CITY COUNCIL REGULAR MEETING

CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
COUNCIL CHAMBERS
Monday, October 27, 2014

Administration & Public Works (A&PW) Committee meets at 6 p.m.
Planning & Development (P&D) Committee meets at 7:15 pm
City Council meeting will convene after conclusion of the P&D meeting

ORDER OF BUSINESS

(I) Roll Call – Begin with Alderman Burrus

(II) Mayor Public Announcements and Proclamations
“Evanston Own It Day – November 1, 2014”

(III) City Manager Public Announcements
Pedal Bright: Bike Light Giveaway and Installation October 30, 2014

(IV) Communications: City Clerk

(V) Public Comment
Members of the public are welcome to speak at City Council meetings. As part of the Council agenda, a period for public comments shall be offered at the commencement of each regular Council meeting. Those wishing to speak should sign their name and the agenda item or non-agenda topic to be addressed on a designated participation sheet. If there are five or fewer speakers, fifteen minutes shall be provided for Public Comment. If there are more than five speakers, a period of forty-five minutes shall be provided for all comment, and no individual shall speak longer than three minutes. The Mayor will allocate time among the speakers to ensure that Public Comment does not exceed forty-five minutes. The business of the City Council shall commence forty-five minutes after the beginning of Public Comment. Aldermen do not respond during Public Comment. Public Comment is intended to foster dialogue in a respectful and civil manner. Public comments are requested to be made with these guidelines in mind.

(VI) Special Orders of Business

(VII) Consent Agenda: Alderman Rainey

(VIII) Report of the Standing Committees
Administration & Public Works - Alderman Holmes
Planning & Development - Alderman Fiske
Human Services - Alderman Burrus

(IX) Call of the Wards
(Aldermen shall be called upon by the Mayor to announce or provide information about any Ward or City matter which an Alderman desires to bring before the Council.) {Council Rule 2.1(10)}

(X) Executive Session

(XI) Adjournment

SPECIAL ORDERS OF BUSINESS

(SP1) Biking Improvements at Evanston Township High School/Church Street and Mason Park
Staff requests consideration and direction of the City Council for the proposed biking improvements at Evanston Township High School, Church Street from Dodge Avenue to McCormick Boulevard, and Mason Park.

For Discussion

CONSENT AGENDA

(M1) Approval of Minutes of the Regular City Council Meeting of October 13, 2014
(M2) Approval of Minutes of the Regular City Council Meeting of October 20, 2014

For Action

 ADMINISTRATION & PUBLIC WORKS COMMITTEE

(A1) City of Evanston Payroll through October 5, 2014 $2,641,880.71

(A2) City of Evanston Bills – October 28, 2014 $2,183,663.39

For Action

(A3.1) Approval of Single Source Elevator Service Agreement with ThyssenKrupp Elevator Corp. for the Sherman Plaza Self Park
Staff recommends that City Council authorize the City Manager to execute a five year single source service and maintenance agreement with ThyssenKrupp Elevator Corporation (355 Eisenhower Lane South, Lombard, IL) for the elevators at the Sherman Plaza parking garage at a cost of $34,436.16. The proposed 5-year service agreement is effective April 1, 2014 to March 31, 2019. This agreement includes a cost reduction of $4,747 for the first year, an approximately 12% decrease when compared to last year’s agreement. While ThyssenKrupp reserves the right to an annual increase in years two through five, the potential increase in subsequent years is capped at five percent.

For Action
(A3.2) **Approval of Contract with Place Consulting, Inc. for Consulting Work to Create a Special Service Area for Main/Chicago and Dempster/Chicago Merchant Districts (RFP 14-50)**

Staff recommends that City Council authorize the City Manager to execute a contract for consulting services for the study and creation of a special service area (“SSA”) for the business districts along Chicago Avenue at the intersections of Main and Dempster Streets inclusive of the Main/Chicago and Dempster/Chicago merchant districts with Place Consulting, Inc. (3701 North Ravenswood Avenue, Suite 204, Chicago, IL) for a total amount of $36,983.78. Funding is provided by the Economic Development Fund’s Redevelopment Consulting Services Account (225.21.5300.62136), with a budget of $75,000.

**For Action**

(A4) **Ordinance 125-O-14, Increasing the Number of Class C-1 Liquor Licenses for Bangers and Lace Evanston LLC d/b/a Bangers and Lace, 810 Grove Street**

Staff recommends City Council adoption of Ordinance 125-O-14, which amends Evanston City Code of 2012 Subsection 3-4-6-(C-1), as amended, to increase the number of authorized Class C-1 liquor licenses from six (6) to seven (7).

**For Introduction**

(A5) **Ordinance 126-O-14, Increasing the Number of Class F Liquor Licenses for Highland Park CVS, LLC d/b/a CVS Pharmacy #8760, 3333 Central Street**

Staff recommends City Council adoption of Ordinance 126-O-14, which amends Evanston City Code of 2012 Subsection 3-4-6-(F), as amended, to increase the number of authorized Class F liquor licenses from eight (8) to nine (9), and permit issuance of a Class F license to Highland Park CVS, LLC d/b/a CVS Pharmacy #8760 (“Company”), 3333 Central Street.

**For Introduction**

(A6) **Ordinance 127-O-14, Increasing the Number of Class O Liquor Licenses for Dil Foods, Inc. d/b/a Shell Gas Station, 2494 Oakton Street**

Staff recommends City Council adoption of Ordinance 127-O-14, which amends Evanston City Code of 2012 Subsection 3-4-6-(O), as amended, to increase the number of authorized Class O liquor licenses from zero (0) to one (1).

**For Introduction**

(A7) **Ordinance 114-O-14, Amending City Code Section 3-4-6-(P-2) to Allow for Sale of Beer in Twenty-Two Ounce Containers for Off-Site Consumption**

Local Liquor Commissioner recommends City Council adoption of Ordinance 114-O-14, which permits sale of beer in twenty-two (22) ounce containers for off-site consumption for the current Class P-2 liquor license. This ordinance was introduced at the October 13, 2014 City Council meeting.

**For Action**
(A8) **Ordinance 122-O-14, Dissolution of Southwest Tax Increment Finance District**
Staff recommends adoption of Ordinance 122-O-14 to dissolve the Southwest Tax Increment Finance (TIF) District effective December 31, 2014. This ordinance was introduced at the October 13, 2014 City Council meeting.
**For Action**

**PLANNING & DEVELOPMENT COMMITTEE**

(P1) **Ordinance 129-O-14, Granting a Special Use for a Restaurant-Type 2, 800 Degrees Neapolitan Pizzeria, at 812 Church Street**
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 129-O-14 granting a special use permit for a Type 2 Restaurant, 800 Degrees, in the D3 Downtown Core Development District. The applicant has complied with all zoning requirements, and meets all of the standards for a special use for this district.
**For Introduction**

(P2) **Ordinance 130-O-14, Granting a Special Use for a Restaurant-Type 2 at 1814 Central Street, Beth’s Little Bake Shop**
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 130-O-14 granting a special use permit for a Type 2 Restaurant, Beth’s Little Bake Shop, in the B1a Business District and the oCSC Central Street Overlay District. The applicant has complied with all zoning requirements, and meets all of the standards for a special use for this district.
**For Introduction**

(P3) **Ordinance 131-O-14, Granting a Special Use for a Restaurant-Type 2, Patisserie Coralie, at 600 Davis Street**
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 131-O-14 granting a special use permit for a Type 2 Restaurant, Patisserie Coralie, in the D2 Downtown Retail Core District. The applicant has complied with all zoning requirements, and meets all of the standards for a special use for this district. **Suspension of the Rules is requested for Introduction and Action by City Council on October 27, 2014.**
**For Introduction and Action**

(P4) **Ordinance 50-O-14 Amending Title 4, Chapter 14 of the City Code from “Site Plan and Appearance Review” (SPAARC) to Design and Project Review (DAPR)**
City staff recommends the adoption of Ordinance 50-O-14 to institute a revised staff design and project review process. Staff has identified several revisions that are noted in the attached ordinance that will change this review process and lead to improved recommendations. This ordinance was introduced at the October 13, 2014 City Council meeting.
**For Action**
Ordinance 119-O-14, Granting a Special Use for a Restaurant-Type 2 at 1613 Sherman Avenue
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 119-O-14 granting a special use permit for a Type 2 Restaurant, Doc Popcorn, in the D2 Downtown Retail Core District. The applicant has complied with all other zoning requirements, and meets all of the standards for a special use for this district. This ordinance was introduced at the October 13, 2014 City Council meeting.
For Action

Ordinance 110-O-14 Zoning Ordinance Text Amendment for Child and Adult Daycare Centers in C1 and C2 Districts
Staff recommends adoption of Ordinance 110-O-14 to allow “Daycare Center – Child” and “Daycare Center – Adult” as Special Uses in C1 and C2 Commercial Districts. This ordinance was introduced at the October 13, 2014 City Council meeting.
For Action

HUMAN SERVICES COMMITTEE

Ordinance 111-O-14, Amending the City Code to Increase the Age of Sale and Purchase of Tobacco or Liquid Nicotine Products from Eighteen (18) to Twenty-One (21) Years of Age
Human Services Committee and staff recommend City Council adoption of Ordinance 111-O-14, amending City Code subsection 3-14-6, to increase the age of sale and purchase of tobacco or liquid nicotine products from eighteen (18) years of age to twenty-one (21) years of age. On October 13, 2014, Council introduced Ordinance 111-O-14 and requested amendments to continue to permit the use or possession of tobacco for individuals between the ages of eighteen (18) and twenty-one (21). The Ordinance reflects this amendment.
For Action
### MEETINGS SCHEDULED THROUGH NOVEMBER 2014

Upcoming Aldermanic Committee Meetings

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<td>6 pm</td>
<td>Human Services Funding Summit</td>
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<tr>
<td>Mon, Nov 10</td>
<td>6 pm</td>
<td>A&amp;PW, P&amp;D, City Council meetings</td>
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<tr>
<td>Mon, Nov 17</td>
<td>7 pm</td>
<td>City Council meeting</td>
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<tr>
<td>Tues, Nov 18</td>
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<td>Wed, Nov 19</td>
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<td>Fri, Nov 21</td>
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<tr>
<td>Mon, Nov 24</td>
<td>6 pm</td>
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Information is available about Evanston City Council meetings at: [www.cityofevanston.org/citycouncil](http://www.cityofevanston.org/citycouncil).

Questions can be directed to the City Manager's Office at 847-866-2936. The City is committed to ensuring accessibility for all citizens. If an accommodation is needed to participate in this meeting, please contact the City Manager’s Office 48 hours in advance so that arrangements can be made for the accommodation if possible.
To: Honorable Mayor and Members of the City Council

From: Suzette Robinson, Director of Public Works
Sat Nagar, P.E., Assistant Director of Engineering & Infrastructure
Rajeev Dahal, Senior Project Manager

Subject: Biking Improvements at Evanston Township High School/Church Street and Mason Park

Date: October 23, 2014

Recommended Action:
Staff requests consideration and direction of the City Council for the proposed biking improvements at Evanston Township High School (ETHS), Church Street from Dodge Avenue to McCormick Boulevard, and Mason Park.

Summary:
The existing protected bike lane on Church Street is two-way west of Mason Park to Dodge Avenue. Staff is seeking to complete missing connections at Mason Park and west of Dodge along Church to McCormick Blvd.

To complete the missing connections between Church and Davis, staff is proposing a bike path through Mason Park. The proposal minimizes the impact to the existing infrastructure in the park.

To extend the biking improvements west of Dodge Avenue, City staff in conjunction with Evanston Township High School staff will establish an off road bike path along Church from Dodge Avenue to Pitner Avenue. Staff has met with ETHS administrative staff on proposed improvements to include lighting, landscaping, fencing and funding. A portion of the path will be constructed on ETHS property and be available for public use.

From Pitner Avenue to McCormick Blvd., staff is proposing a median separated two way cycle track on south side of Church Street. The path will connect with the McCormick path at the signalized intersection of McCormick and Church. This will allow bikes to connect north and south along McCormick or continue west on the new Skokie bike lane to be installed on Church between McCormick and Grosse Pointe Road in 2015.
These improvements will impact parking and provide a safer pedestrian crossing due to the elimination of one of the traffic lanes. Staff will coordinate with the community and the Illinois Department of Transportation (IDOT).

