

**THE CITY OF LAKE FOREST  
CITY COUNCIL AGENDA**  
Tuesday, February 22, 2022  
at 6:30pm.

**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 Access Link**

<https://us02web.zoom.us/j/81558908427?pwd=aGlKMnlleW5uWnRRenVuY0luK0VZZz09>

Webinar ID: 815 5890 8427

Passcode: 1861

**CALL TO ORDER AND ROLL CALL**

**6:30 p.m.**

Honorable Mayor, George Pandaleon

James E. Morris, Alderman First Ward

Jim Preschlack, Alderman Third Ward

Jennifer Karras, Alderman First Ward

Ara Goshgarian, Alderman Third Ward

Melanie Rummel, Alderman Second Ward

Raymond Buschmann, Alderman Fourth Ward

Edward U. Notz, Jr., Alderman Second Ward

Eileen Looby Weber, Alderman Fourth Ward

**PLEDGE OF ALLEGIANCE**

**REPORTS OF CITY OFFICERS**

**1. COMMENTS BY MAYOR**

**A. 2022-2023 Board and Commission Appointments and Reappointment's**

**SENIOR RESOUC COMMISSION**

NAME OF MEMBER	APPOINT/REAPPOINT	WARD
Wendy McKiernan	APPOINT	2

A copy of the volunteer profile sheet can be found on **page 24**

**COUNCIL ACTION: Approve the Mayor's 2022-2023 Board and Commission Appointments and Reappointment's**

**2. COMMENTS BY CITY MANAGER**

**A. Townline Park Splashpad**

**3. OPPORTUNITY FOR CITIZENS TO ADDRESS THE CITY COUNCIL**

Members of the public can provide public comment by calling the following number during the meeting: 847-810-3643

**4. COMMITTEE REPORTS**

**PUBLIC WORKS COMMITTEE**

**A. Report on Streets Policy**

- Jim Lockefer, Assistant to the Director of Public Works

**B. Report on Deerpath Road Water Main Improvements**

- Byron Kutz, P.E., Superintendent of Engineering

**ENVIRONMENTAL SUSTAINABILITY COMMITTEE UPDATE**

- Alderman Melanie Rummel, Chair

**5. ITEMS FOR OMNIBUS VOTE CONSIDERATION**

**1. Approval of January 7, 2022, City Council Meeting Minutes**

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

**COUNCIL ACTION:** Approval of January 7, 2022, City Council Meeting Minutes

**2. Approval of a Resolution of Appreciation for Retiring Members of Boards and Commissions**

BOARD, COMMISSION OR COMMITTEE	NAME OF MEMBER(S)
SENIOR RESOURCE COMMISSION	Phil Hartung

A copy of the Resolution can be found on **page 25.**

**COUNCIL ACTION:** Approval of a Resolution of Appreciation for Retiring Members of Boards and Commissions

### **3. Consideration of Ordinances Approving Code Amendments to Allow Mobile Food and Beverage Vendors to Operate in the City of Lake Forest as Part of Special Community Events and Establishing a Permit Fee. (Final Approval)**

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

**PURPOSE AND ACTION REQUESTED:** Following up on the success of the pilot program approved by the City Council last year to permit mobile food and beverage vendors ("food trucks") to operate in the City with certain limitations, Council consideration of continuing this initiative on an ongoing basis is requested.

#### **BACKGROUND/DISCUSSION:**

##### *Recent Activity*

At the last City Council meeting, on February 7, 2022, the Council approved first reading of two ordinances in support of allowing mobile food and beverage vendors to operate in a limited capacity in the community on an annual basis.

##### *Background*

In spring 2021, the City Council directed staff to develop a pilot program to allow mobile food and beverage vendors in Lake Forest with certain limitations. During the pilot program in 2021, the City issued 17 annual licenses to mobile food and beverage vendors. Of those, seven were to local businesses including: Rosati's, Left Bank, The Gallery, Donati's, Lake Forest Meat & Seafood, Sunset and The Forester Hotel. As approved by the Council, fees for a mobile food and beverage license were waived for local businesses already operating under City issued health licenses. The other ten mobile food and beverage licenses were issued to non-local businesses for an annual fee of \$100.00.

##### *What We Learned*

Over the course of last year's program staff learned that:

- The term "Food trucks" does not accurately characterize the range of options mobile food and beverage vendors use to offer products. As a result, to invite vendors of various types to participate, the broader term "Mobile Food and Beverage License" is recommended.
- Responsibility for providing receptacles for recycling and trash needs to be clearly determined between the coordinator of the special event and the mobile vendor.
- A list of licensed vendors needs to be actively promoted by the City to those in the community who plan and manage special events.
- Special event applications need to be revised to require event coordinators to identify participating mobile food vendors at the time of application for a special event permit to assure adequate time for vendors to obtain a City license if they are not currently a license holder.

##### *Code Amendments*

Amendments are proposed to Sections 113.21, Permits and Licenses; 117.05, Sales from Vehicles; and 117.20, Transient Merchants and Itinerant Vendors, to clarify that the provisions in those sections do not apply to mobile food and beverage vendors. New Sections, 120.01 through 120.03 are proposed to specifically address mobile food and beverage vendors including definitions, license and fee requirements and operations. The Ordinance reflecting the proposed amendments is included in the Council's packet beginning on **page 26**.

#### Permit Fee

An administrative permit processing and inspection fee of \$100.00 is recommended with a waiver of the fee for local restaurants and food and beverage businesses that already hold an annual City of Lake Forest Health License. The Ordinance establishing the license fee is included in the Council packet beginning on **page 30**. For information, the cost of annual Health Licenses for local businesses ranges from \$250.00 to \$600.00 depending on the type of business.

**COUNCIL ACTIONS:** If desired by the Council, grant final approval of two Ordinances:

- 1) An Ordinance approving amendments to Sections 113.21, 117.05, 117.20(B) and the addition of new Sections 120.01 through 120.03.
- 2) An Ordinance establishing a permit fee for Mobile Food and Beverage Vendors.

#### **4. Consideration of Ratification and Approval of Expenditures Relating to Environmental Remediation, Demolition and Stabilization of the Property at 50 Maywood Road and Authorization to Enter into Contracts. (Approval by Motion)**

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

**PURPOSE AND ACTION REQUESTED:** Ratification of expenses incurred to date and approval of anticipated expenses related to removal of the building at 50 Maywood Road and restoration of the site to green space.

**BACKGROUND/DISCUSSION:** In May 2021, the City acquired the property at 50 Maywood Road, the former Joytime Preschool property. The City pursued acquisition only after the longtime owner explored development opportunities with various parties. In the end, the City proceeded with acquisition to protect a large, pressurized water transmission main located very close to the property.

In preparation for demolition of the structure before spring, the City engaged Midwest Environmental Consulting to complete environmental testing and assessment of the building. Significant amounts of asbestos and lead paint were identified, more than anticipated, necessitating remediation prior to demolition of the building. As part of the City's contract with Midwest Environmental, a detailed remediation action plan was prepared and bid out to remediation companies. To date, the City has incurred fees in the amount of \$4,750. The next phase is to complete the remediation. The low bidder for this work is Valor Technologies, Inc. Midwest Environmental Consulting has worked with this company in the past and found them to be reliable, competent and efficient.

Company	Bid
<b>Valor Technologies, Inc.</b>	<b>\$19,695</b>
Cove Remediation, LLC	\$23,900
Kinsale Contracting Group	\$41,750

Midwest Environmental will be re-engaged for an amount not to exceed \$5,000 to oversee the remediation work, conduct the necessary testing, maintain daily logs and document the disposal of the remediated materials in compliance with applicable regulations. The City does not have the expertise in house to properly monitor this work.

Concurrent with the remediation work, utilities will be disconnected and following that, the building will be demolished, the building materials disposed of, and the building site will be graded even with the surrounding grades and stabilized with seed and blanket.

**BUDGET/FISCAL IMPACT:** The negotiated purchase price for the property was \$315,000 after adjustment for the anticipated cost of clearing the property which at that time was \$25,000. The environmental assessment identified the need for significantly more abatement and monitoring than expected and, as a result, this matter is before the Council for ratification of the expenses incurred to date, approval of the remainder of the expenses associated with clearing the property, and for authorization to enter into the necessary contracts.

The acquisition of the property, which was not anticipated when the FY 2022 budget was prepared, was funded Water and Sewer Capital Fund based on the fact that the driving force for City acquisition of the property was to protect the 20" pressurized water main. Funding for the demolition of the existing structure, restoration of the property and any future park improvements were initially to be funded from the Parks and Public Land Fund. Due to the increased costs associated with environmental remediation, as now proposed, staff proposes to fund the remediation, demolition, and stabilization costs out of the Capital Improvement Fund. Future improvements to the site, yet to be determined, will be funded from the Park and Public Land Fund.

