation**

Based on the findings detailed in Exhibit B to the Ordinance included in the Council packet, the Commission recommends approval of a Special Use Permit to authorize Donati's – Jefe's, restaurant, to locate and operate in Westwood Center at 950 N. Western Avenue. The recommendation is subject to the conditions as detailed in the Ordinance recognizing the location of the restaurant within 150 feet of properties zoned for residential use.

### **Summary of Request**

This is a request for a Special Use Permit to allow a new restaurant to occupy space fronting on the court yard in the Westwood Center commercial development. Westwood Center is a multi-tenant, mixed use development located on the southwest corner of Western Avenue and Woodland Road, in the B-2 Community Commercial District. The Plan Commission recently considered a request for a different new restaurant at Westwood Center, Scouts. Scouts Restaurant was proposed in the tenant space fronting on Western Avenue. Scouts Restaurant is not moving forward. The restaurant now proposed is located in a portion of the space previously proposed for Scouts, 2,200 square feet with frontage on the interior courtyard.

The new restaurant, Donati's - Jefe's, will offer food choices, including pizza and tacos, and will offer customers the choice of pick-up, delivery or limited casual dining on the premises. The adjacent courtyard provides the opportunity for outdoor seating on a seasonal basis. As the Commission is aware, restaurants now, more than ever, need to have flexibility in serving customers.

### **Review Process**

Restaurants and bars are permitted outright in the B-2 zoning district except when located within 150 feet of property zoned for residential use. Restaurants proposed within 150 feet of a residential zoning district may only be authorized through a Special Use Permit. Despite the fact that the proposed restaurant is located internal to the Westwood Center development, the tenant space is within 150 feet of a residential zoning district and therefore, is presented to the Commission for consideration of a Special Use Permit consistent with the Code requirement.

The Special Use Permit process provides for a public hearing before the Plan Commission. The Commission is required to evaluate special use requests for restaurants based on the standard Special Use Permit criteria and on the performance standards that apply specifically to restaurants. The criteria and standards are reviewed later in this report. As part of the special use process, the Plan Commission has the ability to recommend conditions to the City Council if the Commission determines that approval of the request, in some cases with some limitations and requirements, is appropriate. Conditions of approval as part of a Special Use Permit can impose a higher bar for restaurants located within 150 feet of residentially zoned properties than for restaurants located more centrally within the business district. Conditions of approval were established for the previous restaurants that operated in this commercial development to mitigate the impacts of light, noise and general activity on neighboring homes.

### **Description of the Site and Surrounding Area**

Westwood Center, located at the northern end of the City's Central Business District, has been home to a variety of retail uses, service businesses, restaurants and office tenants over the years. This commercial center is a short walk from the new residential development at Laurel and Western Avenues which includes apartments, condominiums and single family homes. The West Park residential neighborhood is immediately adjacent to Westwood Center to the west and to the north, Regent's Row, a row house development is located further to the north on Western Avenue. Crystal Point condominiums, other multi-family developments and single family homes are located further north along Western Avenue. To the east, residential neighborhoods are located within a short walk or drive of Westwood Center. In summary, there is a significant population of residents within walking distance of this commercial development providing a strong customer base. Also of note, many Lake Forest residents are currently customers of Donati's located in Lake Bluff, the City receives frequent comments from residents supporting Donati's return to Lake Forest.

Westwood Center in its entirety was acquired over a year ago by a local family. In past years, the development suffered from a lack of attention to maintenance by the previous owner and as a result, many tenants vacated the development and there were some conflicts with the adjacent residential neighbors. The new owners have already completed significant upgrades to the exterior of the building and interior spaces. There is more work to do, however, the upgrades to date are receiving compliments from many in the community. The new owners are reactivating the center with a mix of tenants to meet the needs of the growing number of residents living in the area, provide services and amenities to the larger Lake Forest community, and attract visitors from outside the community to patronize local businesses.

Westwood Center, like many locations within the City's linear Central Business District, abuts single family homes. This juxtaposition can create conflicts while at the same time, providing a unique amenity to residents in the neighborhood who are able to walk to restaurants, retail stores and service businesses. Together, the residential neighborhoods and the Central Business

District create a character that is uniquely Lake Forest. Establishing operating parameters that allow the adjacent uses to co-exist is facilitated through the special use process.

As with all areas where different types of uses abut each other, there are advantages and disadvantages. The Westwood Center property is zoned for and has a history of commercial use and the proposed restaurant is consistent with the intent of the B-2 zoning district. The details of how the site operates and is maintained on a daily basis are keys to compatibility with the neighboring uses. There will be conflicts from time to time, staff has encouraged the property owner to keep an open dialogue with neighboring residents and to respond to any issues that may come up in a way that balances the interests of all parties.

### **Overview of Donati's – Jefe's Restaurant**

As noted above, a new restaurant, designed to serve customers in various ways, proposes to occupy space fronting on the courtyard in Westwood Center. As noted above, the new Donati's – Jefe's will not have frontage on Western Avenue, preserving those spaces with high visibility for future tenants who may not benefit from the name recognition among Lake Forest residents as Donati's does. The restaurant will be designed to easily accommodate customers who wish to pick up food, receive deliveries or casually dine on the site. The new restaurant will be operated by Jeff Urso who has past restaurant experience in Lake Forest and currently has a successful business in Lake Bluff which is planned to remain in operation. The new Lake Forest location will allow Mr. Urso to more effectively and efficiently meet customer demand.