After City Council approval, City staff will complete the engineering plans and conduct neighborhood meetings to discuss the proposed biking improvements.
CITY COUNCIL REGULAR MEETING
CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
COUNCIL CHAMBERS
Monday, October 13, 2014

Roll Call: Alderman Grover Alderman Rainey
Alderman Burrus Alderman Fiske
Alderman Braithwaite Alderman Wynne
Alderman Wilson Alderman Holmes
Alderman Tendam

Presiding: Mayor Elizabeth B. Tisdahl

The Regular Meeting of the City Council was called to order at 8:05 PM by the Mayor after a quorum was obtained by a Roll Call.

- Mayor Public Announcements: Ylda Capriccioso gave birth to a baby boy named Santino “Sonny”
- City Manager Public Announcements: No Announcements
- Communications: City Clerk: No communications

Citizen Comment
Junad Rizki – wanted more information about the 2015 Budget for the City of Evanston, so he prepared a list of items he had questions on. He also stated if the Council cannot answer him tonight he will just FOIA all his requests.

Patrick Hughes Jr, Chris Donnelly, and Lauren Barski – all gave comments about the Penny Park Project (Agenda Item A3.3)

Donald Zeigler and Tim Sandborn – all gave comments on the legal age for tobacco products (Agenda Item H1)

Ceasar Marron – Voiced his comment on how changing to the 22 oz Containers will be beneficial. (Agenda Item A8)

Non-Adgenda Items
Junad Rizki – Questioned City Council about the new paved area in the Civic Center parking lot, and of the Northwestern University Water Tank.
CONSENT AGENDA

(M1) Approval of Minutes of the Regular City Council Meeting of September 22, 2014  
(M2) Approval of Minutes of the Regular City Council Meeting of September 29, 2014  
   For Action - APPROVED

ADMINISTRATION & PUBLIC WORKS COMMITTEE

(A1) City of Evanston Payroll through September 21, 2014  $2,728,279.51  
(A2) City of Evanston Bills – October 14, 2014   $ 6,051,237.99  
   Credit Card Report for period ending August 31, 2014   $ 128,220.55  
   For Action - APPROVED

(A3.1) Approval of Contract Award to O’Hara Construction, Inc., for the Fire Station No. 2 Interior Renovation Project, Bid (14-01)  
   Staff recommends City Council authorize the City Manager to execute a contract for the Fire Station No. 2 Interior Renovation Project with O’Hara Construction, Inc., (8115 Ridgeway Avenue, Skokie, IL) in the amount of $157,451.72. Funding is provided by FY 2014 CIP (Account 415.26.4150.65502.415827) with a budget of $170,000.  
   For Action - APPROVED

(A3.2) Approval of Purchase of Trees and Planting Services for Fall 2014 Planting  
   Staff recommends approval of the purchase of 224 trees, and planting services for 100 trees, from Suburban Tree Consortium (STC) in the amount of $53,683.76. Funding is provided by the Parks/Forestry Division budget (Account 2655.65005), and from the “Replant Express” program which allows residents to pay the cost of the tree plus delivery to be added to the planting list immediately  
   For Action - APPROVED

(A3.3) Approval of Contract with Leathers & Associates for Professional Consulting Services for the Penny Park Renovation Project  
   Staff recommends that City Council authorize the City Manager to execute a sole source contract for playground design and construction administration of the Penny Park Renovation Project with Leathers & Associates (225 South Fulton Street, Ithaca, NY) at a cost of $38,707. Funding is provided by the FY2014 Capital Improvement Program (Account 415398) with a budget of $100,000.  
   For Action – APPROVED (9-0)  
   Director Robinson spoke briefly in regards to the concerns the citizens had during Citizen Comment. She advised that the final design has not been made, the design in mind is roughly around $300,000.00, there will be two (2) additional community meetings before final design is chosen, and Dewey Elementary School and Cherry Pre-School has helped with the design process thus far. Several Council Members made comments as well about the renovation.

(A4) Single Audit for FY2013
Staff recommends City Council review and place on file the Single Audit report for the fiscal year ending December 31, 2013.

For Action - APPROVED

(A5) Resolution 79-R-14, Accepting a Grant Award for the Long Term Care Ombudsman Program
Staff recommends City Council adoption of Resolution 79-R-14 authorizing the City Manager to sign notification of grant award for the maximum award amount of $28,639 with Age Options to fund and operate the Long Term Care Ombudsman Program for the City of Evanston.

For Action - APPROVED

(A6) Resolution 80-R-14, Accepting Grant Awards in Order to Help Fund a Congregate Senior Meal Program at the Levy Senior Center and Fleetwood-Jourdain Community Center
Staff recommends City Council adoption of Resolution 80-R-14 authorizing the City Manager to sign notification of grant awards for the maximum award amount of $47,556 with Age Options to fund and operate a congregate senior meal program at the Levy Senior Center and Fleetwood-Jourdain Community Center.

For Action - APPROVED

(A6.1) Approval of Renewal of Contract Award to Catholic Charities for Senior Meal Food Programs
Staff recommends City Council authorize the City Manager to renew the contract between the City of Evanston and Catholic Charities (6212 S. Sangamon, Chicago, IL) to provide a senior congregate meal program at the Levy Senior Center and Fleetwood-Jourdain Community Center for the period October 1, 2014 through September 30, 2015 in the not-to-exceed amount of $4.45 per lunch meal. Total meal program contract value is projected at $47,556. Funding provided by the Fleetwood-Jourdain (3040.65025) and Levy Center (3055.65025) meal program expenditure accounts.

For Action - APPROVED

(A7) Resolution 81-R-14, Authorizing Motor Fuel Tax Funds for General Maintenance of Streets
Staff recommends adoption of Resolution 81-R-14 by which City Council would authorize the transfer $700,000 of Motor Fuel Tax Funds for general maintenance of streets by City forces. The fund transfer was approved as part of 2014 budget.

For Action - APPROVED

(A8) and (A9) Local Liquor Commissioner recommends City Council adoption of Ordinances 113-O-14 and 114-O-14. The City of Evanston’s Local Liquor Control Board finds that twenty-two (22) ounce containers are typical of the craft beer industry.

(A8) Ordinance 113-O-14, Amending City Code Section 3-4-6-(P-1) to Allow for Sale of Beer in Twenty-Two Ounce Containers for Off-Site Consumption
Local Liquor Commissioner recommends City Council adoption of Ordinance 113-O-14, which permits sale of beer in twenty-two (22) ounce containers for off-site consumption for the current Class P-1 liquor license.

For Introduction – OFF AGENDA

(A9) Ordinance 114-O-14, Amending City Code Section 3-4-6-(P-2) to Allow for Sale of Beer in Twenty-Two Ounce Containers for Off-Site Consumption
Local Liquor Commissioner recommends City Council adoption of Ordinance 114-O-14, which permits sale of beer in twenty-two (22) ounce containers for off-site consumption for the current Class P-2 liquor license.

For Introduction - APPROVED

(A10) Ordinance 122-O-14, Dissolution of Southwest Tax Increment Finance District
Staff recommends adoption of Ordinance 122-O-14 to dissolve the Southwest Tax Increment Finance (TIF) District effective December 31, 2014.
For Introduction - APPROVED

(A11) Ordinance 60-O-14 Amending the Minority, Women and Evanston Based Employer (MWEBE), and Local Employment Programs (LEP)
The Minority, Women and Evanston Business Enterprise Development Committee (MWEBE) and staff recommend consideration of Ordinance 60-O-14, an amendment to the MWEBE/LEP revising the penalty section from a $100/per day to a 1.0% of total project value penalty. This ordinance was originally introduced on April 28, 2014 and has been amended from a 3.0% penalty to 1.0%.

For Action - APPROVED

(A12) Ordinance 112-O-14, Amending City Code Section 3-4-6 By Creating the New Class S-1 Liquor License
Local Liquor Commissioner recommends City Council adoption of Ordinance 112-O-14, which creates a new subsection, Class S-1 liquor license for non-profit organizations who wish to obtain an annual liquor license.

For Action - APPROVED

PLANNING & DEVELOPMENT COMMITTEE

(P1) Ordinance 50-O-14 Amending Title 4, Chapter 14 of the City Code from “Site Plan and Appearance Review” (SPAARC) to Design and Project Review (DAPR)
City staff recommends the adoption of Ordinance 50-O-14 to institute a revised staff design and project review process. Staff has identified several revisions that are noted in the attached ordinance that will change this review process and lead to improved recommendations.

For Introduction - APPROVED
(P2) **Ordinance 119-O-14, Granting a Special Use for a Restaurant-Type 2 at 1613 Sherman Avenue**
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 119-O-14 granting a special use permit for a Type 2 Restaurant, *Doc Popcorn*, in the D2 Downtown Retail Core District. The applicant has complied with all other zoning requirements, and meets all of the standards for a special use for this district.

**For Introduction – APPROVED**

(P3) **Ordinance 110-O-14 Zoning Ordinance Text Amendment for Child and Adult Daycare Centers in C1 and C2 Districts**
Staff recommends adoption of Ordinance 110-O-14 to allow “Daycare Center – Child” and “Daycare Center – Adult” as Special Uses in C1 and C2 Commercial Districts.

**For Introduction - APPROVED**

(P4) **Ordinance 120-O-14, Granting a Special Use for a Child Daycare Center- at 1909-1911 Howard Street**
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 120-O-14 granting a special use permit for a Child Daycare Center- in the C1 Commercial District. The applicant proposes to operate *A Step By Step Learning Academy* at 1909-1911 Howard Street, and has complied with all other zoning requirements, and meets all of the standards for a special use for this district.

**For Introduction – OFF ADGENDA**

(P5) **Ordinance 116-O-14, Granting a Special Use for Animal Hospital, Teuber Veterinary Services LLC, at 1815 Central Street**
The Zoning Board of Appeals and City staff recommend the adoption of Ordinance 116-O-14 granting a special use permit for an Animal Hospital, *Teuber Veterinary Services LLC*, at 1815 Central Street. The applicant has complied with all zoning requirements, and meets all of the standards for a special use in the B1a Business District. This ordinance was introduced at the September 22, 2014 City Council meeting.

**For Action - APPROVED**

**HUMAN SERVICES COMMITTEE**

(H1) **Ordinance 111-O-14, Amending the City Code to Increase the Age of Sale, Purchase, and Possession of Tobacco or Liquid Nicotine Products from Eighteen (18) to Twenty-One (21) Years of Age**
Human Services Committee and staff recommend City Council adoption of Ordinance 111-O-14 amending City Code subsection 3-14-6, increasing the age of sale, purchase, and possession of tobacco or liquid nicotine products from eighteen (18) years of age to twenty-one (21) years of age.

**For Introduction – TO AMEND (PASSED 7-2), TO INTRODUCE (PASSED 9-0)**
Alderman Tendam, Alderman Holmes, Alderman Grover, Alderman Wilson
all spoke about the age requirements and suggestions, Alderman Holmes threw in a suggestion about BANDING all tobacco products from the City of Evanston.

ECONOMIC DEVELOPMENT COMMITTEE

(O1) Resolution 78-R-14, Financial Assistance Agreement for Now We’re Cookin’ Culinary Service Center Incubator Program
The Economic Development Committee and staff recommend approval of Resolution 78-R-14 authorizing the City Manager to execute a third and final grant agreement with Now We’re Cookin’ for an amount not to exceed $38,400 for the period October 15, 2014 through December 31, 2015 to assist with the expansion of the formal food business incubator program.
For Action - APPROVED

RULES COMMITTEE

(O2) Resolution 77-R-14, Proposed Revisions to City Council Rule 6.2 and 9.5
Rules Committee and staff recommend approval of proposed revisions to Council Rules 6.2 and 9.5. Section 6.2 pertains to Citizen Comment and 9.5 pertains to the Human Services Committee.
For Action - APPROVED

Call of the Wards:
Ward 7: Alderman Grover had no report.
Ward 8: Alderman Rainey had no report.
Ward 9: Alderman Burrus had no report.
Ward 1: Alderman Fiske had no report.
Ward 2: Alderman Braithwaite reported he is happy about the support for the contract for the Penny Park Renovation and MWEBE Committee.
Ward 3: Alderman Wynne had no report.
Ward 4: Alderman Wilson had no report.
Ward 5: Alderman Holmes had no report.
Ward 6: Alderman Tendam reported that the 6th Ward Meeting is October 30th at 7pm at 3 Crowns Center. There will be a presentation from the Evanston Police Force as well as the Preservation Commission.
Ald. Wilson motioned for the Regular Council meeting to adjourn and convene into the
Executive Session to discuss Litigation and Minutes and it was seconded. The meeting adjourned at 9:00PM. With a Voice Vote.