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

**Yes, competitive were obtained for the remediation work.**

**No, competitive bids were not obtained for the environmental assessment and the remediation oversight based on an existing relationship with Midwest Environmental Consulting Services Inc.**

Administrative Directive 3-5, Section 6.1I – Existing Relationship

FY2022 Funding Source	Amount Budgeted	Amount Requested	Budgeted? Y/N
Park and Public Land Fund	Paid to Date	\$4,750	No
Capital Improvement Fund <i>Remediation and Monitoring</i>	0	\$24,695	No
Capital Improvement Fund <i>Demolition and Site Stabilization</i>	0	Not to Exceed \$24,000	No

*The unbudgeted expenses will be funded from reserves/fund balance of the designated funds.*

**COUNCIL ACTION:** If desired by the City Council, approve a motion:

- 1) Ratifying contracts with Midwest Environmental Consulting Services, Inc. in the amount of \$4,750.

- 2) Approving expenditures for environmental remediation, monitoring and disposal in an amount not to exceed \$19,695 to Valor Technologies, Inc. and in an amount not to exceed \$5,000 to Midwest Environmental Consulting and authorizing the City Manager to enter into the necessary contracts.
- 3) Authorizing the City Manager to enter into a contract for demolition and stabilization in an amount not to exceed \$24,000 after a minimum of three quotes is obtained.

All relating to the property at 50 Maywood Road.

**5. Approval for an Advancement of Fiscal Year 2023 Capital Funding for the Purchase and Installation of a Splashpad at Townline Park, to Landscape Structures, Inc., in the Amount of \$300,000.**

STAFF CONTACT: *Chuck Myers, Superintendent of Parks & Forestry, 810-3565*

**PURPOSE AND ACTION REQUESTED:** City Staff and the Parks & Recreation Board requests approval to award a contract with Landscape Structures, Inc., for \$300,000 to purchase and install a splashpad structure at Townline Park, as included in the FY2023 Parks & Public Lands Fund C.I.P. If the contract is approved by City Council this evening, staff anticipates that the splashpad will be opened early this summer.

**BACKGROUND/DISCUSSION:** Townline Park was dedicated in May 2009 as a community park and has since become a premier park for the City of Lake Forest. The pavilion and athletic fields have continued to see an increase in use and hold even more potential for greater use. The addition of a splashpad directly adjacent to the pavilion and the playground will add a great benefit to park users, Stonebridge and Conway Park neighbors, and the community as a whole. The splashpad will also provide potential increases in revenue due to increased pavilion rental opportunities.

Over the past several years, splashpads have grown in popularity in communities across the country. Particularly in the heat of the summer months, they have become sought after places for communities to gather, play, and cool off. Screen time and couch time is at an all-time high and countless studies have shown that unstructured outdoor play is critical to our children's development and well-being. We have invested in the power and value of this type of play through renovating our playgrounds over the past several years. Water adds a whole new, exciting energy to a playground environment!

Some summer days we all want to just sit in the air conditioning and stay cool but having an outdoor destination where comfortable play is still possible in the heat, is a game changer. Interactive features offer sensory rich, creative and engaging play opportunities that are totally different from anything else we have in our parks. Splashpads provide a unique opportunity for inclusive, safe water play. For a variety of reasons including mobility, swim skill, developmental challenges, child to parent supervision ratio, etc., it may not be feasible or practical for some families to visit the beach or go to a swimming pool. A splashpad creates safe access to the wonder and love of water for families with children of all ages, abilities, and circumstances. The features are designed to be accessible and provide a variety of different spouts, mists, sprays, fountains, and bubblers. The features are organized by size so there is a natural separation of older and younger children, while still the ability to all play and socialize together.

Townline Park was selected for the City's first splashpad because it is a community park, has bathroom facilities, large shaded area, large parking area, existing utilities, playground, and has open space available. All the important infrastructure is already in place, which makes the project much more cost effective and feasible in a shorter time frame. The selection of the spot within the park was chosen so that it could be close to the bathrooms, playground, and shaded area for supervision. This location also makes it practical to pull the utilities from the building. It is an added safety benefit that the splashpad is situated far from the vehicle traffic and parking. The trees and landscaping around it provide a wonderful, inviting natural park setting as well.

The splash pad proposal is a drain-away system that uses low-flow components to create fun and engagement, while using the least amount of water. The limited months and hours that the system will be in use made it difficult to justify investing in a re-circulating chlorinated system that would require much higher engineering, product and construction cost, as well as ongoing intensive maintenance and upkeep. A recirculation splash pad is similar to a swimming facility where water quality needs to be constantly monitored. The proposed system uses potable water and maintenance will be manageable by staff.

**PROJECT REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
Parks & Recreation Board	02/15/22	Recommend Approval

**BUDGET/FISCAL IMPACT:** The cost of equipment and installation is \$273,967, plus a contingency of \$26,033, for a total project cost of \$300,000.

The purchase is being made via the national government joint purchase co-operative, Sourcewell (formerly NJPA). Per Section 6.1D of the City's Purchasing Directive, purchases can be made via a variety of governmental joint purchasing programs. Numerous pieces of equipment are bid nationally, and such bids conform to all requirements of the Illinois State bidding laws. Sourcewell, formerly National Joint Powers Alliance, was created by State law as a service cooperative to provide programs and services to members in education and government. Sourcewell follows the competitive contracting law process to solicit, evaluate, and award cooperative purchasing contracts for goods and services.

Has competitive pricing been obtained for proposed goods/services? No

If no, indicate the specific exception requested: Administrative Directive 3-5, Section 6.1D – Government Joint Purchase

Below is an estimated summary of Project budget:

FY2023 Funding Source	Amount Budgeted	Amount Requested	Budgeted? Y/N
201-8457-475.75-06 Parks & Public Land Fund	\$250,000	\$250,000	Y

224-8026-476.76-56 Special Recreation Fund	\$50,000	\$50,000	Y
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**COUNCIL ACTION:** Approval for an Advancement of Fiscal Year 2023 Capital Funding for the Purchase and Installation of a Splashpad at Townline Park, to Landscape Structures, Inc., in the Amount of \$300,000.

**6. Approval to authorize the City Manager to enter into a contract with Landscape Concepts Management for City-Wide Grounds Maintenance Services, for an Amount Not to Exceed \$177,846.**

STAFF CONTACT: *Chuck Myers, Superintendent of Parks & Forestry, 810-3565*

**PURPOSE AND ACTION REQUESTED:** City Staff and the Parks & Recreation Board requests approval to award a one year contract with Landscape Concepts Management, for \$177,846 to provide mowing and grounds maintenance services city-wide.

**BACKGROUND/DISCUSSION:** Annually, the Parks and Recreation Department researches opportunities to improve operational efficiencies and deliver services in the most cost effective manner. In 2011, the Parks section began outsourcing the mowing of many of our passive parks and miscellaneous parcels. We chose not to bid out all other park properties, such as the neighborhood parks, lakefront and community parks, due to the significant need to coordinate with ever-changing public use and athletic field schedules. The outsourcing of mowing has proven to be a beneficial fiscal approach by reducing labor expenses and long-term capital equipment replacement costs. In FY2022, staff conducted an expansive bid request that included the mowing on fifteen City property areas, 167 cul-de-sacs and the mowing only of twenty City right-of-ways. Additional grounds maintenance includes lawn care, weed control, and bed maintenance. Similar to the selection rationale for outsourcing areas in 2011, the right-of-ways and cul-de-sacs are also desirable to outsource because they involve routine scheduling requirements.

In addition, the Parks Section included 3-year bids with the bid process and has the ability to extend the contract after the first season or rebid the contract for FY2023 and FY2024. Staff is recommending that the contract with Landscape Concepts Management Inc. be extended to FY2023.

**PROJECT REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
Parks & Recreation Board	01/11/22	Recommend Approval

**BUDGET/FISCAL IMPACT:** Funding for the FY2023 City-Wide Grounds Maintenance contract is budgeted in the Parks Fund 220 operating budget. City staff is satisfied with the services performed by Landscape Concepts Management in FY2022 and are recommending the continuation of their services for FY2023.



Has competitive pricing been obtained for proposed goods/services? Yes (Bid out in FY2022, with the ability to extend for FY2023 and FY2024)

Below is an estimated summary of Project budget:

FY2023 Funding Source	Amount Budgeted	Amount Requested	Budgeted? Y/N
220-5775-435.35-10 Parks Operating Budget	\$177,846	\$177,846	Y

COUNCIL ACTION: Approval to authorize the City Manager to enter into a contract with Landscape Concepts Management for City-Wide Grounds Maintenance Services, for an Amount Not to Exceed \$177,846

**7. Approval to authorize the City Manager to enter into a contract with Mariani Landscape for Grounds Maintenance Services at Forest Park in the Parks FY2023 Budget, for an Amount Not to Exceed \$51,958.**

STAFF CONTACT: *Chuck Myers, Superintendent of Parks & Forestry, 810-3565*

**PURPOSE AND ACTION REQUESTED:** City Staff and the Parks & Recreation Board requests approval to award a one year contract with Mariani Landscape to provide mowing and grounds maintenance services at Forest Park for FY2023.

**BACKGROUND/DISCUSSION:** Forest Park is one of the oldest and most celebrated parks on the North Shore and a treasure for the residents of Lake Forest. After the completion of the highly successful rehabilitation project in 2015, the City's Parks Section resumed its maintenance responsibilities and was charged with keeping the park in its pristine condition. Since 2011, the City has been outsourcing mowing on other City-owned properties and it has proven to be a beneficial fiscal approach by reducing labor expenses and long-term capital equipment replacement costs. Given the Parks Sections current workload, City Staff recognized the need to outsource Forest Park in order to ensure that the park is maintained at the highest level possible.