The restaurant will operate seven days a week, serving lunch and dinner, from 10 a.m. to 9:00 p.m. As the weather permits, outdoor dining will be available in the center of the Westwood Center complex. The courtyard will offer open air dining but in a location encircled by the existing building which will buffer noise, light and activity from the neighboring homes to the west and north. Delivery drivers will stage in a portion of the underground parking garage with direct access into the restaurant space from a dedicated stairway. Deliver drivers will not stage in the alley adjacent to the residential properties to the west.

### **Correspondence and Public Testimony**

Notice of this petition was provided in accordance with the Code requirements. A legal ad was published in a newspaper with local circulation. Notices of the public hearing were mailed to residents in the surrounding area by the petitioner and by the City. The agenda for the Plan Commission meeting was posted at public locations and on the City's website.



8/25/2020  
Donati's Pizza  
205 S Waukegan Rd, Lake Bluff

## Intent to lease property 950 N Western Ave, Donati's Pizza

Donati's Pizza intends to lease a 2200 sq foot section of property from Westwood LLC located at 950 N Western Ave, Lake Forest. Donati's Pizza and Jefe's Tacos will have a unique concept that allows customers to experience a fast casual take-out restaurant for traditional taco restaurant and a carry-out operation for pizza. We will have two (2) store fronts but have one shared kitchen. This will allow delivery operations, staff management, health/safety protocols to be managed easily and effectively.

Background: My name is Jeff Urso and I founded Donati's at this same location in 2010. At the time I was a 24 year old new restaurateur. We grew fast and continued to expand in the building until 2015, at which point we ended our lease with the former owner of the property over disputed issues. Since 2015 Donati's has been located in Lake Bluff and we have 30 great team members in our rotation. We are proud to be a community invested company. I am raising my three boys in Lake Bluff with my wife Kamila. Since we were raised in this community and we are raising our family in the community we continue to invest our time and energy in the community including food drives, working with all our local schools and sports teams and overall trying to enrich the restaurant experience in the area. We know we are part of something great in Lake Forest and Lake Bluff and we want to continue our work of having a meaningful and positive impact in our community.

Parking: Westwood has great parking for our patrons, as there are two lots one above ground and one below. In addition, there is plenty of street parking on Western. Since our business model is primarily carry-out, most customer will be parking for 15 minutes or less (usually 5 or less), keeping the parking spaces free and open. The majority of our sales will be driven in the dinner hours past 5pm, since most of the other professional service businesses are closed, this will put even less pressure on the parking. At Donati's of Lake Bluff, we typically have 50 pick up/carry-outs on a daily average, most of which are at night and on weekends. We intend to offer curbside pick up for customers with the hope they use the upper lot or street parking on Western.

Delivery Operation: Our delivery team members would park in the basement as the south stair case would be accessible directly from our proposed unit. Typically we have 3-4 drivers Monday through Thursday nights, with and influx on weekends up to 8. Since the primary business hours are after 5pm, we don't anticipate on bothering any other businesses by use of the basement spaces. Most drivers are in and out, typically only 2 are stationed at the store at a time. During the daytime/lunch hours we anticipate only keeping 1-2 drivers on staff to handle local residential orders, as our Lake Bluff location is located on a major intersection and easier to route corporate business.

Team members: Our staff projections will be on average 5-6 team members (non-drivers) at the store during hours of operation. Between the train station being located 2 blocks away and remote parking available, staff members will not park on site.

Vendors coming in/out of site. We use Greco food service and Reinhart food service as our main vendors. Both Greco and Reinhart are major purveyors throughout Lake Forest at the other in town restaurants,

including Chiefs, Francesca's, The Lantern, Ferentino's, Market House and more. We will not accept deliveries before 8am, and deliveries will use the back to deliver deliveries as is common practice for Peanut Gallery and the Bistro. Since the back of our unit faces Jewel, we don't anticipate causing any issues for neighbors on Oakwood. Grease trap, and refuse collections will be done by Groot or other major companies and will be done at the same schedule as other local restaurants in downtown Lake Forest. Our refuse will be collected no less than 3 times per week.

Hours of operation: We intend on being open from 10am-9pm daily. Which is typical and matches or closes earlier than other pizzerias and Taco restaurants in Lake Forest.

Walkways: Our drivers will be exiting the parking ramp on to Western. Our drivers will take all precautions in ensuring safety for pedestrians as they walk through. Donati's operated at this location from 2010-2015 and had no issues with pedestrian safety and we intend to continue our current safe practices.

Ventilation: Our Hoods from our pizza oven, and stove tops will be vented to the roof. We will be further towards Western than both the Peanut Gallery and the Bistro and do not anticipate any odors negatively impacting the neighborhood.

Courtyard: Since we are in the courtyard of 950 N Western, our lighting, seating and activities will not be seen from either Woodland or Western. We will close at 9pm daily which is typically or before other restaurants in the area.

Signage: We will follow all sign regulations set forth by the City of Lake Forest and the property owner to conform with other businesses in the center.

We hope the board will issue a Special Use Permit to Donati's/ Jefe's. We will continue to keep everything first class and better our community. We are excited to work with the current property owners the Altounian Family who's reputation speaks volume on their maintenance and management of first class properties in town. We look forward to building and enhancing the restaurant experience for Lake Foresters.

Jeff Urso

*Jeffrey J Urso*

Founder and Team Leader Donati's Pizza