Submitted by,

Akasha S. Terrier

Akasha S. Terrier
Deputy City Clerk
CITY COUNCIL SPECIAL MEETING

CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
COUNCIL CHAMBERS
Monday, October 20, 2014

City Council Roll Call: Alderman Burrus Alderman Holmes
Alderman Fiske Alderman Tendam
Alderman Braithwaite Alderman Grover
Alderman Wynne Alderman Rainey
Alderman Wilson

Presiding: Mayor Tisdahl
Mayor Tisdahl called the Special Meeting of the City Council to order at 7:07 P.M.
Alderman Fiske arrived after Roll Call at 7:09 P.M.

Mayor Public Announcements
Mayor Tisdahl then urged everyone to get out and vote.

City Manager Public Announcements
The City Manager called upon Mr. Joe McRae to come forward to introduce a new service the City will be providing. Mr. McRae announced the smart phone app that his staff has designed. Ray Dorner, Program Coordinator Chandler Newberger Center discussed the app which will provide instantaneous information for the public. Around me Tab, Calendar tab, and Notification Tab, Featured Event Tab. Mr. McRae thanked the Council for their support in this endeavor.

Erika Storlie, Deputy City Manager announced the three awards the City won from the PTI Solution Awards. They were: “Web solutions to allow citizens to pay fees online”. Mr. Ricky Voss was credited with the IT & Telecommunication for the “Sticker less wheel tax”, “Public Safety Technology”. Police Chief Eddington gave credit to staff for the transformation of a Brink’s Truck into an Evanston Police vehicle, the Evanston Community Builders donated the solar panels, and lastly Detective Brian Marks saw the idea at a Conference and he took the idea and refined it to loiter on the streets. Mr. Bobkiewicz commented that cities all over compete for these recognitions, but Evanston is the only one to receive all three and this is an accomplishment due to the talented staff.

Communications: City Clerk
The City Clerk announced that early voting is now in effect and at the close of the first day there were 211 votes cast.
**Public Comment**

Junad Rizki spoke of his concerns with the proposed budget and stated the Council members sit quietly and says nothing, but are in private communications among themselves.

Mike Vasilko spoke concerning the proposed budget. He stated one way to not raising taxes is to stop giving out millions of dollars to wealthy Corporations who want to do business here in Evanston, but say they are broke.

Betty Ester spoke of the Township budget that Mr. Bobkiewicz made concerning the figures for the GA Funds was incorrect. She suggested they take the proposed budget and revisit it before approving.

Junad Rizki also spoke on a non-agenda item concerning the water department, and wanted the Council to do an analysis of the Water Department. He asked where this half a million net from the water has gone.

**SPECIAL ORDER OF BUSINESS**

The following item was given by Mr. Lyons and City staff Directors using slide Presentations.

(SP1) **FY2015 Budget Presentation**

Mr. Lyons announced the first workshop to be Saturday, October 25, 2014 in the Council Chambers at 9:00 A.M. in the Lorraine H. Morton Civic Center.

**Call of the Wards**

Ward 8, Alderman Rainey had no report.

Ward 9, Alderman Burrus suggested all to lock their car doors. Also slow down, stop at stop signs, and stop texting

Ward 1, Alderman Fiske had no report.

Ward 2, Alderman Braithwaite had no report.

Ward 3, Alderman Wynne had no report.

Ward 4, Alderman Wilson had no report.

Ward 5, Alderman Holmes reported on a group working toward stopping gun violence, and the group made 100 posters

Ward 6, Alderman Tendam had no report.

Ward 7, Alderman Grover thanked the budget staff.

The Mayor asked for a motion to adjourn and Alderman Grover motioned and it was seconded. With a positive Voice Vote the meeting ended at 9:00 P.M.

Submitted by,

Hon. Rodney Greene, MMC/City Clerk
AGENDA

I. DECLARATION OF A QUORUM: ALDERMAN HOLMES, CHAIR

II. APPROVAL OF MINUTES OF REGULAR MEETING OF October 13, 2014

III. ITEMS FOR CONSIDERATION

(A1) City of Evanston Payroll through October 5, 2014 $2,641,880.71

(A2) City of Evanston Bills – October 28, 2014 $2,183,663.39

For Action

(A3.1) Approval of Single Source Elevator Service Agreement with ThyssenKrupp Elevator Corp. for the Sherman Plaza Self Park

Staff recommends that City Council authorize the City Manager to execute a five year single source service and maintenance agreement with ThyssenKrupp Elevator Corporation (355 Eisenhower Lane South, Lombard, IL) for the elevators at the Sherman Plaza parking garage at a cost of $34,436.16. The proposed 5-year service agreement is effective April 1, 2014 to March 31, 2019. This agreement includes a cost reduction of $4,747 for the first year, an approximately 12% decrease when compared to last year’s agreement. While ThyssenKrupp reserves the right to an annual increase in years two through five, the potential increase in subsequent years is capped at five percent.

For Action
(A3.2) **Approval of Contract with Place Consulting, Inc. for Consulting Work to Create a Special Service Area for Main/Chicago and Dempster/Chicago Merchant Districts (RFP 14-50)**

Staff recommends that City Council authorize the City Manager to execute a contract for consulting services for the study and creation of a special service area (“SSA”) for the business districts along Chicago Avenue at the intersections of Main and Dempster Streets inclusive of the Main/Chicago and Dempster/Chicago merchant districts with Place Consulting, Inc. (3701 North Ravenswood Avenue, Suite 204, Chicago, IL) for a total amount of $36,983.78. Funding is provided by the Economic Development Fund's Redevelopment Consulting Services Account (225.21.5300.62136), with a budget of $75,000.

**For Action**

(A4) **Ordinance 125-O-14, Increasing the Number of Class C-1 Liquor Licenses for Bangers and Lace Evanston LLC d/b/a Bangers and Lace, 810 Grove Street**

Staff recommends City Council adoption of Ordinance 125-O-14, which amends Evanston City Code of 2012 Subsection 3-4-6-(C-1), as amended, to increase the number of authorized Class C-1 liquor licenses from six (6) to seven (7).

**For Introduction**

(A5) **Ordinance 126-O-14, Increasing the Number of Class F Liquor Licenses for Highland Park CVS, LLC d/b/a CVS Pharmacy #8760, 3333 Central Street**

Staff recommends City Council adoption of Ordinance 126-O-14, which amends Evanston City Code of 2012 Subsection 3-4-6-(F), as amended, to increase the number of authorized Class F liquor licenses from eight (8) to nine (9), and permit issuance of a Class F license to Highland Park CVS, LLC d/b/a CVS Pharmacy #8760 (“Company”), 3333 Central Street.

**For Introduction**

(A6) **Ordinance 127-O-14, Increasing the Number of Class O Liquor Licenses for Dil Foods, Inc. d/b/a Shell Gas Station, 2494 Oakton Street**

Staff recommends City Council adoption of Ordinance 127-O-14, which amends Evanston City Code of 2012 Subsection 3-4-6-(O), as amended, to increase the number of authorized Class O liquor licenses from zero (0) to one (1).

**For Introduction**

IV. **ITEMS FOR DISCUSSION**

(APW1) **City of Evanston Liquor Tax and Collected Liquor Tax Revenue**

Staff has provided a summary of information on the tax assessed and the revenue collected by the City.

**For Discussion**

V. **COMMUNICATIONS**

VI. **ADJOURNMENT**
Administration and Public Works Committee Meeting
Minutes of October 13, 2014
Council Chambers – 6:00 p.m.
Lorraine H. Morton Civic Center

MEMBERS PRESENT: D. Holmes, A. Rainey, J. Grover, C. Burrus, P. Braithwaite


PRESIDING OFFICIAL: Ald. Holmes

I. DECLARATION OF QUORUM
A quorum being present, Ald. Holmes called the meeting to order at 6:12 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES OF SEPTEMBER 22, 2014
Ald. Burrus moved to approve the minutes of the September 22, 2014 A&PW meeting as submitted, seconded by Ald. Grover.

The minutes of the September 22, 2014 meeting were approved unanimously 5-0.

III. ITEMS FOR CONSIDERATION
(A1) City of Evanston Payroll through September 21, 2014 $2,728,279.51

(A2) City of Evanston Bills – October 14, 2014 $6,051,237.09
   Credit Card Report for period ending August 31, 2014 $ 128,220.55

For Action
Ald. Holmes moved to approve the City of Evanston Payroll (A1) through September 21, 2014, seconded by Ald. Rainey. The Committee voted unanimously 5-0 to approve the payroll.

Ald. Rainey moved to approve the City of Evanston Bills through October 14, 2014 and credit card activity for the period ending August 31, 2014, seconded by Ald. Braithwaite. The Committee voted unanimously 5-0 to approve the bills.

(A3.1) Approval of Contract Award to O'Hara Construction, Inc., for the Fire Station No. 2 Interior Renovation Project, Bid (14-01)
Staff recommends City Council authorize the City Manager to execute a contract for the Fire Station No. 2 Interior Renovation Project with O’Hara Construction, Inc., (8115 Ridgeway Avenue, Skokie, IL) in the amount of $157,451.72. Funding is provided by FY 2014 CIP (Account 415.26.4150.65502.415827) with a budget of $170,000.

For Action
Ald. Braithwaite moved to authorize City Council authorize the City Manager to execute a contract for the Fire Station No. 2 Interior Renovation Project with O’Hara Construction, Inc. in the amount of $157,451.72, seconded by Ald. Rainey.

The Committee voted unanimously 5-0 to recommend approval of the contract.

(A3.2) Approval of Purchase of Trees and Planting Services for Fall 2014 Planting
Staff recommends approval of the purchase of 224 trees, and planting services for 100 trees, from Suburban Tree Consortium (STC) in the amount of $53,683.76. Funding is provided by the Parks/Forestry Division budget (Account 2655.65005), and from the “Replant Express” program, which allows residents to pay the cost of the tree plus delivery to be added to the planting list immediately.

For Action
Ald. Burrus moved to recommend approval of the purchase of 224 trees, and planting services for 100 trees, from Suburban Tree Consortium (STC) in the amount of $53,683.76 as part of the “Replant Express” program, which allows residents to pay the cost of the tree plus delivery to be added to the planting list immediately, seconded by Ald. Grover.

Ald. Rainey noted that Replant Express purchased 24 additional trees for quicker planting for residents that pay out of pocket.

The Committee voted unanimously 5-0 to recommend approval of the purchase.

(A3.3) Approval of Contract with Leathers & Associates for Professional Consulting Services for the Penny Park Renovation Project
Staff recommends that City Council authorize the City Manager to execute a sole source contract for playground design and construction administration of the Penny Park Renovation Project with Leathers & Associates (225 South Fulton Street, Ithaca, NY) at a cost of $38,707. Funding is provided by the FY2014 Capital Improvement Program (Account 415398) with a budget of $100,000.

For Action
Ald. Rainey moved to recommend City Council authorize the City Manager to execute a sole source contract for playground design and construction administration of the Penny Park Renovation Project with Leathers & Associates at a cost of $38,707, seconded by Ald. Braithwaite.
Patrick Hughes, owner of a business at 2000 Greenleaf, applauds the renovations at this park. Wheelchair accessibility is very important for parents and grandparents with disabilities to interact with their children. He is in full support of this project.