For the FY2023 season, staff conducted an expansive bid process that includes mowing and extensive grounds maintenance services for Forest Park. In addition, staff included a three year option in the bid process that provided the City with the right to extend the contract after the first season or rebid the contract for FY2024 and FY2025.

For FY2020, Mariani Landscape began a new program that encompassed a number of sustainable practices. They deployed fully electric mowers, blowers and line trimmers in all service operations at Forest Park. This equipment delivers low noise, zero emissions and zero use of fossil fuels in the operation of this machinery. The reduction in noise pollution with electric mowers is significant and an important aspect of this program.

For FY2021, Mariani introduced a new environmentally sustainable innovation to their lawn care services at Forest Park – Auto Mowers. They are clean, ecofriendly electric powered mowers with no operators that run quietly and provide a healthy and well-maintained

appearance. Seasonally, there still may be times when conventional electric equipment is used but after the auto mowers learn the site, weekly mowing would be done by five auto mowers. There are also areas of the park where auto mowers will not work and they will need to use conventional mowers weekly. All of the above activities and procedures combine to provide the City of Lake Forest with a responsible and environmentally beneficial program in the execution of the significant grounds maintenance services they provide.

**PROJECT REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
Parks & Recreation Board	01/11/22	Recommend Approval

**BUDGET/FISCAL IMPACT:** Funding for the Forest Park grounds maintenance contract is budgeted in the Parks Fund 220 operating budget. On November 10, 2021 City staff released an invitation to bid for Forest Park Grounds Maintenance Services. The bid opening was on December 1, 2021 and one sealed bid was received, as detailed below.

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

**Recommended Bidder/Proposer is BOLDDED**

Company Name	Dollar Amount Bid
<b>Mariani Landscape Inc.</b>	<b>\$51,958</b>

City staff is satisfied with the services performed by Mariani Landscape in past contracts at Forest Park and are recommending the award of a contract with them for Forest Park Maintenance Services.

Mariani Landscape will continue to include all the sustainability components that were incorporated into the maintenance practices over the past few years, including the auto mowers.

Below is an estimated summary of Project budget:

FY2023 Funding Source	Amount Budgeted	Amount Requested	Budgeted? Y/N
220-5775-435.35-10 Parks Operating Budget	\$51,958	\$51,958	Y

COUNCIL ACTION: Approval to authorize the City Manager to enter into a contract with Mariani Landscape for Grounds Maintenance Services at Forest Park in the Parks FY2023 Budget, for an Amount Not to Exceed \$51,958

**8. Waive the Bid Process and Approve of a Purchase of Epoxy Floor Materials with ICP Construction, Inc. in the Amount of \$56,787**

STAFF CONTACT: *Jim Lockfeer, Assistant to the Director of Public Works (810-3542)*

**PURPOSE AND ACTION REQUESTED:** The Public Works Committee and City staff requests City Council waive the bid process and approve of a purchase of epoxy floor materials with ICP Construction, Inc. in the amount of \$56,787.

**BACKGROUND/DISCUSSION:** In 2015, Building Maintenance Section staff first coated the Municipal Services garage with epoxy to protect the existing concrete floor. Much of this original coating has held up very well for the past seven years but some areas have begun to show signs of wear. Specifically, large areas of wear can be found in the main garage, sanitation garage, and wash bay adjacent to the garage's trench drainage system. It has been determined that moisture has played a significant role in these areas of deterioration. Based on the moisture content of the building site, a water-based product was determined the best option in moving forward with any repairs. This type of product allows the concrete to breathe while maintaining a protective surface. Furthermore, it was very important to select a product that successfully bonds and adjoins with the existing epoxy floor coating in areas that are not showing signs of wear.

In 2019, Building Maintenance staff began to test products in smaller areas of wear in the garage in an effort to find the overall best epoxy material that worked well with moisture, binds to the existing epoxy floor, and withstands impacts of the heavy equipment moving in and out of the garage on a daily basis. ICP Construction, Inc. manufactured Chem-Rock product has been found to be the most successful product. If approved, the Building Maintenance Section will complete the repair work in-house utilizing the material.

**PROJECT REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
Public Works Committee	2/8/2022	Reviewed and Recommended Approval

**BUDGET/FISCAL IMPACT:** On January 28, 2022, Building Maintenance staff secured a quote from ICP Construction, Inc. to purchase epoxy material in the amount of \$56,787. This is a specialty product sold direct from the manufacturer. There are no other firms that sell this exact product; therefore, no other quotes or bids were obtained.

Has City staff obtained competitive pricing for proposed goods/services? **No**  
Administrative Directive 3-5, Section 6.2 – Waiver of Procedures (requires 2/3 vote)

While other manufacturers and firms produce and sell a variety of epoxy products, this specific product from ICP Construction, Inc. has been successful in meeting the various needs as outlined above. Staff has reviewed pricing for other epoxy materials from a variety of firms, and has found ICP Construction, Inc.'s. quote for \$56,787 to be competitively priced.

Below is an estimated summary of Project budget:

FY2022	Amount Budgeted	Amount Requested	Budgeted? Y/N
Building Maintenance Operating Capital 101-1503-467-67-58	\$40,000	\$56,787	Y

Building Maintenance Operating Capital has a grand total Fiscal Year 2022 budget of \$150,000. The \$16,787 overage will be covered by deferring a Municipal Services garage light upgrade. Staff had estimated this upgrade to cost approximately \$17,000. Staff will pursue these upgrades next fiscal year if operational funds become available.

COUNCIL ACTION: Waive the Bid Process and Approve of a Purchase of Epoxy Floor Materials with ICP Construction, Inc. in the Amount of \$56,787

## 9. Approval of the Complete Streets Policy

STAFF CONTACT: *Jim Lockfeer, Assistant to the Director of Public Works (810-3542)*

**PURPOSE AND ACTION REQUESTED:** The Public Works Committee and City staff requests City Council approve the Complete Streets Policy.

**BACKGROUND/DISCUSSION:** Complete Streets is an overall transportation approach to ensure future street projects consider the needs of all travelers, regardless of age, ability, or mode of transportation. The Complete Streets method is formally recognized by the Chicago Metropolitan Agency for Planning (CMAP) in their ON TO 2050 comprehensive regional plan. Over the past ten years, many municipalities, including neighbor communities, have adopted Complete Streets policies outlining municipal practices in implementing the Complete Streets approach. The drafted Lake Forest Complete Streets Policy, included in the Council packet beginning on **page 33**, formalizes and outlines many practices that Public Works staff are already actively performing when planning for street and intersection improvement projects. If approved, the policy would not create any significant changes to Public Works Department Operations.

An adopted Complete Streets Policy is also very important when applying for grant funding. Many grant opportunities specifically request, as part of the grant application, if the organization seeking grant funding has a formally adopted Complete Streets Policy. If so, additional points are often times given by the organization evaluating the grant application. Recently, the Lake County Council of Mayors (LCCOM hereafter) updated their Surface Transportation Program (STP hereafter) project funding award methodology to now give significant points to project grant applications that have an approved Complete Streets policy. The City has previously been successful in securing STP funding for the Waukegan Road and Everett Road Intersection Improvement Project. Last Month, LCCOM formally announced their 2022 STP call for projects with an application deadline in mid-March. The City intends to submit grant applications to seek additional funding for the incorporation of the Everett Road westbound right turn lane onto northbound Waukegan Road, the Everett Road Intersection Improvement Project, and for the Waukegan Road and Westleigh Road Intersection Improvement Project. A City adopted Complete Streets Policy will significantly improve these grant application scores.

### PROJECT REVIEW/RECOMMENDATIONS:

Reviewed	Date	Comments
Public Works Committee	2/8/22	Reviewed and Recommended Approval

**BUDGET/FISCAL IMPACT:** There are no budget or fiscal impacts. This policy does not bind the City to any funding commitments.

COUNCIL ACTION: Approval of the Complete Streets Policy.

**10. Award of the Low Bid for the Concrete Streets, Curb, and Sidewalk Replacement Project to Schroeder & Schroeder, Inc., and Authorize the City Manager to Execute an Agreement in an Amount Not to Exceed \$185,000**

STAFF CONTACT: *Byron Kutz, P.E., Superintendent of Engineering (810-3555)*

**PURPOSE AND ACTION REQUESTED:** The Public Works Committee and staff request City Council approval of a one-year extension of the 2019 Concrete Curb and Sidewalk Replacement Project with Schroeder and Schroeder, Inc. for the 2022 MPI Joint Concrete Streets, Curb, and Sidewalk Replacement Project.

**BACKGROUND/DISCUSSION:** This project is a combination of the sidewalk replacement program and the concrete streets repair program. The sidewalk replacement program is an annual program that replaces hazardous and deteriorated sections of sidewalk, and curb and gutter. The concrete streets repair program is an annual program that replaces damaged and deteriorated sections of concrete road pavement.

Based on the concrete streets survey, the City Sidewalk Survey, and requests for replacement of concrete sidewalk and curb from residents and businesses, the Engineering staff prioritizes the locations on an annual basis for replacement based on the severity of their condition.

City staff have previously briefed the City Council on Municipal Partnership Initiative (MPI), a program that takes advantage of economies of scale by securing low bid prices among neighboring municipalities who bid similar projects each year. In 2019, the City joined forces with Lake Bluff, Highland Park, Glencoe, Lincolnwood, and Winnetka to have a joint bid for the 2019 Concrete Curb and Sidewalk Replacement Project.

**PROJECT REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
Public Works Committee	2/8/2022	Reviewed & Recommended City Council Approval
Finance Committee	11/8/2021	Concrete Streets Included with FY '23 Capital Plan*

\*Note: Sidewalk Replacement is included in the Operations Budget.

**BUDGET/FISCAL IMPACT:** If approved, this will be a renewal of the existing contract. The 2022 contract unit prices are increasing 5.1% from 2019 prices. Last year the available sidewalk/curb budget of \$75,000 allowed for 354 sidewalk squares, and 395 feet of curb to be replaced. In FY2023, a budget of \$85,000 with the proposed pricing will allow for approximately 400 sidewalk squares and 400 feet of curb to be replaced. The concrete streets repair program has not been performed since the summer of 2018, the budget this year would allow for approximately 56 concrete pavements panels and adjacent curb to be replaced.

If awarded, work on this project is expected to begin in June and be completed by the end of August. Property owners living near the vicinity of the construction work will be notified in advance of the start of construction.

The City's Engineering staff will provide oversight through daily inspections.

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

Below is an estimated summary of project budget by funding source:

FY 2023 Funding Source	Amount Budgeted	Amount Requested	Budgeted Y/N
Operating Fund (Walks/Curbs) 101-5103-467.67-12	\$85,000	\$85,000	Y
Capital Fund (Streets) 311-5103-467-67-23	\$100,000	\$100,000	Y

**COUNCIL ACTION:** Award of the Low Bid for the Concrete Streets, Curb, and Sidewalk Replacement Project to Schroeder & Schroeder, Inc., and Authorize the City Manager to Execute an Agreement in an Amount Not to Exceed \$185,000

### **11. Approval of an Easement Agreement between The City of Lake Forest and the Trust for 500 Golf Lane**

STAFF CONTACT: *Byron Kutz, P.E., Superintendent of Engineering (810-3555)*

**PURPOSE AND ACTION REQUESTED:** The Public Works Committee and staff request City Council approval of an Easement Agreement with the Trust for 500 Golf Lane.

**BACKGROUND/DISCUSSION:** The City is replacing the watermain located on Deerpath Road from Ahwahnee Lane to just east of the Skokie River. The only feasible alignment to cross the proposed watermain under the Skokie River is on the north side of the Deerpath Road Bridge. The City owns the Golf Course property west of the river while the property east of the river is privately owned by a Trust representing 500 Golf Lane. The easement is permanent and perpetual which will allow the City's Contractor access to this property with their equipment during construction as well as City access in the future for any maintenance needs. A copy of the agreement is attached to the packet beginning on **page 37**.

A separate item for awarding the bid for this project is also presented on this agenda.

#### **PROJECT REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
Public Works Committee	2/8/2022	Reviewed & Recommended City Council Approval

**BUDGET/FISCAL IMPACT:** The easement is proposed to be conveyed in consideration of the sum of \$10.00 from the FY2022 Water Fund.

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

COUNCIL ACTION: Approval of an Easement Agreement between The City of Lake Forest and the Trust for 500 Golf Lane

**12. Award of the Low Bid for the Deerpath Road Water Main Improvements to Joel Kennedy Constructing Corp., Authorizing the City Manager to Execute an Agreement in the Amount of \$974,241 as well as Approving a 10% Contingency in the Amount of \$97,424 for a Total Project Cost of \$1,071,665 and the Advancement of Fiscal Year 2023 Capital Improvement Project Funding in the Amount of \$850,000**

STAFF CONTACT: *Byron Kutz, P.E., Superintendent of Engineering (810-3555)*

**PURPOSE AND ACTION REQUESTED:** The Public Works Committee and staff request City Council approval of an agreement with Joel Kennedy Constructing Corp. for the Deerpath Road Water Main Improvements in the amount of \$974,241 as well as approving a 10% contingency in the amount of \$97,424 for a total project cost of \$1,071,665.

**BACKGROUND/DISCUSSION:** The overall project involves replacing an existing aged and undersized 8" watermain located on Deerpath Road from Ahwahnee Lane to just east of the Skokie River with a standard 12" PVC watermain.

Each year, as part of the City's Capital Improvement Program, staff evaluates the condition of existing watermain infrastructure in terms of age, capacity, watermain breaks, and other capital improvement projects scheduled on that street. Based on these factors, staff develops a schedule to replace the City's water distribution system at an optimum functional level. This section of water main was identified as a priority replacement in the 2021 Water Distribution Study. The demands and configuration of the overall water system have changed since this section of watermain was installed in the early 1940's. Increasing the east-west transmission capacity of the system was identified in the 2021 Study. Upsizing this watermain to 12" will provide additional east-west transmission system capacity while also taking advantage of the timing of adjacent projects. ComEd and the State also have projects on the corridor this year which further heightens the importance of performing this watermain replacement project prior to Deerpath Road being resurfaced later this summer.

Preliminary work for this project would need to start March 14 with work in earnest starting on March 21. This is to take advantage of the full closures of Deerpath Road which will be necessary as part of ComEd's bridge replacement just west of the project limits on Deerpath. ComEd's road closures for the removal of the bridge are scheduled for March 19-26 during D67/D115 Spring Break. There are two watermain crossings on this project which will be coordinated with and performed while ComEd has the road closed to reduce the overall impacts to the motoring public and to emergency services. The City's contractor will mobilize in March to perform this work during ComEd's road closure, and then while mobilized, will continue with the rest of the work completing the project by the end of May. Deerpath Road will be paved in late July or early August prior to schools starting back up as part of the remaining work on the State's Pump Station project. Any work completed on the City's project before May 1, 2022 would require advancement of FY23 funds which will be further discussed in the Budget/Fiscal Impact section of this write-up. Advancing the funds will help reduce

impacts on Deerpath Road by overlapping work from the various projects. To further reduce impacts to residents and the motoring public, a majority of the Deerpath Road watermain will be installed utilizing a trenchless-directional drilling technique, thereby creating less excavation and disturbance in the construction area.

A separate item for an Easement Agreement is also presented on this agenda.

**PROJECT REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
Public Works Committee	2/8/2022	Reviewed & Recommended City Council Approval
Finance Committee	11/8/2021	Included with FY '23 Capital Plan

**BUDGET/FISCAL IMPACT:** The project was placed out to bid in early-January with a subsequent bid opening on January 20, 2022. A total of seven bids were received. City engineering staff will oversee the contractor and work with the Communications Manager to ensure progress updates are provided weekly to the public.

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

The following is a summary of the seven bids received:

Company Name	Bid Amount
<b>Joel Kennedy Constructing Corp</b>	<b>\$974,241.00</b>
Campanella & Sons, Inc.	\$1,053,006.08
Archon Construction Co Inc	\$1,053,500.00
Swallow Construction	\$1,110,949.00
DiMeo	\$1,117,615.00
A Lamp Concrete Contractors, Inc.	\$1,121,608.50
Bolder Contractors	\$1,181,045.00

This project is funded by the FY2023 Water Fund and would require advancing funding in the amount of \$850,000 for work that is completed through the end of FY2022. Without advancement of this funding, it will not be possible to begin the project in March and utilize road closures from the ComEd project. A supplemental appropriation ordinance will be submitted for City Council approval at the end of the fiscal year. Any overage for contingency above the budgeted amount of \$1,025,000 would be taken from Water Fund Reserves.

Below is an estimated summary of the project budget:

FY 2023 Funding Source	Amount Budgeted	Amount Requested	Budgeted Y/N
Water Fund 508-3703-477.77-07	\$1,025,000	\$1,071,665	Y



COUNCIL ACTION: Award of the Low Bid for the Deerpath Road Water Main Improvements to Joel Kennedy Constructing Corp., Authorizing the City Manager to Execute an Agreement in the Amount of \$974,241 as well as Approving a 10% Contingency in the Amount of \$97,424 for a Total Project Cost of \$1,071,665 and the Advancement of Fiscal Year 2023 Capital Improvement Project Funding in the Amount of \$850,000

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

<b>6. OLD BUSINESS</b>
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<b>7. NEW BUSINESS</b>
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<b>8. ADDITIONAL ITEMS FOR DISCUSSION/ COMMENTS BY COUNCIL MEMBERS</b>
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<b>9. ADJOURNMENT</b>
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A copy of the Decision Making Parameters is included beginning on **page 18** of this packet.

An instruction guide on how to participate at a City Council meeting is included beginning on **page 19**.

Office of the City Manager

February 16, 2022

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.*

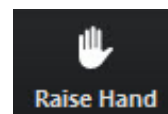
## CITY COUNCIL – REMOTE ACCESS MEETING GUIDE

### **Rules:**

- [An online guide to using Zoom is available here](#)
- Participants can join using the Zoom application, using the call in number located at the top of the agenda, or can stream the meeting live via YouTube.
- All Participants should use their real name (first and last) to identify themselves in the meeting.