Kelley, Grace, Dylan and Elizabeth Elwood, 2nd ward residents, are in support of the renovations. This is their favorite playground in the City. Kelly had concerns regarding conditions and visibility at the park. Playing hide-and-go-seek is worrisome because of thick, wood beams and narrow pathways. Parts of the park are breaking and have been disabled. She would love to be involved in the build of the park as she believes that community involvement is amazing. It creates bonding and instills pride for those involved. She has reviewed the drawings and feels that a new park would be safer and more accessible to the public.

Lauren Borski, 2nd ward resident, thanked the Committee for making this a public process. She was concerned that the multi-use booth is not a part of the new design. She was also concerned about structural failures and current safety standards and ADA compliance issues. She explained that she has not seen any evidence of testing by the City to substantiate these claims. She also researched the parameters for safety and ADA standards. Those standards only apply to existing structures at the time the regulations and laws are passed. There are many parks that were constructed prior to the ADA regulations that are not being torn down. She directed the committee and public to the website www.preservepennypark.com to review more information.

Josh Gilbert, 2nd ward resident, appreciates that Leathers and Associates asked for Dewey students for input on the park design. He also agreed with Patrick Hughes regarding the accessibility issue.

Ald. Grover noted that this proposal is not a new idea. It has been on the CIP list for a couple of years. She would like to replicate the community build process from the original construction of the park 23 years ago. There have been community meetings, feedback and input from the public.

Ald. Rainey added that as an alderman that has been a part of park renovations in her ward, there have been changes made to the design by neighbors up to the last minute. She has no fear that the park has been completely designed and ready to be built. There is more than enough time for input. She felt that the community is very supportive of this project. Any improvements in accessibility would be great for all.

Ald. Braithwaite attended a similar project in Valparaiso, IN over the weekend. He met with the organizers of this project and many members of the community. One of the things that stood out was the accessibility issue. A grandmother explained that in the past she had not been able to play at the park with her grandchildren and had to supervise them from outside. He is also very concerned with the visibility and safety at Penny Park. Part of the new design will maintain the parks uniqueness, but will also take into account the safety issues.

Ald. Braithwaite added that it has taken 4 meetings to get to this point. Leathers and Associates spoke with children at Dewey and Cherry Pre-School and out together a
rendering based on their input. The next steps are to solidify the contract with Leathers and begin formation of a committee to hold meetings to finalize the project.

Ald. Holmes noted that there is ongoing maintenance going on at all of our facilities and parks. She was confident that staff would continue to maintain all City equipment.

The Committee voted unanimously 5-0 to recommend approval of the contract.

(A4) Single Audit for FY 2013
Staff recommends City Council review and place on file the Single Audit report for the fiscal year ending December 31, 2013.
For Action
Ald. Grover moved to recommend that City Council review and place on file the Single Audit report for the fiscal year ending December 31, 2013, seconded by Ald. Rainey.

Hilda Renteria and Patricia Fear of Prado Renteria provided an unmodified, clean opinion of the Single Audit for FY 2013. There were no new policies adopted. No material weaknesses or significant deficiencies were identified during the course of this audit. The auditors had no disagreements with management and management did not seek a second opinion.

Ald. Rainey had no corrections. She acknowledged the Accounting staff and the great job that they do.

The Committee voted unanimously 5-0 to recommend approval of the report.

(A5) Resolution 79-R-14, Accepting a Grant Award for the Long Term Care Ombudsman Program
Staff recommends City Council adoption of Resolution 79-R-14 authorizing the City Manager to sign notification of grant award for the maximum award amount of $28,639 with Age Options to fund and operate the Long Term Care Ombudsman Program for the City of Evanston.
For Action
Ald. Holmes moved to recommend City Council adoption of Resolution 79-R-14 authorizing the City Manager to sign notification of grant award for the maximum award amount of $28,639 with Age Options to fund and operate the Long Term Care Ombudsman Program for the City of Evanston, seconded by Ald. Grover.

The Committee voted unanimously 5-0 to recommend adoption of the resolution.

(A6) Resolution 80-R-14, Accepting Grant Awards in Order to Help Fund a Congregate Senior Meal Program at the Levy Senior Center and Fleetwood-Jourdain Community Center
Staff recommends City Council adoption of Resolution 80-R-14 authorizing the City Manager to sign notification of grant awards for the maximum award amount of
$47,556 with Age Options to fund and operate a congregate senior meal program at the Levy Senior Center and Fleetwood-Jourdain Community Center.

**For Action**

Ald. Braithwaite moved to recommend City Council adoption of Resolution 80-R-14 authorizing the City Manager to sign notification of grant awards for the maximum award amount of $47,556 with Age Options to fund and operate a congregate senior meal program at the Levy Senior Center and Fleetwood-Jourdain Community Center, seconded by Ald. Grover.

At Ald. Rainey’s inquiry, Director of Parks, Recreation and Community Services Joe McRae responded that only one meal per week is served at Fleetwood-Jourdain on Wednesdays. Meals are served five days a week at the Levy Center.

The Committee voted unanimously 5-0 to adopt the resolution.

**(A6.1) Approval of Renewal of Contract Award to Catholic Charities for Senior Meal Food Programs**

Staff recommends City Council authorize the City Manager to renew the contract between the City of Evanston and Catholic Charities (6212 S. Sangamon, Chicago, IL) to provide a senior congregate meal program at the Levy Senior Center and Fleetwood-Jourdain Community Center for the period October 1, 2014 through September 30, 2015 in the not-to-exceed amount of $4.45 per lunch meal. Total meal program contract value is projected at $47,556. Funding provided by the Fleetwood-Jourdain (3040.65025) and Levy Center (3055.65025) meal program expenditure accounts.

**For Action**

Ald. Burrus moved to recommend City Council authorize the City Manager to renew the contract between the City of Evanston and Catholic Charities to provide a senior congregate meal program at the Levy Senior Center and Fleetwood-Jourdain Community Center for the period October 1, 2014 through September 30, 2015 in the not-to-exceed amount of $4.45 per lunch meal for a total meal program contract value of $47,556, seconded by Ald. Grover.

The Committee voted unanimously 5-0 to recommend approval of the contract.

**(A7) Resolution 81-R-14, Authorizing Motor Fuel Tax Funds for General Maintenance of Streets**

Staff recommends adoption of Resolution 81-R-14 by which City Council would authorize the transfer $700,000 of Motor Fuel Tax Funds for general maintenance of streets by City forces. The fund transfer was approved as part of 2014 budget.

**For Action**

Ald. Rainey moved to recommend adoption of Resolution 81-R-14 by which City Council would authorize the transfer $700,000 of Motor Fuel Tax Funds for general maintenance of streets by City forces, seconded by Ald. Burrus.

The Committee voted unanimously 5-0 to adopt the resolution.

**(A8) Ordinance 113-O-14, Amending City Code Section 3-4-6-(P-1) to Allow for Sale of Beer in Twenty-Two Ounce Containers for Off-Site Consumption**
Local Liquor Commissioner recommends City Council adoption of Ordinance 113-O-14, which permits sale of beer in twenty-two (22) ounce containers for off-site consumption for the current Class P-1 liquor license.

**For Introduction**

Ald. Grover moved to recommend adoption of Ordinance 113-O-14, which permits sale of beer in twenty-two (22) ounce containers for off-site consumption for the current Class P-1 liquor license, seconded by Ald. Rainey.

(A9) **Ordinance 114-O-14, Amending City Code Section 3-4-6-(P-2) to Allow for Sale of Beer in Twenty-Two Ounce Containers for Off-Site Consumption**

Local Liquor Commissioner recommends City Council adoption of Ordinance 114-O-14, which permits sale of beer in twenty-two (22) ounce containers for off-site consumption for the current Class P-2 liquor license.

**For Introduction**

Ald. Grover moved to recommend adoption of Ordinance 114-O-14, which permits sale of beer in twenty-two (22) ounce containers for off-site consumption for the current Class P-2 liquor license, seconded by Ald. Rainey.

Niki Hiltwein, 820 Hinman, expressed concern that Item A8 includes P-1 licenses when only a P-2 license holder requested an amendment to the ordinance in order to serve 22-ounce containers of beer. Josh Gilbert, owner of Temperance Beer Company (P-2), attended the Liquor Control Board meeting, but not the owner of Sketchbook Brewery (P-1). Ms. Hiltwein felt very strongly that Sketchbook should have been present at the meeting to seek their own amendment for their liquor class and not piggyback on the P-2 ruling.

Ald. Rainey agreed with Ms. Hiltwein. There should be no change without an applicant. She has no problem if the 22-ounce bottles are sold in 2, 4 or 6 packs. She asked Corporation Counsel Farrar how Evanston 1st Liquors is able to sell 22 ounce bottles of beer when there is a limit on a minimum size for single bottles.

Corporation Counsel Farrar responded that the Legal Department will follow up with Evanston 1st Liquors on this matter. He also explained that both the P-1 and P-2 licensees were asked to attend the Liquor Control Board meeting to explain the rationale behind 22-ounce bottles.

Ald. Grover asked if there was sufficient notice of the Liquor Commission’s consideration of the P-1 license if the P-2 license was the only one on the meeting agenda. Corporation Counsel explained that the Liquor Commission is an advisory body. The Commission received a written notification relative to what the perspective licensees were contemplating with the 22-ounce bottles. The Administrative and Public Works Committee and the full Council makes the final decision on whether to grant the license.

Mayor Tisdahl spoke in favor of the 22-ounce containers. She was assured that customers would not drink the expensive craft beers on the street. She explained that there is sufficient notice for voting at a subsequent City Council meeting after
introduction tonight. She apologized for not notifying Ald. Wynne about the change to the P-1 licensee, which is in her ward. Mayor Tisdahl added that Evanston will not maintain its reputation of being a hip city if we are limited to her knowledge of what goes on in bars.

Ald. Wynne agrees with Ms. Hiltwein. This is not the correct process to follow. Sketchbook wrote to City staff and asked that the amendment be extended to P-1 licensees. They should have been instructed to apply and attend the Liquor Commission meeting. Ald. Wynne does not object to 22-ounce bottles. However, she requested that the P-1 extension does not occur tonight. She suggested holding this item in committee and determining if it should go back to the Liquor Commission for discussion.

Josh Gilbert, Temperance Beer Company, plans to use the 22-ounce bottles for special beers that have been aging in barrels for months. They are usually treated like wine for a special occasion. The typical price for a 22-ounce craft beer is over $15. He is hoping to sell single bottles instead of 2 packs because they are pricier.

Ald. Rainey moved to recommend adoption of the ordinance only as it pertains to the P-2 licenses, seconded by Ald. Grover.

The Committee voted unanimously 5-0 to adopt the ordinance as amended.

(A10) Ordinance 122-O-14, Dissolution of Southwest Tax Increment Finance District

Staff recommends adoption of Ordinance 122-O-14 to dissolve the Southwest Tax Increment Finance (TIF) District effective December 31, 2014.

For Introduction

Ald. Rainey noted that this TIF has a 500% increase in valuation of properties in the district.

The Committee voted unanimously 5-0 to adopt the ordinance.

IV. ITEMS FOR DISCUSSION

(3P1) Union Pacific Viaduct Status

Staff requests that the Administration & Public Works Committee consider the evaluation of the Union Pacific (UP) railroad viaducts to assess and determine a need to prioritize cosmetic improvements, as well as provide guidance to staff to advance discussions with UP.

For Discussion
This item was held in Committee at the request of Assistant City Manager/CFO Lyons.

Ald. Rainey noted that the Howard Street and Mulford/Chicago Ave. viaducts are not on the list.
(APW2)Credit Card Report
Staff requests that the Administration and Public Works Committee receive the Credit Card report.

For Discussion
Cindy Plante, ICMA Fellow, discussed City Purchasing Card Spending. There are 150 City Purchasing cards and for the first 6 months of 2014 there were $879,913 in total purchases. 21% or $189,910 was spent at Evanston businesses with an average of 816 transactions per month. Parks and Recreation makes the most purchases in the Evanston area.

ICMA Fellow Plante explained that p-card spending and usage will continue to be monitored, additional reports will be provided to the committees and staff will be encouraged to shop at Evanston-based businesses.