### **Public Participation:**

- Please wait to be recognized by a staff member, and the Mayor prior to making your comment.
- If you would like to address your public comment to the City Council live, you can use one of two options
  - The Raise hand function via the zoom application.
    - If you are using the raise hand function, wait to be promoted to turn on your microphone to make a comment. There is a slight delay after you are promoted. You can then unmute yourself and address your comments to the City Council.
  - Calling the public comment line at 847-810-3643
    - If you are calling the public comment line, be sure to step away from your computer or TV, where you are watching the meeting, to avoid feedback.



	Device	Audio	Connection
<b>Ideal</b>	Zoom app on a desktop or Laptop	A headset with microphone	Wired connection via Ethernet
<b>Better</b>	Zoom app on a mobile phone or tablet	A headset (using built-in microphone) Using a phone to dial in	Connected Wirelessly via WiFi
<b>Okay</b>	Calling into conference line (without Zoom app)	Computer speakers (using built-in microphone) Speakerphone on phone	Connected via 4G / LTE (cellular data) Using a phone to dial in
<b>Tips</b>	Make sure your device is fully charged and you have access to Zoom on your device	When Participating, pick a quiet space to avoid any background noise	If you have to use WiFi, try to pick a workspace close to your router.

## Contact Info

First Name: **Wendy**  
 Last Name: **McKiernan**  
 E-mail: **wendymckiernan@yahoo.com**  
 Title: **Retired**  
 Organization:  
 Address: **433 Greenwood Avenue**  
 Address Line 2:  
 City: **Lake Forest**  
 State: **Illinois**  
 Zip: **60045**  
 Mobile Phone: **(847) 269-6292**  
 Home Phone:  
 Notes:

## Resident Data/Stats

Ward: **Ward 2**  
 Precinct:  
 US Citizen: **Yes**  
 Registered Voter: **Yes**  
 Lake Forest Resident since(YYYY): **1954**  
 Business Name:  
 Type of Business:  
 Business Phone:  
 Position:  
 Date of Birth (Optional):  
 Education: **B.S. from Western Illinois University**  
 Spouse's Name:  
 Children's Birth Years:

## Interest in Community Positions

Mayor:  
 Alderman:  
 #67 School Board:  
 #115 School Board:  
 Caucus Committee:  
 Audit Committee:  
 Board of Fire & Police Commissioners:  
 Building Review Board (BRB):  
 Cemetery Commission:  
 Committee Representing Our Young Adults (CROYA):  
 Construction Codes Commission:  
 Elawa Farm Commission:  
 Fireman's Pension Fund - Board of Trustees:  
 Gorton Community Center Board of Directors:  
 Historic Preservation Commission:  
 Legal Committee:  
 Library Board:  
 Park & Recreation Board:  
 Planning Commission Labels:  
 Police Pension Fund - Board of Trustees:  
 Senior Resources Commission: **I am currently applying / Consider me for this position in the future**  
 Zoning Board of Appeals (ZBA):  
 Other Positions:

## Other Considerations

Please list any regular commitments or travel that would interfere with your attendance at scheduled meetings:

Please list any current or previous community service activities, interests, directorships, etc. -- public or private. For each activity please indicate years served and positions held:

**Lake Forest Park and Recreation Foundation**  
**Friends of Lake Forest Library Foundation**

Please list other activities, specialized skills, knowledge, or professional experience that would contribute to your effectiveness in the position(s) for which you are applying or expressing possible future interest:

**Current volunteer driver for Dickinson Hall**

References (Optional):

Please state briefly why you are volunteering to serve The City of Lake Forest:

**I worked for the Parks and Recreation Department for 32 years before retiring. I am a lifelong resident of Lake Forest and enjoy giving back to the community.**

Please list any interests or activities that could lead to, or BE PERCEIVED as, a conflict of interest if you become a candidate or appointee:

The City of Lake Forest  
CITY COUNCIL MEETING  
*Proceedings of the Monday, February 7, 2022*  
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 Notz, Alderman Preschlack, Alderman Goshgarian, Alderman Buschmann and Alderman Weber.

Absent: none

**CALL TO ORDER AND ROLL CALL**

**PLEDGE OF ALLEGIANCE** was recited.

**REPORTS OF CITY OFFICERS**

**COMMENTS BY MAYOR**

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 February 7, 2022, City Council meeting is being held remotely.

Mayor Pandaleon made a brief statement regarding National Read Aloud Day, thanking the staff members who participated by reading stories to school district 67 students.

**COMMENTS BY CITY MANAGER**

**OPPORTUNITY FOR CITIZENS TO ADDRESS THE CITY COUNCIL ON NON-AGENDA ITEMS**

**Members of the public can provide public comment by calling into the following number during the meeting: 847-810-3643**

**COMMITTEE REPORTS**

**MARKETING COMMITTEE**

**1. Update on Marketing Committee Initiatives**

Alderman Karras provided a detailed summary regarding the Lake Forest Saturday Market, the Winter Lake Forest Station Pop-up Shop, the Lake Forest Love blog, the Dialogue Newsletter, and the Community Coalition. She provided extensive background for each of the initiatives.

The City Council thanked Alderman Karras and all others involved in the various initiatives.

**ITEMS FOR OMNIBUS VOTE CONSIDERATION**

1. **Approval of January 18, 2022, City Council Meeting Minutes**
2. **Approval of the Check Register for the Period of January 1-28, 2022**
3. **Approval for an Advancement of Fiscal Year 2023 Capital Equipment Funding to Purchase One Replacement Marked Police Vehicle Included in the FY2023 Capital Equipment Budget to the Illinois Department of Central Management Services Low Bidder, Morrow Brothers Ford, Inc., in the Amount of \$39,905.**
4. **Consideration of an Ordinance Approving a Recommendation from the Building Review Board. (First Reading, and if Desired by the City Council, Final Approval)**

**COUNCIL ACTION: Approval of the four (4) Omnibus items as presented**

Mayor Pandaleon made additional comments regarding item #3.

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 Weber made a motion to approve the four (4) Omnibus items as presented, seconded by Alderman Goshgarian. The following voted "Aye": Alderman Morris, Karras, Rummel, Notz, Preschlack, Goshgarian, Buschmann and Weber. The following voted "Nay": None. 8-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.*

**ORDINANCES**

**OLD BUSINESS**

1. **Approval of Loan Agreement with the Ragdale Foundation to Borrow \$1.5 million from the City to be paid from Pledge Commitments over a Five-Year Period**

Director of Finance, Elizabeth Holleb, provided background regarding the \$1.5 Million loan agreement with Ragdale Foundation which will be paid back over a five-year period. Ms. Holleb further explained the previous discussion around this item in April 2021 and that the specific terms of the loan agreement would return to the City Council for approval at a later date. Ms. Holleb continued to provide additional highlights on the loan agreement including the 2% interest rate, the three-year borrowing term in the agreement to provide flexibility, the collateral agreement, and quarterly financial reports provided to the City by Ragdale.

**COUNCIL ACTION: Approval of a Loan Agreement with the Ragdale Foundation to Borrow \$1.5 million from the City to be paid from Pledge Commitments over a Five-Year Period**

Alderman Morris made a motion to approve of a Loan Agreement with the Ragdale Foundation to Borrow \$1.5 million from the City to be paid from Pledge Commitments over a Five-Year Period, seconded by Alderman Rummel. The following voted "Aye": Alderman Morris, Karras, Rummel, Notz, Preschlack, Goshgarian, Buschmann and Weber. The following voted "Nay": None. 8-Ayes, 0 Nays, motion carried.

<b>NEW BUSINESS</b>
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**1. Consideration of Ordinances Approving Code Amendments to Allow Mobile Food and Beverage Vendors to Operate in the City of Lake Forest as Part of Special Community Events and Establishing a Permit Fee. (First Reading)**

Director of Community Development, Catherine Czerniak, provided background regarding the pilot food truck program established last year. Ms. Czerniak further explained the adjustments to the new program to include all mobile food vendors, that may not have a traditional “truck”. Additionally, she explained the annual permit fee that would be established and continue to waive the fee for local businesses.

The City Council had lengthy discussion regarding the program and how to move forward with any adjustments to the ordinance in the future. Additionally, there was discussion regarding Lake County Health Department licensing for vendors.

**COUNCIL ACTION: If desired by the Council, grant first reading of two Ordinances:**

- 1) An Ordinance approving amendments to Sections 113.21, 117.05, 117.20(B) and the addition of new Sections 120.01 through 120.03.**

Alderman Preschlack made a motion to grant first reading of an Ordinance approving amendments to Sections 113.21, 117.05, 117.20(B) and the addition of new Sections 120.01 through 120.03, seconded by Alderman Rummel. The following voted “Aye”: Alderman Morris, Karras, Rummel, Notz, Preschlack, Goshgarian, Buschmann and Weber. The following voted “Nay”: None. 8-Ayes, 0 Nays, motion carried.

**2). An Ordinance establishing a permit fee for Food Trucks**

Alderman Preschlack made a motion to grant first reading of an Ordinance establishing a permit fee for Food Trucks, seconded by Alderman Weber. The following voted “Aye”: Alderman Morris, Karras, Rummel, Notz, Preschlack, Goshgarian, Buschmann and Weber. The following voted “Nay”: None. 8-Ayes, 0 Nays, motion carried.