Ald. Grover emphasized that all this information is included for public review in the City Council packet as well as the transparency page of the website.

Assistant City Manager Lyons added that this issue will also be discussed with Ald. Braithwaite and the MWEBE Committee.

IV. ITEMS FOR DISCUSSION

VI. COMMUNICATIONS

VII. ADJOURNMENT
Ald. Grover moved to adjourn, seconded by Ald. Braithwaite.

The Committee voted unanimously 5-0 to adjourn. The meeting was adjourned at 7:23p.m.

Respectfully submitted,
Janella Hardin
To: Honorable Mayor and Members of the City Council
Administration and Public Works Committee

From: Martin Lyons, Assistant City Manager/Chief Financial Officer
Tera Davis, Accounts Payable Coordinator

Subject: City of Evanston Payroll and Bills

Date: October 22, 2014

Recommended Action: Staff recommends approval of the City of Evanston Payroll and Bills List. Continuing in 2014 the bills list will not include the Evanston Public Library. The Library bills will be included for informational purposes in the Treasurer's Monthly Report.

Summary:
Payroll – Sept. 22nd, 2014 through Oct. 05th, 2014 $2,641,880.71
(Payroll includes employer portion of IMRF, FICA, and Medicare)

Bills List – Oct. 28, 2014 $2,183,663.39

General Fund Amount – Bills list $341,162.66
General Fund Amount – Supplemental list $1,474.00
General Fund Total: $342,636.66

TOTAL AMOUNT OF BILLS LIST & PAYROLL $4,825,544.10

*Advanced checks are issued prior to submission of the Bills List to the City Council for emergency purposes, to avoid penalty, or to take advantage of early payment discounts.

Attachments: Bills List
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<td>21650 NATIONAL GUARDIAN LIFE INSURANCE CO. MONTHLY INVOICE</td>
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<td>22771 W S DARLEY &amp; CO CFA HELMETS</td>
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### CITY OF EVANSTON
### BILLS LIST
### PERIOD ENDING 10/28/2014

#### 1932 INFORMATION TECHNOLOGY DIVI.
- **62509 JUNAR, INC**
  - OPEN DATA PORTAL FOR PUBLIC DATA: 5,000.00
- **64505 CALL ONE**
  - COMMUNICATION CHARGES: 16,624.17
- **65555 DELL COMPUTER CORP.**
  - LAPTOP FOR YLDA: 1,058.11

**1932 INFORMATION TECHNOLOGY DIVI. Total:** 22,882.28

#### 1941 PARKING ENFORCEMENT & TICKETS
- **62451 NORTH SHORE TOWING**
  - INVOICE FOR IMMOBILIZATION PROGRAM: 1,350.00
- **62451 STARK, WILLIAM**
  - TOW REFUND: 120.00
- **64005 COMED**
  - UTILITIES: 93.64

**1941 PARKING ENFORCEMENT & TICKETS Total:** 1,563.64

#### 2105 PLANNING & ZONING
- **65095 OFFICE DEPOT**
  - OFFICE SUPPLIES: 8.97

**2105 PLANNING & ZONING Total:** 8.97

#### 2120 HOUSING REHABILITATION
- **65095 OFFICE DEPOT**
  - OFFICE SUPPLIES: 5.49

**2120 HOUSING REHABILITATION Total:** 5.49

#### 2126 BUILDING INSPECTION SERVICES
- **62150 SAFESEAL ILLINOIS**
  - ANNUAL INSPECTIONS: 706.64
- **62190 CLEAN CITY INNOVATIONS, LLC**
  - GRAFFITI REMOVAL: 1,990.00
- **62484 SAFESEAL ILLINOIS**
  - ANNUAL INSPECTIONS: 2,403.50
- **65095 OFFICE DEPOT**
  - OFFICE SUPPLIES: 193.61

**2126 BUILDING INSPECTION SERVICES Total:** 5,293.95

#### 2205 POLICE ADMINISTRATION
- **62225 SMITH MAINTENANCE COMPANY**
  - JANITORIAL SERVICE: 3,043.98
- **62245 EVANSTON CAR WASH & DETAIL CENTER**
  - CAR WASHES: 165.99
- **62360 NELSON, KELLI**
  - VICTIM SERVICE ADVOCATE: 2,011.72
- **64005 COMED**
  - UTILITIES-SEPTEMBER: 214.90
- **64015 NICOR**
  - UTILITIES: 161.96
- **65125 ADRIEN, DUCKENS**
  - PROPERTY REIMBURSEMENT: 78.00
- **66205 NATIONAL AWARD SERVICES**
  - 311 MAGNET: 1,633.50
  - RETIREMENT PLAQUE: 360.00

**2205 POLICE ADMINISTRATION Total:** 7,669.75

#### 2214 CRIMINAL INVESTIGATION
- **62295 PETTY CASH-DETECTIVE BUREAU OPERATING FUND**
  - PETTY CASH REIMBURSEMENT: 500.00

**2214 CRIMINAL INVESTIGATION Total:** 500.00

#### 2240 POLICE RECORDS
- **65095 ILLINOIS PAPER COMPANY**
  - COPY PAPER: 1,404.00
- **65095 OFFICE DEPOT**
  - OFFICE SUPPLIES-ARCH BOARD: 8.69
  - OFFICE SUPPLIES-BATTERIES: 27.14
  - OFFICE SUPPLIES-CLIPS: 1.06
  - OFFICE SUPPLIES-DIARY: 24.02
  - OFFICE SUPPLIES-FILES: 18.79
  - OFFICE SUPPLIES-PENS/CLIPS/STAPLES: 89.08
  - OFFICE SUPPLIES-PENS/WIPES: 36.80
  - OFFICE SUPPLIES-TONER: 35.79

**2240 POLICE RECORDS Total:** 1,708.56

#### 2250 SERVICE DESK
- **65125 LAUNDRY WORLD**
  - PRISONER BLANKETS: 140.00

**2250 SERVICE DESK Total:** 140.00

#### 2260 OFFICE-PROFESSIONAL STANDARDS
- **61055 NET TRANSCRIPTS, INC.**
  - TRANSCRIPTS: 12.60

**2260 OFFICE-PROFESSIONAL STANDARDS Total:** 12.60

#### 2265 OFFICE OF ADMINISTRATION
- **62295 PARROTT, JASON S**
  - MEALS-IACP: 300.00
- **62295 BRIAN BARTZ**
  - MEALS-IACP CONFERENCE: 50.00
- **65555 DELL COMPUTER CORP.**
  - 5 DESKTOPS FOR POLICE: 4,521.60

**2265 OFFICE OF ADMINISTRATION Total:** 4,871.60

#### 2270 TRAFFIC BUREAU
- **65125 MCINTYRE, DANIEL**
  - TOW REFUND: 305.00

**2270 TRAFFIC BUREAU Total:** 305.00
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## CITY OF EVANSTON
### BILLS LIST
### PERIOD ENDING 10/28/2014

### 2640 TRAF. SIG. & ST. LIGHT. MAINT

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**Total for 2640 TRAF. SIG. & ST. LIGHT. MAINT**: 59,766.41

### 2650 PARKS AND FORESTRY ADMIN

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**Total for 2650 PARKS AND FORESTRY ADMIN**: 1,337.26

### 2655 PARKS & FORESTRY MAINT. & OPER.

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**Total for 2655 PARKS & FORESTRY MAINT. & OPER.**: 14,807.94

### 2670 STREET AND ALLEY MAINTENANCE

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**Total for 2670 STREET AND ALLEY MAINTENANCE**: 26,126.19

### 2677 FACILITIES

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**Total for 2677 FACILITIES**: 14,186.89

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**Total for 3025 PARK UTILITIES**: 5,334.74

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**Total for 3030 CROWN COMMUNITY CENTER**: 3,272.83

### 3035 CHANDLER COMMUNITY CENTER

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**Total for 3035 CHANDLER COMMUNITY CENTER**: 1,357.04
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## CITY OF EVANSTON
### BILLS LIST
#### PERIOD ENDING 10/28/2014

### 505 PARKING SYSTEM FUND

#### 7005 PARKING SYSTEM MGT

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### 7015 PARKING LOTS & METERS

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#### 7015 PARKING LOTS & METERS Total

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36 of 323
## CITY OF EVANSTON
### BILLS LIST
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<tr>
<td>#945 BELTS</td>
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<tr>
<td>#3 FIELDS</td>
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<tr>
<td>AIR FILTER</td>
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<td>ANTI SEIZE LUBRICANT</td>
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<tr>
<td>BULBS</td>
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<td>FILTERS</td>
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<td>FUEL FILTERS</td>
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<tr>
<td>HI-POP OIL FILTER-HD</td>
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<td>HOSE CLAMPS</td>
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<td>WIPER BLADES</td>
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<td>#159 ALTERNATOR</td>
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<td>#159 FUELING PRESSURE REGULATOR</td>
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<td>#621 CAR WIPER KIT</td>
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<td>BRAKE PARTS</td>
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<td>INJECTOR BOARD CLEANER BRUSH</td>
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<td>O2 SENSOR DOWNTREAM #58</td>
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<td>O2 SENSOR UPSTREAM #58</td>
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<tr>
<td>RETURNED PARTS</td>
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<tr>
<td>#90 LETTERS</td>
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<tr>
<td>#159 SEAT REPAIR</td>
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<td>#67 SEAT REPAIR</td>
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<td>#746 SEAT REPAIR</td>
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<td>5 POLICE CAR DOOR PANELS</td>
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<td>REBUILD SEAT CUSHION #324</td>
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<td>21 AIR FILTERS</td>
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<td>ACCUMULATOR &amp; SENSOR</td>
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<td>AIR CLEANER</td>
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<td>BRAKE LINING</td>
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<td>BRAKE PARTS &amp; SOUND, LLC</td>
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<td>BRAKE ROTOR</td>
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<td>KIT SENSOR ATTACHMENT</td>
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<td>RETURNED PARTS</td>
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<td>64 TRUCK WASHES</td>
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<td>POWER WASHING</td>
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<td>CLR/ MARKER LAMP</td>
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<td>4 FILTERS</td>
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### CITY OF EVANSTON

**BILLS LIST**

**PERIOD ENDING 10/28/2014**

<table>
<thead>
<tr>
<th>Description</th>
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<tbody>
<tr>
<td>65060 BUMPER TO BUMPER FUEL CARTRIDGE</td>
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<tr>
<td>65060 BUMPER TO BUMPER LED MARK CLEARANCE</td>
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<tr>
<td>65060 THE CHEVROLET EXCHANGE SOCKET/FORD</td>
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<tr>
<td>65060 THE CHEVROLET EXCHANGE #67 REAR LEFT GATE STRUT</td>
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<tr>
<td>65060 THE CHEVROLET EXCHANGE BUMPER TO BUMPER #8 MOLD BOARD</td>
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<td>65060 THE CHEVROLET EXCHANGE BASE ANGLE</td>
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<tr>
<td>65060 THE CHEVROLET EXCHANGE PLOW PLUNGER</td>
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<tr>
<td>65060 THE CHEVROLET EXCHANGE PLOW STAND</td>
</tr>
<tr>
<td>65060 THE CHEVROLET EXCHANGE RETURNED PARTS</td>
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<tr>
<td>65060 THE CHEVROLET EXCHANGE WESTERN PLOW OIL</td>
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<tr>
<td>65060 THE CHEVROLET EXCHANGE WESTERN PLOW RUBBER BLADE</td>
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<tr>
<td>65060 THE CHEVROLET EXCHANGE WESTERN PLOW CUTTING EDGES</td>
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<tr>
<td>65060 THE CHEVROLET EXCHANGE #920 BRAKE PAD COVER</td>
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<tr>
<td>65060 THE CHEVROLET EXCHANGE #923 EGR VALVE</td>
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<tr>
<td>65060 THE CHEVROLET EXCHANGE #923 FENDER EXTENSION</td>
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<td>65060 MILLER HYDRAULIC SERVICE, INC. 5000 PSI PANEL MOUNT GAUGE</td>
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<tr>
<td>65065 WENTWORTH TIRE SERVICE #722 TIRE M/D</td>
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<td>65065 WENTWORTH TIRE SERVICE 18 NEW TIRE</td>
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<td>65065 WENTWORTH TIRE SERVICE 6 NEW TIRE</td>
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<td>65065 WENTWORTH TIRE SERVICE TIRE REPAIR</td>
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<td>65065 WENTWORTH TIRE SERVICE TIRE REPAIR #589</td>
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<td>65085 ROMEO U. LIM. JR. TOOL ALLOWANCE</td>
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<tr>
<td>65085 FASTENAL COMPANY BLADES</td>
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<tr>
<td>65085 SUBURBAN ACCENTS, INC. C.O.E. VEHICLE LOGOS</td>
</tr>
<tr>
<td>65090 CINTAS FIRST AID &amp; SUPPLY FIRST AID SUPPLIES</td>
</tr>
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#### 7710 MAJOR MAINTENANCE Total