**2. Discussion and Direction on Whether to Establish Regulations, Requirements or Parameters Regarding Flavored Tobacco and Electronic Cigarette Products. (No Action Requested – Discussion and Direction Only)**

Mayor Pandaleon provided brief background regarding the topic being discussed, stating that staff was directed to provide additional research into this topic after being brought up during public comment at a previous meeting.

The City Council had lengthy discussion including overall enforcement from the Police Department to prevent underage selling of flavored electronic cigarette products. Additionally, the City Council asked clarifying questions regarding data about selling this product to underage students.

Bill Loumbardis provided comments to the City Council in opposition of regulation of flavored vaping devices Scott Seaman provided comments to the City Council urging City Council to create legislation on the matter. Andy Duran provided comments to the City Council that included statistical data on the use of the products in minors. Gabe Guidarini provided comments to the City Council of his first hand experience with the issue of underage use.

The City Council continued discussion on the topic to include an educational component.

**COUNCIL ACTION: Provide high level direction to City staff and the City Attorney regarding flavored tobacco products**

The City Council further directed staff to investigate this matter.

<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 Morris made a motion to adjourn, seconded by Alderman Rummel. Motion carried unanimously by voice vote at 7:50 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.*



RESOLUTION OF APPRECIATION

WHEREAS

*has served The City of Lake Forest as a member of the*

**BOARD OR COMMISSION  
YYYY-YYYY**

*WHEREAS, he/she has devoted much valuable time and personal attention to the work of this commission and, on behalf of the citizens of Lake Forest, continually met his/her responsibilities with purpose and dedication; and*

*WHEREAS, the citizens of Lake Forest recognize and are deeply appreciative of the valuable time and service she contributed to the preservation and improvement of the quality of life in our community by serving on this commission;*

*NOW, THEREFORE, BE IT RESOLVED that the City Council of The City of Lake Forest, Illinois, hereby expresses the profound gratitude of the citizens of Lake Forest to **NAME** for the loyal and faithful public service he/she has given by means of this resolution, which shall be spread upon the permanent records of the City Council.*

*Adopted by the City Council of  
The City of Lake Forest this  
22nd day of February, 2022*

---

*Mayor*

**THE CITY OF LAKE FOREST**  
**ORDINANCE NO. 2022 – \_\_\_\_\_**

**AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE LAKE FOREST  
CITY CODE TO REGULATE MOBILE FOOD AND BEVERAGE VENDORS**

**WHEREAS**, The City of Lake Forest is a home rule, special charter municipal corporation; and

**WHEREAS**, The City currently regulates food and beverage sale operations in the City pursuant to various provisions of the City Code; and

**WHEREAS**, certain provisions of the City Code restrict, and in some cases, prohibit the operation of mobile food and beverage sale operations in certain places in the City; and

**WHEREAS**, some residents and business owners have encouraged the City to allow mobile food and beverage vendors to operate with some limitations in the City; and

**WHEREAS**, in 2021, the City Council passed an ordinance to amend the City Code to allow limited mobile food and beverage vendors to operate in the City, but that ordinance and the corresponding City Code amendments expired on December 31, 2021; and

**WHEREAS**, the Mayor and City Council have determined that amending the City Code to continue to allow limited mobile food and beverage vendors to operate in the City is in the best interests of the City and its residents;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE FOREST, COUNTY OF LAKE, AND STATE OF ILLINOIS, AS FOLLOWS:**

**SECTION ONE: Recitals.** The foregoing recitals are hereby adopted by this reference as findings of the City Council and are hereby incorporated into this Section as if fully set forth.

**SECTION TWO: Amendment to Chapter 113.21 of the City Code.** Section 113.21, titled “Permits and Licenses,” of the City Code is hereby amended to add a new Subsection (G),

titled “Mobile Food and Beverage Vendors,” which new Subsection shall read as follows (added text is shown as double-underlined and deleted text is shown as ~~stricken~~):

“§ 113.21 PERMITS AND LICENSES.

\*\*\*

(G) This section does not apply to the permitting, licensing, and regulation of mobile food and beverage vendors which are regulated by sections 120.01 through 120.03 of this code.”

SECTION THREE: Amendment to Chapter 117.05 of the City Code. Section 117.05, titled “Sales from Vehicles,” of the City Code is hereby amended as follows (added text is shown as double-underlined and deleted text is shown as ~~stricken~~):

“§ 117.05 SALES FROM VEHICLES.

It shall be unlawful to sell or offer for sale any goods, wares, merchandise or any food or beverage for human consumption, from any motor vehicle or any vehicle or cart of any kind, on any public street or sidewalk in the city, except as expressly permitted by sections 120.01 through 120.03 of this code.”

SECTION FOUR: Amendment to Chapter 117.20 of the City Code. Subsection (A) of Section 117.20, titled “Transient Merchants and Itinerant Vendors,” of the City Code is hereby amended as follows (added text is shown as double-underlined and deleted text is shown as ~~stricken~~):

“§ 117.20 TRANSIENT MERCHANTS AND ITINERANT VENDORS.

(A) For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ITINERANT VENDOR.*** Any person who transports tangible personal property for retail sale within the city who does not maintain in the city an established office, distribution house, sales house, warehouse, service center or residence from which such business is conducted. However, this act does not apply to any person who delivers tangible personal property within the city who is fulfilling an order for such property which was solicited or placed by mail or other means. This subchapter does not apply to any person holding a valid license issued by a county or municipality to engage in retail sales. This subchapter also does not apply to a mobile food and beverage vendors permitted by sections 120.01 through 120.03 of this code.

**PERSON.** Any individual, corporation, partnership, trust, firm, association or other entity.

**TRANSIENT MERCHANT.** Any person who is engaged temporarily in the retail sale of goods, wares or merchandise in the city and who, for the purpose of conducting such business, occupies any building, room, vehicle, structure of any kind or vacant lot. However, this subchapter does not apply to any person selling goods, wares or merchandise which are raised, produced or manufactured by him or her, to any person selling vegetables, fruit or perishable farm products at an established city or village market, to any person operating a store or refreshment stand at a resort, to any person operating a stand or booth on or adjacent to property owned by him or her or upon which he or she resides, or to any person operating a stand or booth at a state or county fair. This subchapter does not apply to any person holding a valid license issued by a county or municipality to engage in retail sales. **This subchapter also does not apply to mobile food and beverage vendors permitted by sections 120.01 through 120.03 of this code.**

\* \* \*

**SECTION FIVE: Amendment to Title XI of the City Code.** Title XI, titled “Business Regulations,” of the City Code is hereby amended to add new Sections 120.01 through 120.03, titled “Food Trucks,” which new Sections shall be and read as follows:

## **MOBILE FOOD AND BEVERAGE VENDORS**

### **§ 120.01 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**Mobile Food and Beverage Vendors.** Businesses operating out of a motorized vehicle or nonmotorized cart offering food and beverage services. For businesses with an established brick and mortar location in the City, food and beverage service offered at a distance of 20 feet or more from the established brick and mortar location shall be considered mobile vendors.

**Mobile food and beverage services.** Preparing and serving meals, snacks and beverages for immediate consumption from motorized vehicles or nonmotorized carts, such as hot dog carts, ice cream trucks, mobile food concession stands, food trucks, mobile refreshment stands, mobile food carts, or mobile snack stands. Mobile food services do not include charitable organizations distributing food to those in need; and persons engaged in the door-to-door delivery of previously prepared food or beverages to customers who have placed an order for such items.

### **§ 120.02 PERMIT AND FEE REQUIRED.**

A permit is required to operate as a mobile food and beverage vendor in the City. Applicants must submit a complete application to the Community Development Department. The application must be in the form required by the City and must be accompanied by the application fee in the amount set forth in the City's fee schedule. The application and the proposed food and vendor operations must comply with the City's administrative mobile food and beverage truck policy, a copy of which is on file with the Community Development Department and the City Manager's office.

**§ 120.03 MOBILE FOOD AND BEVERAGE OPERATIONS.**

The operation of mobile food and beverage vendors must be in compliance with the City's administrative mobile food and beverage vendor policy. The number of permitted food trucks operating at any given time in the City may be restricted by the City's administrative mobile food and beverage vendor policy. Mobile food and beverage vendors will only be allowed to operate in the City in conjunction with Special Community Events authorized and approved by the City which restrictions are within the City Manager's authority. The City Manager has the authority to impose other conditions on the approved permit, including regulations relating to trash collection and disposal, noise control, signage, vehicular and pedestrian traffic protection, among other conditions. All mobile food and beverage vendors operating in the City must comply with all applicable health codes, including but not limited to state and county health department requirements for mobile food and beverage vendor operations."

**SECTION SIX: Effective Date.** This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form in the manner provided by law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2022.

AYES:

NAYS:

ABSENT:

ABSTAIN:

Approved this \_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

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

**THE CITY OF LAKE FOREST**

**ORDINANCE NO. 2022 - \_\_\_\_\_**

**AN ORDINANCE ADOPTING NEW FEES RELATED TO PERMITTING  
MOBILE FOOD AND BEVERAGE VENDORS**

**WHEREAS**, The City of Lake Forest is a home rule, special charter municipal corporation; and

**WHEREAS**, the City Council has determined that a process for permitting mobile food and beverage vendors, including trucks, trailers, and carts that distribute, sell or prepare food or beverages, is in the best interest of the public health, safety and welfare; and

**WHEREAS**, the City routinely charges an administrative processing fee for registering, permitting, licensing and inspecting various businesses, contractors and activities; and

**WHEREAS**, having done so, the Council hereby determines that it is necessary to establish new fees and charges to cover the cost of services provided to review applications, issue permits and conduct inspections of mobile food and beverage vendors operating within the City limits; and

**WHEREAS**, the City Council has determined that it is in the best interest of the City and its residents to adopt this Ordinance;

**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 incorporated as the findings of the City Council and are hereby incorporated into and made a part of this Ordinance.

**SECTION TWO.    Approval of New Fees Related to Mobile Food and**

**Beverage Vendors.** The City Council hereby approves the fees as set forth in Exhibit A, New Fees Related to Mobile Food and Beverage Vendors.

**SECTION THREE: Effective Date of the New Fees Related to Mobile Food**

**and Beverage Vendors.** The fees and charges set forth in Exhibit A shall take effect upon passage of this Ordinance by the City Council.

**SECTION FOUR: Effective Date.**

This ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form in the manner provided by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2022

AYES:

NAYS:

ABSENT:

ABSTAIN:

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Mayor

ATTEST:

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

## **EXHIBIT A**

### **New Fees Related to Mobile Food Vendors**

- ❖ Mobile Food and Beverage Annual Permit Fee - \$100.00
- ❖ Mobile Food and Beverage Annual Permit Fee for Local Restaurants and Food Stores with a valid City of Lake Forest Health License – No Fee



## **GENERAL POLICY STATEMENT**

Complete Streets are facilities designed, operated and maintained to further the goal of providing the opportunity for safe and welcoming passage for users of all ages and abilities, including pedestrians, cyclists, transit riders and motorists. This policy recognizes that some streets, depending on their classification and function are more appropriate for multi-modal means of transportation than others. The City of Lake Forest seeks to create a comprehensive, integrated, and connected transportation network by consciously planning, designing, operating and maintaining a network of Complete Streets.

The City of Lake Forest shall evaluate all upcoming street infrastructure construction and maintenance projects to determine the feasibility and potential benefit of incorporating additional improvements, beyond those necessary to achieve the primary goal of the project, to support and encourage a variety of travel modes by users of all ages and abilities. To conduct this evaluation, the City of Lake Forest shall involve interdisciplinary experts including, but not limited to, City staff and consultants, and appropriate representatives from the State of Illinois, Lake County, Metra, and local school districts.

On an ongoing basis, the City will consider updates and design enhancements to bicycle and pedestrian facilities to meet the best currently available standards and practices including, but not limited to, the American Association of State Highway Transportation Officials (AASHTO) *Guide for the Development of Bicycle Facilities*, the AASHTO *Guide for the Planning, Design and Operation of Pedestrian Facilities*, the AASHTO Green Book: *A Policy on Geometric Design of Highways and Streets*, the Federal Highway Administration (FHWA) *Highway Capacity Manual (HCM)*, National Association of City Transportation Officials (NACTO). the FHWA *Manual of Uniform Traffic Control Devices (MUTCD)*, and the *Americans with Disabilities Act Accessibility Guidelines (ADAAG)*.

Efforts will be made, on an ongoing basis, to achieve Complete Streets through network-level improvements, through integration into single location projects and incrementally through a series of small improvements or maintenance activities. Decisions regarding the Public Right-of-Way shall be made with a focus on promoting use by pedestrians, bicyclists, public transit and motor vehicles, in a safe and effective manner, taking into account the surrounding community context and land uses. The City shall strive to create a comprehensive, integrated and connected network of transportation options for all modes of conveyance, designed and operated to enable appropriate and safe and welcoming access for all users.

## **POLICY IMPLEMENTATION**

The City shall implement a Complete Streets policy as follows:

- a. The City of Lake Forest will provide training opportunities to staff tasked with implementing the Complete Streets policy.

- b. Staff shall be directed to incorporate consideration of how best to achieve the goals of the Complete Streets Policy into work plans as a priority in roadway planning.
- c. To the extent that relevant roadways are under the jurisdiction of an agency other than the City (IDOT, Lake County or various surrounding municipalities), Staff shall encourage compliance with the City's Complete Streets Policy to outside agencies and offer technical assistance to the extent accepted by the other agency.
- d. The City shall cooperate with neighboring jurisdictions to encourage connectivity with a specific emphasis on regional corridors.
- e. Staff shall prioritize, utilizing best practices, the safe movement of pedestrians, bicycle, and public transportation traffic in decisions regarding the use of Public Rights-of-Way with consideration given to roadway context and land use.
- f. Public Works Staff shall define standards to measure the progress of implementation of the Complete Streets Policy utilizing best practices. Such standards shall include, but not be limited to: improvements in safety for all roadway users; increased capacity for all modes of transportation, including public transit; modifications to traffic signals; new bicycle facilities and improvements to existing facilities (both on- and off-street with clearly marked or signed bicycle accommodations), an increase in bicycle parking; new sidewalks and improvements to existing sidewalks, curb ramps, marked street crossings and signage. Such measures shall be incorporated into relevant plans, manuals, policies, processes and programs when applicable. In addition, a checklist shall be developed to further support the implementation of this policy as a performance measurement tool.
- g. Staff shall review and revise, as appropriate, plans, manuals, policies, processes and programs to encourage the implementation of the Complete Streets Policy on roadways within the City, but not under the jurisdiction of the City, if some action is required by the City which offers the opportunity for input. These opportunities may include privately built roadways and projects on non-City-owned roadways funded in part or entirely by City funds.
- h. Staff shall apply the Complete Streets Policy in all instances when feasible. It is understood that there may be circumstances in which it may not be practical or feasible to apply the Complete Streets Policy. Such circumstances may include, but not be limited to, the following:
  - i. The scope of the project is limited to maintenance activities intended to keep the roadway in serviceable condition.
  - ii. There is sufficient documentation that there is no feasible way to safely or economically accommodate improvements for non-vehicular traffic within the

project's scope.

- iii. There is no documented, current or anticipated, need for accommodation of non-motorized roadway users, or the road is not a current or planned transit route.
- iv. The cost of accommodations for a particular mode based on professional judgment is excessively disproportionate to the need and potential benefit of a project.

## **BENEFITS**

Complete Streets provide the following benefits:

- a. Increased Transportation Choices: Streets that provide travel choices can give people the option to avoid traffic congestion and increase the overall capacity of the transportation network.
- b. Improved Safety: Design and accommodation for bicyclists and pedestrians reduces the incidence of crashes.
- c. Quality of Place: Increased bicycling and walking are indicative of vibrant and livable communities.
- d. Economic Development: Complete streets can reduce transportation costs and travel time while increasing property values and job growth in communities.
- e. Improved Return on Infrastructure Investments: Integrating sidewalks, bike lanes, transit amenities, and safe crossings into the initial design of a project spares the expense of retrofits later.
- f. More Walking and Bicycling: Public health experts are encouraging walking and bicycling as a response to the obesity epidemic. Streets that provide room for bicycling and walking help people of all ages get physical activity and gain independence.

## **POLICY**

The City's Complete Streets policy requires:

- a. Evaluation of projects during budget programming and initial design for applicability of the Complete Streets Policy taking into consideration public safety, local support, environmental constraints, total available right-of-way, funding resources and bicycle and/or pedestrian compatibility.

- b. Utilizing the City's 2013 Bicycle Master Plan, as amended, consider opportunities to address the need for bicyclists and pedestrians to cross corridors as well as travel along them. Even where bicyclists and pedestrians may not commonly use a particular travel corridor that is being improved or constructed, consider providing facilities for safe and convenient crossing of the travel corridor. The design of intersections shall accommodate bicyclists and pedestrians in a manner that is safe, accessible, and convenient to the extent possible.
- c. Make provisions for pedestrians and bicyclists when closing roads, bridges or sidewalks for construction projects.
- d. Consider connections for Safe Routes to Schools, pedestrian and bicycle path crossings, and connections in areas or serving population groups with limited transportation options.
- e. Comply with the Americans with Disabilities Act (ADA) and Public Rights of Way Accessibility Guidelines (PROWAG).
- f. Complement the context of the surrounding community.
- g. Identify all current and potential future sources of funding for street improvements.

**This instrument prepared by  
and after recording return to:**

City of Lake Forest  
Engineering Department  
800 N. Field Drive  
Lake Forest, Illinois 60045

Reserved for Recorder's Office Only

### **EASEMENT AGREEMENT**

**THIS AGREEMENT**, dated as of this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between **THE CITY OF LAKE FOREST**, a special charter municipal corporation created and existing under the laws of the State of Illinois, 220 East Deerpath, Lake Forest, Illinois 60045 ("**City**") and CHICAGO TITLE LAND TRUST COMPANY, as Trustee under the provisions of a Trust Agreement dated the 22<sup>nd</sup> day of August, 2019, known as Trust Number 8002381636, 500 North Golf Lane, Lake Forest, Illinois 60045 ("**Owner**").

#### **RECITALS:**

**A.** Owner is the legal owner of record of certain real property situated in the City of Lake Forest, County of Lake, and State of Illinois, which real property is legally described in Exhibit A attached hereto and by this reference incorporated herein and made a part hereof ("**Property**").