129,913.24

### 600 FLEET SERVICES FUND Total

131,007.52

#### 601 EQUIPMENT REPLACEMENT FUND Total

222,221.35

#### 605 INSURANCE FUND Total

210.00

#### 700 FIRE PENSION FUND Total

2,012.50

**Grand Total**

1,948,245.96
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<tr>
<th>ACCOUNT NUMBER</th>
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<th>DESCRIPTION</th>
<th>AMOUNT</th>
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<td>RECTRAC REFUNDS</td>
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<td>1,474.00</td>
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<td>VARIOUS</td>
<td>VARIOUS</td>
<td>WORKERS COMP</td>
<td>22,407.74</td>
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<td>VARIOUS</td>
<td>VARIOUS</td>
<td>WORKERS COMP</td>
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<td><strong>Grand Total</strong></td>
<td><strong>2,183,663.39</strong></td>
</tr>
</tbody>
</table>

PREPARED BY ___________________________ DATE ___________________________

APPROVED BY ___________________________ DATE ___________________________
Memorandum

To: Honorable Mayor and Members of the City Council Administration and Public Works Committee

From: Suzette Robinson, Director of Public Works Rickey A. Voss, Revenue/Parking Division Manager Leslie J. Perez, Administrative Supervisor

Subject: Single Source Elevator Service Agreement with ThyssenKrupp Elevator Corp. for the Sherman Plaza Self Park

Date: October 16, 2014

Recommended Action:
Staff recommends that City Council authorize the City Manager to execute a five year single source service and maintenance agreement with ThyssenKrupp Elevator Corporation (355 Eisenhower Lane South, Lombard, Illinois) for the elevators at the Sherman Plaza parking garage at a cost of $34,436.16. The proposed 5-year service agreement is effective April 1, 2014 to March 31, 2019. This agreement includes a cost reduction of $4,747 for the first year, an approximately 12% decrease when compared to last year’s agreement. While ThyssenKrupp reserves the right to an annual increase in years two through five, the potential increase in subsequent years is capped at five percent.

Funding Source:
2014 Budget Account# 7036.62425: $46,350

Summary:
Staff recommends this single source contract be executed through the end of 2019 due to the fact that all of these units were originally installed by ThyssenKrupp, some mechanical units and motors are proprietary, and because of their successful performance in maintaining these elevators over the past 7 years.

ThyssenKrupp Elevator Corporation has been providing very good elevator maintenance service to the Sherman Plaza elevators since taking over in mid-2007 for a non-performing elevator maintenance company. They have been successfully maintaining and servicing these elevators since 2007. Annual maintenance and service
agreements for elevators are standard practice for municipal facilities. The Facilities Management Division administers this elevator service agreement in cooperation with the Parking Division for this location.

**Legislative History:**
None

-------------------------------------------------------------------------------------------------------------------------------

**Attachments:**
Copy of proposed contract renewal
Purchaser: SHERMAN PLAZA  
821 DAVIS ST  
EVANSTON, IL 60201-4401  

Hereinafter referred to as "Purchaser", "you", and "your".  

By: ThyssenKrupp Elevator Corporation  
355 Eisenhower Lane South  
Lombard, IL 60148  
Phone: 630-652-4000  
Fax: 866-228-6054  
www.thyssenkrupp Elevator.com  

Hereinafter referred to as "ThyssenKrupp Elevator Corporation", "ThyssenKrupp Elevator", "we", "us" and "our"  

**GOLD SERVICE AGREEMENT**  

ThyssenKrupp Elevator agrees to maintain Purchaser's elevator equipment described below in accordance with this agreement. We will endeavor to provide a comprehensive maintenance program designed to protect your investment and maximize the performance, safety, and life span of the elevator equipment to be maintained.  

<table>
<thead>
<tr>
<th>Building Name</th>
<th>Building Location</th>
<th>Manufacturer</th>
<th>Type Of Unit</th>
<th>Unit ID</th>
<th># Of Stops</th>
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<tr>
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<td>821 DAVIS ST</td>
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<td>Geared</td>
<td>US115941</td>
<td>13</td>
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<td>821 DAVIS ST</td>
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<td>Geared</td>
<td>US40524</td>
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<td>TKE</td>
<td>Geared</td>
<td>US40528</td>
<td>13</td>
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</tbody>
</table>
Gold Service Agreement

Preventative Maintenance Program
We will service your equipment described in this agreement on a regularly scheduled basis. These service visits will be performed during normal business working days and hours, which are defined as Monday through Friday, 8:00 AM to 4:30 PM (except scheduled holidays). All work performed before or after normal business working days and hours shall be considered "Overtime".

ThyssenKrupp Elevator will perform the following services:

- Examine your elevator equipment for optimum operation. Our examination, lubrication and adjustment will cover the following components of your elevator system:
  0 Control and landing positioning systems
  0 Signal fixtures
  0 Machines, drives, motors, governors, sheaves, and wire ropes
  0 Power units, pumps, valves, and jacks
  0 Car and hoistway door operating devices and door protection equipment
  0 Loadweighers, car frames and platforms, and counterweights
  0 Safety mechanisms
- Lubricate equipment for smooth and efficient performance
- Adjust elevator parts and components to maximize performance and safe operation

Full Coverage Parts Repair and Replacement
ThyssenKrupp Elevator will provide full coverage parts repair and/or replacement for all components worn due to normal wear, unless specifically excluded in the "Items Not Covered" or "Other Conditions" provisions herein. We maintain a comprehensive parts inventory to support our field operations. All replacement parts used in your equipment will be new or refurbished to meet the quality standards of ThyssenKrupp Elevator. Most specialized parts are available within 24 hours, seven days a week. We will relamp all signals as required (during regularly scheduled visits).

Maintenance Control Program
ThyssenKrupp Elevator performs service in accordance with A17.1 - 2010 / CSA B44-10. Section 8.6 of the code requires the unit owner to have a Maintenance Control Program (MCP), ThyssenKrupp's MCP meets or exceeds all requirements outlined in Section 8.6. The Maintenance Control Program includes ThyssenKrupp Elevator's Maintenance Tasks & Records documentation which shall be used to record all maintenance, repairs, replacements and tests performed on the equipment and is provided with each unit as required by code. ThyssenKrupp Elevator also provides per Section 8.6 of the code, a maintenance tasks procedures manual with each unit; TKE calls this manual the BEEP Manual, or Basic Elevator, Escalator Procedures Manual. We do not perform any tests unless such tests are specifically listed as included elsewhere in this agreement.

Quality Assurance
To help increase elevator performance and decrease downtime, our technicians utilize the latest industry methods and technology available to us for your specific brand of elevator. They will be equipped with our tools, documentation and knowledge to troubleshoot your unique system, as well as access to a comprehensive parts replacement inventory system.

Behind our technicians is a team devoted to elevator excellence. Technicians are supported around the clock by a team of engineers and field support experts. Our North American technical support facilities continuously research advancements in the industry and in your equipment. Also, our internal quality control program ensures optimum and reliable operation of your elevator equipment.

To assure that quality standards are being maintained, we may conduct periodic field quality audit surveys. Your
Gold Service Agreement

dedicated ThyssenKrupp Elevator representative will be available to discuss your elevator needs with you in all aspects of service and modernization. In addition, you may receive recommendations for upgrades that will also provide you with budget options designed to enhance the appearance, performance and safety of or meet Code requirements for your equipment over time.

Service Requests During Normal Working Days and Hours
Service requests are defined as any request for dispatch of our technician to the location of the equipment covered in this agreement from one or more of the following: you or your representative, the building or building's representative, emergency personnel, and/or passengers through the elevator's communication device and/or from Vista Remote Monitoring through the elevator's communication line. Service requests include minor adjustments and response to emergency entrapments that can be accomplished in two hours or less (excluding travel time) and do not include regularly scheduled maintenance visits.

We will respond to service requests during normal business working days and hours, as defined above, at no additional charge.

Overtime Service Requests
On all overtime service requests, you will be responsible for all labor costs including travel time, travel expenses, and time spent on the job. Such costs will be invoiced at our standard overtime billing rates. Overtime service requests are performed before or after normal business working days and hours.

X VIEW®
VIEW is Thyssen Krupp Elevator's customer oriented, online service activity reporting system. VIEW allows building owners and managers to monitor maintenance and service call activity. VIEW can be accessed via the Internet any time, day or night. You can "VIEW" service tickets associated with a single elevator serviced under this agreement, for all the elevators at the locations serviced under this agreement, or across an entire portfolio of elevator equipment that is serviced by ThyssenKrupp Elevator. Special considerations regarding VIEW are included herein.

VISTA® (Check box if included)
VISTA Remote Monitoring is ThyssenKrupp Elevator's exclusive service for monitoring the status and performance of you elevator(s). VISTA monitors compatible equipment 24 hours per day, 7 days per week, and 365 days per year. Constantly monitor performance data on your equipment provides ThyssenKrupp Elevator the ability to respond to operational irregularities quickly and more efficiently. With VISTA, we can often dispatch a service technician to your location before any interruption in elevator service occurs. Service visits based on VISTA data will be made during normal business hours on normal business days.

X ThyssenKrupp Communications® (Check box if included)
ThyssenKrupp Communications is ThyssenKrupp Elevator's 24-hour telephone monitoring and emergency call service. Our representatives are trained to handle elevator calls and they can assess the situation and quickly dispatch a technician when necessary. If needed, they can stay on the line to reassure a stranded passenger that help is on the way. ThyssenKrupp Communications maintains digital recordings and computerized records of the time, date, and location of calls received and action taken for the benefit of passengers and building owners. Special considerations regarding ThyssenKrupp Communications are set forth below.

Through its centralized ThyssenKrupp Communications call center, ThyssenKrupp Elevator will provide 7 days per week, 24 hours per day, 365 days per year dispatching service for calls placed by Purchaser after normal business working days and hours to the local ThyssenKrupp Elevator branch office and telephone monitoring on all elevator(s) maintained under this Agreement that have operational telephone equipment capable of placing a call to that call center. Depending on the nature of the call and circumstances, ThyssenKrupp Elevator's operators can call one or more of the following: Purchaser's
Gold Service Agreement

Designated Contacts set forth in Section 2 below; Local Emergency Services at phone numbers provided by Purchaser in Section 3 below; and/or a local ThyssenKrupp Elevator service technician to be dispatched to the location of the equipment.

Purchaser hereby acknowledges that as a condition precedent to ThyssenKrupp Elevator's placement of calls to Purchaser's Designated Contacts and any Local Emergency Services under this Agreement, Purchaser must first complete Sections 1 and 2 below. Purchaser further acknowledges that it is Purchaser's sole responsibility to advise ThyssenKrupp Elevator immediately in writing of any changes to the information contained in those two (2) sections during the term of this Agreement. Purchaser acknowledges that no revision to that information will be made without ThyssenKrupp Elevator first receiving such request in writing from Purchaser's authorized representative.

Under those circumstances where ThyssenKrupp Elevator is unable to reach Purchaser's Designated Contacts set forth in Section 2 below, Purchaser hereby gives ThyssenKrupp Elevator express permission to dispatch a ThyssenKrupp Elevator service technician to the location of the equipment at Purchaser's expense in accordance with ThyssenKrupp Elevator's applicable billing rates. Purchaser further agrees that ThyssenKrupp Elevator does not assume any duty or responsibility to advise any caller, regardless of his or her location within or outside the elevator, to take or not take any specific action resulting from a medical or other emergency or any other situation including, but not limited to, entrapment of persons, evacuation, repair or return to service of any equipment.