**B.** In order to serve the City with an effective, and efficient source of potable water, the City owns and maintains a water main system to protect and enhance the public health, safety, and welfare. A portion of the water main system is planned to be located upon that part of the

Property legally described in Exhibit B and depicted in Exhibit C attached hereto and by this reference incorporated herein and made a part hereof (the "*Easement Premises*").

C. The City desires to obtain an easement from Owner for use of the Easement Premises as set forth in this Agreement, and the Owner desires to grant such easement.

**NOW, THEREFORE**, in consideration of the sum of Ten Dollars (\$10.00) and the mutual covenants and agreements set forth herein and other good and valuable consideration paid by the City to Owner, the receipt and sufficiency of which are hereby acknowledged, the parties thereto mutually agree as follows:

**Section 1: Grants of Easement.**

A. Easement Premises. Owner hereby grants, conveys, warrants, and dedicates to the City, its successors and assigns, a perpetual non-exclusive easement and right of way to survey, construct, reconstruct, lay, use, own, operate, maintain, test, inspect, repair, replace, enlarge, renew, alter, remove, or abandon in place (collectively, "Installation") water main system improvements of such size, material, nature, and number, and with such attachments, equipment, and appurtenances thereto as the City may deem necessary or desirable for its needs (collectively, "Utility Facilities"), which are subject to the terms and conditions herein set forth, in, upon, over, under, through, along, and across the Easement Premises, together with all reasonable rights of ingress and egress over, along, upon, and across the Easement Premises and any adjoining lands of Owner necessary for the exercise of the rights herein granted.

**Section 2: Installation.** The City agrees that any Installation of the Utility Facilities shall be done and completed in a good and workmanlike manner, and Owner shall incur no individual expense for such Installation under this Agreement. Any such Installation shall be conducted in

the name of, or pursuant to contracts or agreements with, the City pursuant to plans approved by the City.

**Section 3: Restoration.** Upon completion of any Installation activity on the Easement Premises by the City, its authorized agents, servants, employees, contractors, or persons acting pursuant to contracts or agreements with the City, the City agrees to (a) restore all roads, plantings, landscaping, and improvements as nearly as practicable to the condition immediately preceding the Installation if damaged or removed as a direct result of the Installation; and (b) replace any and all sod or any and all natural grass removed in connection with such Installation by seeding with a good quality seed.

**Section 4: Hold Harmless.** The City agrees to save and hold Owner harmless from any and all claims for injury (including death) to persons (including the City's agents and employees) or damage to property (including the City's property) resulting from or arising in connection with the negligence of the City or its authorized agents, servants, employees, contractors, or persons acting pursuant to contracts or agreements with the City in the Installation of the Utility Facilities or the Easement Premises.

**Section 5: Reservation of Rights.**

Owner hereby reserves the right to use the Easement Premises and its adjacent property in any manner that will not prevent or interfere in any way with the exercise by the City of the rights granted hereunder; provided, however, that Owner shall not permanently or temporarily improve, disturb, damage, destroy, injure, or obstruct the Easement Premises, nor permit the Easement Premises to be permanently or temporarily improved, disturbed, damaged, destroyed, injured, or obstructed, at any time whatsoever, without the express prior written consent of the City. Owner shall have the right in the future to grant other non-exclusive easements over, along, upon, or

across the Easement Premises; provided, however, that any such other easements shall be subject to this Agreement and the rights granted hereby; and provided further, however, that the City shall have first consented in writing to the terms, nature, and location of any such other easements.

**Section 6: Further Assurances.** Owner hereby represents and warrants that it shall take all necessary action so that the easements contemplated by this Agreement shall be released from all liens, including but not limited to, the lien of all mortgages, mechanics' lien claims, security agreements, assignments of rents and leases, and shall execute all such documents as may be reasonably necessary to perfect the City's right, title, and interest in the Easement Premises.

**Section 7: Remedies.** It is agreed that the parties hereto may, in law or in equity, by suit, action, mandamus, or any other proceeding, including specific performance, enforce or compel the performance of this Agreement.

**Section 8: Covenants Running with the Land.** The easements and rights granted in this Agreement, the restrictions imposed by this Agreement, and the agreements and covenants contained in this Agreement shall be easements, rights, restrictions, agreements, and covenants running with the land, shall be recorded against the Easement Premises and shall be binding upon and inure to the benefit of Owner and the City and their respective heirs, executors, administrators, grantees, successors, assigns, agents, licensees, invitees, and representatives, including, without limitation, all subsequent owners of the Easement Premises, or any portion thereof, and all persons claiming under them. If any of the easements, rights, restrictions, agreements, or covenants created by this Agreement would otherwise be unlawful or void for violation of (a) the rule against perpetuities or some analogous statutory provision, (b) the rule restricting restraints on alienation, or (c) any other statutory or common law rules imposing time limits, then such easements, rights, restrictions, agreements, or covenants shall continue only until 21 years after the death of the last



survivor of the now living lawful descendants of any now living current or former President of the United States.

**Section 9:**     **Notices.**     All notices and other communications in connection with this Agreement shall be in writing and shall be deemed delivered to the addressee thereof (a) when delivered in person and receipted for on a business day at the address set forth below: (b) on the fifth business day after being deposited in any main or branch United States post office, for delivery by properly addressed, postage prepaid, certified or registered mail, return receipt requested, at the address listed below; (c) when delivered to the address listed below by any courier service.

To Owner:

CHICAGO TITLE LAND TRUST COMPANY, as Trustee under the provisions of  
a Trust Agreement dated the 22<sup>nd</sup> day of August, 2019, known as Trust Number  
8002381636  
500 North Golf Lane  
Lake Forest, Il 60045

With a copy to:

To the City:

The City of Lake Forest  
800 N. Field Drive  
Lake Forest, Illinois 60045  
Attention: City Engineer

With a copy to:

Ancel, Glink  
140 S. Dearborn Street, 6th Floor  
Chicago IL 60603  
Attention: Julie A. Tappendorf

By notice complying with the requirements of this Section, each party shall have the right to change the addressee, the address of the addressee, or both for all future notices and communications to such party, but no notice of a change of addressee or address shall be effective until actually received.

**Section 10: Assignment of Rights.** Owner agrees that the City may assign its rights or delegate its duties under this Agreement, in whole or in part, without the consent of Owner.

**Section 11: Amendment.** This Agreement may be modified, amended, or annulled only by the written agreement of Owner and the City.

**Section 12: Survival.** All representations and warranties contained herein shall survive the execution of this Agreement and the recordation thereof and shall not be merged.

**IN WITNESS WHEREOF**, the parties hereto have executed or have caused this instrument to be executed by their proper officers duly authorized to execute same.

**THE CITY OF LAKE FOREST**

Attest:

\_\_\_\_\_

\_\_\_\_\_

**OWNER:**

CHICAGO TITLE LAND TRUST COMPANY, as trustee under the provisions of a Trust Agreement dated the 22<sup>nd</sup> day of August, 2019, known as Trust Number 8002381636

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

Its: \_\_\_\_\_

Date: \_\_\_\_\_

# 645968\_v3

STATE OF ILLINOIS        )  
                                      ) SS  
COUNTY OF LAKE        )

I, \_\_\_\_\_, a Notary Public in and for said County, in the State  
aforesaid, do hereby certify that \_\_\_\_\_, personally known to me to be the  
\_\_\_\_\_ of The City of Lake Forest, and \_\_\_\_\_, personally known to me to be  
the \_\_\_\_\_ of said City, and personally known to me to be the same persons whose  
names are subscribed to the foregoing instrument, appeared before me this day and acknowledged  
that as the \_\_\_\_\_ and \_\_\_\_\_ of the City, they signed and delivered  
said instrument as their free and voluntary act and as the free and voluntary act of the City for the  
uses and purposes therein set forth.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

(SEAL)

STATE OF ILLINOIS        )  
                                      ) SS  
COUNTY OF LAKE        )

I, \_\_\_\_\_, a Notary Public in and for said County, in the State  
aforesaid, do hereby certify that \_\_\_\_\_, personally known to me to be the  
same person whose names are subscribed to the foregoing instrument, appeared before me this day  
and acknowledged that they signed and delivered said instrument as their free and voluntary act  
for the uses and purposes therein set forth.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

(SEAL)

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

Lot 14 in Golf View according to the plat thereof recorded as Document No. 632199 on December 3, 1947, in the north east  $\frac{1}{4}$  of Section 32, Township 44 North, Range 12 East of the 3rd Principal Meridian, City of Lake Forest, Lake County, Illinois.

**EXHIBIT B**

**LEGAL DESCRIPTION OF THE EASEMENT PREMISES**

Beginning at the southwest corner of Lot 14 in Golf View according to the plat thereof recorded as Document No. 632199 on December 3, 1947, in the north east  $\frac{1}{4}$  of Section 32, Township 44 North, Range 12 East of the 3rd Principal Meridian, City of Lake Forest, Lake County, Illinois; thence northerly along the western property line to a point intersecting a line 20 feet north of and parallel to the south property line; thence east 120 feet along a line 20 feet north of and parallel to the south property line; thence south on a line perpendicular to the south property line 20 feet to a point on the south property line; thence westerly along the south property line to the point of beginning.