In the event that a ThyssenKrupp Elevator call center operator perceives that a call from within the elevator constitutes a medical or other emergency, Purchaser hereby gives ThyssenKrupp Elevator the express permission to call Local Emergency Services at the telephone numbers provided by the Purchaser in Section 3 below at ThyssenKrupp Elevator's sole discretion. Under those circumstances, Purchaser agrees to pay all related charges for services provided by any Local Emergency Services in response to that call. Purchaser agrees that ThyssenKrupp Elevator shall not be responsible for ensuring an appropriate (or any) response by Local Emergency Services to that call.

None of the services described anywhere in this Agreement includes maintenance of any type or kind of the Purchaser's telephone or other communication equipment. The Purchaser retains possession and control of its telephone and other communication equipment and is responsible for ensuring uninterrupted operation of that equipment so that it is capable of placing a call to ThyssenKrupp Communication's call center.
Gold Service Agreement

ThyssenKrupp Communications Contact Information - To Be Completed by Purchaser

Section 1, Elevator Detail:
Total number of elevators in Building: __________

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<tr>
<th>Elevator #</th>
<th>Elevator Telephone Number including Area Code</th>
<th>Elevator #</th>
<th>Elevator Telephone Number including Area Code</th>
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</tbody>
</table>

Section 2, Purchaser Designated Contacts:
In the event of an emergency, or perceived emergency affecting the equipment covered by this Agreement, the Purchaser designates the following as its decision-making contacts:

<table>
<thead>
<tr>
<th>Contact Name</th>
<th>Title</th>
<th>Primary Telephone #</th>
<th>Secondary Telephone #</th>
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<tr>
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<td>3</td>
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</tr>
</tbody>
</table>

Section 3, Local Emergency Services Contact Information:
Phone # for Local Police Department: ( )

Phone # for Local Fire Department:

Section 4, Purchaser's Special Instructions:
The following are special instructions provided by Purchasers with respect to the information supplied above:

X Periodic Safety Testing (Check box if included)
ThyssenKrupp Elevator will test your equipment in accordance with those periodic testing requirements as outlined in the American National Safety Code for Elevators and Escalators, ANSI A 17.1, which are in effect at the time this agreement is executed. In the event that the state, city or local governing authority in which the equipment is located has adopted different requirements, ThyssenKrupp Elevator will test your equipment in accordance with those periodic testing requirements in effect at the time this agreement is executed. You agree to pay for any costs of the inspector and/or inspection fees. Special Considerations regarding periodic safety testing are set forth below.

Product Information
Gold Service Agreement

You agree to provide ThyssenKrupp Elevator with current wiring diagrams that reflect all changes, parts catalogs, and maintenance instructions for the equipment covered by this agreement (exception: we will supply all of the above for new ThyssenKrupp elevators at no additional cost). You agree to authorize us to produce single copies of any programmable device(s) used in the equipment for the purpose of archival back-up of the software embodied therein. These items will remain your property.

Safety
You agree to instruct or warn passengers in the proper use of the equipment and to keep the equipment under continued surveillance by competent personnel to detect irregularities between elevator examinations. You agree to immediately report any condition that may indicate the need for correction before the next regular examination. You agree to immediately shut down the equipment upon manifestation of any irregularities in either the operation or the appearance of the equipment, to immediately notify us, and to keep the equipment shut down until the completion of any repairs. You agree to give us immediate verbal notice and written notice within ten (10) days after any occurrence or accident in or about the elevator. You agree to provide our personnel with a safe place to work. You agree to provide a suitable machine room, including secured doors, waterproofing, lighting, ventilation, and appropriate air temperature control to maintain that room at a temperature between 50°F and 90°F. You also agree to maintain the elevator pit in a dry condition at all times. Should water or other liquids become present, you will contract with others for removal and the proper handling of such liquids. We reserve the right to discontinue work in the building whenever, in our sole opinion, our personnel do not have a safe place to work. You also agree that if ThyssenKrupp Elevator’s inspection of a piece of equipment serviced under this agreement reveals an operational problem which, in ThyssenKrupp Elevator’s sole judgment, jeopardizes the safety of the riding public, ThyssenKrupp Elevator may shut down the equipment until such time as the operational problem is resolved. In that event, ThyssenKrupp Elevator will immediately advise you in writing of such action, the reason for such action, and whether any proposed solution is covered by the terms of this agreement.

Other
You agree not to permit others to make alterations, additions, adjustments, or repairs or replace any component or part of the equipment during the term of this agreement unless ThyssenKrupp Elevator cannot supply the service within the terms of the agreement with the means and methods used to maintain or repair the equipment covered under this agreement, you agree to provide us with written notice of that concern and give us thirty (30) days to respond either in writing or commence action to appropriately resolve it.

Items Not Covered
We do not cover cosmetic, construction, or ancillary components of the elevator system, including the finishing, repairing, or replacement of the cab enclosure, ceiling frames, panels, and/or fixtures, hoistway door panels, door frames, swing door hinges and closing devices, sills, car flooring, floor covering, lighting fixtures, ceiling light bulbs and tubes, main line power switches, breaker(s), feeders to controller, below ground or unexposed hydraulic elevator system, including but not limited to, jack cylinder, piston, PVC or other protective material; below ground or unexposed piping, alignment of elevator guide rails, smoke and fire sensors, fire service reports, all communication and entertainment devices, security systems not installed by us, batteries for emergency lighting and emergency lowering, air conditioners, heaters, ventilation fans, pit pumps and all other items as set forth and excluded in this agreement.

Other Conditions
Gold Service Agreement

With the passage of time, equipment technology and designs will change. If any part or component of your equipment covered under this agreement cannot, in our sole opinion, be safely repaired and is no longer stocked and readily available from either the original equipment manufacturer or an aftermarket source, that part or component shall be considered obsolete. You will be responsible for all charges associated with replacing that obsolete part or component as well as all charges required to ensure that the remainder of the equipment is functionally compatible with that replacement part or component. In addition, we will not be required to make any changes or recommendations in the existing design or function of the unit(s) nor will we be obligated to install new attachments or parts upon the equipment as recommended or directed by insurance companies, governmental agencies or authorities, or any other third party. Moreover, we shall not be obligated to service, renew, replace and/or repair the equipment due to any one or more of the following: anyone’s abuse, misuse and/or vandalism of the equipment; anyone’s negligence in connection with the use or operation of the equipment; any loss of power, power fluctuations, power failure, or power surges that in any way affect the operation of the equipment; fire, smoke, explosions, water, storms, wind, lightening, acts of civil or military authorities, strikes, lockouts, other labor disputes, theft, riot, civil commotion, war, malicious mischief, acts of God, or any other reason or cause beyond our control that affects the use or operation of the equipment. ThyssenKrupp Elevator shall also automatically receive an extension of time commensurate with any delay in performance caused by or related to the aforementioned and you expressly agree to release and discharge ThyssenKrupp Elevator from any and all claims for consequential, special or indirect damages arising out of the performance of this agreement. In no event shall ThyssenKrupp Elevator’s liability for damages arising out of this agreement exceed the remaining unpaid installments of the current, unexpired term of this agreement.

Should your system require any of the safety tests on the commencement date of this agreement, ThyssenKrupp Elevator assumes no responsibility for the day-to-day operation of the governor or safeties on traction elevators, or the hydraulic system on hydraulic elevators under the terms of this agreement until the test has been completed and the equipment passed. Should the respective system fail any of those tests, it shall be your sole responsibility to make necessary repairs and place the equipment in a condition that we deem acceptable for further coverage under the terms of this agreement. We shall not be liable for any damage to the building structure or the elevator resulting from the performance of any safety tests we perform at any time under this agreement. If during the initial firefighter’s service test, that feature is found to be inoperable, you shall be responsible for all costs associated with necessary repair(s) to bring the elevator(s) into compliance with the applicable elevator codes in your local jurisdiction.

In the event any portion of this agreement is deemed invalid or unenforceable by a court of law, public policy or statute, such finding shall not affect the validity or enforceability of any other portion of this agreement.

Our rights under this agreement shall be cumulative and our failure to exercise any rights given hereunder shall not operate to forfeit or waive any of said rights and any extension, indulgence or change by us in the method, mode or manner of payment or any of its other rights shall not be construed as a waiver of any of its rights under this agreement.

Price
The price for the services as stated in this agreement shall be Two Thousand Eight Hundred Sixty Nine Dollars and Sixty Eight Cents ($2,869.68) per month, excluding taxes, payable Quarterly in advance.

Term
This agreement is effective for Sixty (60) month(s) starting 04/01/2014 and is non-cancellable.

Annual Price Adjustments
Since our costs to provide you with the service set forth in this agreement may increase, we reserve the right to adjust the price of our service under this agreement accordingly. In the event this occurs, we will adjust your monthly price based on the percentage change in the average rate paid to elevator examiners. This rate paid to elevator examiners consists of the hourly rate paid to examiners plus fringe benefits and union welfare granted in place of or in addition to the hourly rate. Fringe benefits include pensions, vacations, paid holidays, group insurance, sickness and accident insurance, and hospital insurance. We also reserve the right to make additional adjustment to the price of our service under this agreement and/or enact surcharges as needed to account for increased fuel prices when such increases exceed the Consumer Price
Gold Service Agreement

Index (CPI) current rate. We also reserve the exclusive right to make additional adjustment to the price of our service under this agreement in the event that the equipment covered by this agreement is modified from its present state.

Early Payment Discount
You may elect to pay in advance for twelve (12) months of service described in this agreement. Such a pre-payment entitles you to a 3% discount from the annual price in effect at the time of payment.

Overdue Invoices
A service charge of 1 1/2% per month, or the highest legal rate, whichever is more, shall apply to all overdue accounts you have with ThyssenKrupp Elevator that are in any way related to your equipment described in this agreement. If you do not pay any sum due to ThyssenKrupp Elevator related to your equipment described in this agreement, regardless of whether it is billed pursuant to this agreement or any other with us, within sixty (60) days from the billing date, we may also choose to the following: Suspend all service until all amounts due have been paid in full.

Pledge of Customer Satisfaction
ThyssenKrupp Elevator's top priority is the satisfaction of our customers. If during the term of this Agreement, ThyssenKrupp Elevator fails to properly perform services in accordance with the terms and conditions of this Agreement, Purchaser shall advise ThyssenKrupp Elevator of the specific deficiency in writing and shall allow a reasonable period of thirty (30) days from the date of the written notice to correct the deficiency. In the event ThyssenKrupp Elevator fails to correct the deficiency in the allotted time, Purchaser shall have the right to terminate this agreement upon thirty (30) days prior written notice to ThyssenKrupp Elevator. Written notices shall be sent by certified mail, return receipt requested to the address set forth on page 1 of this agreement. Time is of the essence.

Change of Ownership or Management of Premises
If during the initial term of this agreement, ownership or management of the premises where the equipment is located is transferred to a party other than Purchaser, Purchaser agrees to see that such transference is made aware of this agreement. Purchaser shall also advise ThyssenKrupp Elevator in writing of said transfer and thereafter have the right to terminate this agreement upon thirty (30) days prior written notice to ThyssenKrupp Elevator. The parties, however, acknowledge that because ThyssenKrupp Elevator has amortized the cost of certain repairs over the full initial term of this agreement, any premature termination by Purchaser shall result in damages to ThyssenKrupp Elevator. In the event of such termination, ThyssenKrupp Elevator will provide the Purchaser with a detailed description of the those repairs, including the total time spent by ThyssenKrupp Elevator personnel to complete them and ThyssenKrupp Elevator's cost for any parts associated therewith, and the amount amortized and paid through the date of termination and Purchaser shall pay ThyssenKrupp Elevator the remaining unpaid balance on those repairs at ThyssenKrupp Elevator's current billing rates. Written notice of termination shall be sent by certified mail, return receipt requested to the address set forth on page 1 of this agreement.

Special Considerations
Annual price increases capped at 5% annually to include all costs detailed on page 6 under the Annual Price Adjustments.
Acceptance

Your acceptance of this agreement and its approval by an authorized manager of ThyssenKrupp Elevator will constitute exclusively and entirely the agreement for the services herein described. All other prior representations or agreements, whether written or verbal, will be deemed to be merged herein and no other changes in or additions to this agreement will be recognized unless made in writing and properly executed by both parties. Should your acceptance be in the form of a purchase order or other similar document, the provisions of this agreement will govern, even in the event of a conflict. This proposal is hereby accepted in its entirety and shall constitute the entire agreement as contemplated by you and us. This proposal is submitted for acceptance within one-hundred twenty (120) days from the Date Submitted by the ThyssenKrupp Elevator representative indicated below.

No agent or employee shall have the authority to waive or modify any of the terms of this agreement without the prior written approval of an authorized ThyssenKrupp Elevator manager.

ThyssenKrupp Elevator Corporation:

By: ____________________________
(Signature of ThyssenKrupp Elevator Representative)

SHERMAN PLAZA

By: ____________________________
(Signature of Authorized Individual)

ThyssenKrupp Elevator Corporation Approval:

By: ____________________________
(Signature of Authorized Individual)

James Vinci
Sales Representative
James.Vinci@thyssenkropp.com

Jason Vallee
Branch Manager

(Date Submitted)

(Date of Approval)

(Date of Approval)
Memorandum

To: Honorable Mayor and Members of the City Council
   Administration and Public Works Committee

From: Wally Bobkiewicz, City Manager
       Johanna Nyden, Economic Development Division Manager

Subject: Award Contract for Consulting Work to Create a Special Service Area for
         Main/Chicago and Dempster/Chicago Merchant Districts, RFP #14-50

Date: September 26, 2014

Recommended Action:
Staff recommends that City Council authorize the City Manager to execute a contract for
consulting services for the study and creation of a special service area (“SSA”) for the
business districts along Chicago Avenue at the intersections of Main and Dempster
Streets inclusive of the Main/Chicago and Dempster/Chicago merchant districts with
Place Consulting, Inc (3701 North Ravenswood Avenue, Suite 204, Chicago) for a total
amount of $36,983.78.

Funding Source:
The Economic Development Fund’s Redevelopment Consulting Services (Acct #
225.21.5300.62136). The 2014 Adopted FY amount for this account is $75,000, of
which none has been spent to date.

Summary:
In April 2014, a group of businesses representing businesses along Chicago Avenue at
the intersections of Main and Dempster Streets requested that the City assist in
establishing an SSA (map of the area contemplated is depicted in attached map). In
response to the merchants, Request for Proposal (RFP) #14-50 was issued on July 17,
2014 for SSA feasibility and designation coordination consulting services. A contract for
professional services was requested to cover work described in the RFP; work is
contemplated to be completed within one year of contract execution, with the ability to
extend if necessary.

Requests were sent directly to six consulting firms (listed in the table on the following
page) that currently provide SSA feasibility and coordination work and advertisements
were posted in the Pioneer Press on July 17, 2014 and Demandstar. Proposals were
due on August 12, 2014. The City received only one proposal on August 12, 2014 from
Place Consulting, Inc. prior to the deadline expiration.
The scope of services to be completed by the consultant is two-fold: 1) conduct SSA feasibility study to determine what properties should be included in the proposed SSA and level of funding appropriate to fund desired activities; and 2) coordinate the designation of the SSA if feasibility study is found to support the SSA.

Specific work related to the SSA feasibility study includes:

- Inventory of properties to determine specific property’s appropriateness for inclusion in the SSA, development of a list of property addresses, parcel numbers, assessed valuation of each parcel, and other pertinent information for study.
- Work with City staff and neighborhood merchant group to finalize boundary for SSA. In coordination with stakeholders, the consultant will help establish initial budget for SSA (includes estimates of costs for desired services and potential tax levy required to meet budget).
- Develop a SSA Governance and Management Plan. Plan should include:
  - Desired Uses for Funds – Activities that will be funded; how services and projects will be managed;
  - Governance and Leadership Structure – Identify eligibility to serve on governing board/body and term length;
  - Process for establishing annual budget; and
  - Goals and objectives for the SSA – Development of metrics that can provide measurement of success or opportunities for growth (i.e. total square footage occupied by retail uses, volume of 311 calls, CTA/Metra ridership increases, etc.).
- This stage of work is likely to include one to two public meetings, fieldwork to evaluate properties in area and on-site or teleconference meetings with City staff and key stakeholders from merchant group.

Specific work related to the coordination of the designation of the SSA includes:

- Development of legal description for proposed SSA boundary (cost to create legal description should be included in scope of services);
- Development of statement of proposed special services; and
- Creation of preliminary budget for services and proposed tax rate.
- Consultant will work with City Staff, neighborhood merchant group, and elected officials to convene required Public Hearing. Consultant responsibilities will include:
  - Development of Public Hearing notice in coordination with City Law Department;
Create list of recipients of notice of public hearing (person whose name is on general taxes for preceding year);

- Develop public meeting notice for local newspaper;
- Mail Public Hearing notice;
- Provide presentation at Public Hearing;

- Development of Ordinance designating SSA in coordination with City of Evanston’s Law Department; and
- Development of Ordinance establishing levy for SSA in coordination with City of Evanston’s Law Department.

Place Consulting, Inc. estimates the total cost of the work is $36,983.78. This includes the SSA feasibility study for a total cost of $18,640.00 and SSA designation coordination work for $18,343.78. Of the total cost, $6,013.78 will be completed by M/W/EBE firms. PLACE Consulting, Inc. is a woman-owned firm, although not at this time formally recognized as a woman-owned enterprise.

**Background:**

The merchants from the business districts inclusive of this project provided a letter to the City with 64 signatures representing approximately 44 business establishments indicating their interest in being part of an SSA. In discussions with staff, the merchants indicated a desire for additional services that included programmatic support (coordination of activities, marketing, internal and external communication) as well as seasonal plantings, directional signage for businesses, additional street cleaning/garbage pick-up services, snow removal, and other aesthetic and maintenance issues.

The two merchant groups are currently coordinated by volunteer business owners within each business district. This SSA seeks to establish economies of scale and coordinate services both need (plantings, signage, additional garbage pick-up services, etc.) while maintaining the distinct identities that each district has. This SSA is sought specifically for the commercial properties and seeks to not include the condominiums located along Chicago Avenue. In a handful of cases, properties with residential units will likely be included in the SSA because there is only one PIN and not separate commercial and residential PINs.

**Special Service Areas in Illinois Background:**

The Illinois State Statute (35 ILCS 200/27-5) defines an SSA as: “a contiguous area within a municipality or county in which special governmental services are provided in addition to those services provided generally throughout the municipality or county, the cost of the special services to be paid from revenues collected from taxes levied or imposed upon property within that area.” SSAs are established through ordinance by the City Council. Property owners within the SSA pay an additional fee through property tax billing for services above and beyond the level of service provided by the municipality. Typical examples include marketing, events, seasonal decorations, sidewalk snow removal, signage, streetscape, and landscaping.

**Legislative History:**

At its April 29, 2014 meeting, the Economic Development Committee recommended unanimously (7-0) for the City to retain a consultant to work with the Main/Chicago and
Dempster/Chicago merchants to create a SSA for the business districts in these areas. A group of more than 64 merchants petitioned the Committee to move forward with this project.

Attachments:
Copy of Response to RFP 14-50 from Place Consulting, Inc.
MWEBE Memo
Map of Proposed SSA Study Area
September 29, 2014

JacQuera Calvert
Purchasing Specialist
Lorraine H. Morton Civic Center
2100 Ridge Avenue, Room 4200
Evanston, IL 60201

Dear Ms. Calvert:

PLACE Consulting, Inc. is pleased to submit this proposal in response to the City of Evanston’s Request for Proposals to study the feasibility of creating a Special Service Area (SSA) along Chicago Avenue and to provide professional services to manage and coordinate the designation of the SSA. We understand that this effort is being requested by merchant groups who will be involved in the process along with the City of Evanston. Given our extensive experience with and expertise in SSA constitution, reconstitution, expansion and professional program management, we are confident that we are the best firm for this project. In addition, PLACE also offers exceptional real estate analysis and community participation skills.

Per the instructions in the RFP, as an authorized principal of the firm, I offer the following information in addition to our proposal and am available to answer any questions:

<table>
<thead>
<tr>
<th>Firm Name:</th>
<th>PLACE Consulting, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td>3701 N. Ravenswood, Suite 204, Chicago, IL 60613</td>
</tr>
<tr>
<td>Phone Number:</td>
<td>773.920.9905</td>
</tr>
</tbody>
</table>

PLACE is an award-winning consulting firm that champions neighborhood and business district revitalization. We help clients envision their future, ground dreams in implementable plans, and organize themselves to achieve their visions. We offer strategic planning, market analysis, redevelopment planning, business attraction/retention and capacity building services. Led by former community development practitioners, PLACE offers its clients intimate knowledge of both the challenges confronting economic development organizations and the importance of honoring the input of local stakeholders while delivering inspiring, yet realistic, plans and products. While PLACE is not yet a certified WBE, it is 100% woman-owned. I have attached a copy of the proof of ownership paperwork.

We look forward to having the opportunity to learn more about the project and to give you a more complete introduction to us. Thank you for your consideration.

Sincerely,

Kimberly Bares
President
Response to City of Evanston RFP 14-50

Study and Designation of Chicago Avenue Special Service Area

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A. Disclosure of Ownership Interests
B. Conflict of Interest Form
C. Acknowledgement of Understanding
D. Anti-Collusion and Proposer’s Certification
E. City of Evanston M/W/EBE Policy
F. M/W/EBE Participation Compliance Form
  • B.H. Suhr and Company, Inc.
  • On Track Fulfillment, Inc.
  • Minutemen Press
G. M/W/EBE Participation Waiver Request
H. PLACE Consulting, Inc. Purchase Agreement (proof of 100% woman ownership)
1. Qualifications and Experience of Firm

Firm Overview
PLACE is an award-winning consulting firm that champions neighborhood and business district revitalization. We help clients envision their future, ground dreams in implementable plans, and organize themselves to achieve their visions. We offer strategic planning, market analysis, redevelopment planning, business attraction/retention and capacity building services. Led by former community development practitioners, PLACE offers its clients intimate knowledge of both the challenges confronting economic development organizations and the importance of honoring the input of local stakeholders while delivering inspiring, yet realistic, plans and products. In each of our SSA projects, we provide our clients with several scenarios involving different boundaries, budgets/programs and services, tax rates and tax rate caps in order to assist stakeholders in choosing the best option that will be seen as valuable, yet cost-efficient, by property and business owners located within the district.

PLACE has focused its consulting efforts on programs related to Special Service Areas (SSAs) and commercial corridor planning, especially creation and renewal of SSAs, business district analysis and economic plans. We have completed more than 40 projects with 35 clients throughout Chicago in all kinds of communities: Michigan Avenue both on the Gold Coast and on the far south side, in Little Village and Lincoln Park, and with all five chambers/organizations in Lakeview. We are also proud to have created such strong relationships with clients that they turn to us for multiple projects over the years; we have worked with the Lincoln Park Chamber on seven separate projects and have completed three projects with the Lakeview and Lakeview East chambers.

We have substantial experience in data analysis; one of our clients in 2013 had nearly 4,000 PINs alone in its SSA and we collected, reviewed, mapped and analyzed all their data flawlessly. In 2013, our clients collectively had 9,200 PINs. We successfully handled all data collection and creation of City-required databases. Our data analysis includes a summary of highest, lowest and average costs for various property owners based on class and/or EAV.

Our firm is unique in that many of the people associated with PLACE are or have been community development practitioners, SSA program managers, and economic development professionals; we understand the work that cities and chambers of commerce do and the importance of honoring the input of local stakeholders while delivering practical and realistic plans and products. We are a small firm and therefore can be nimble and responsive to our clients' needs. Our firm composition will assist us as we execute the scope of services for the Chicago Area SSA effort, which we understand includes:

A. Special Service Area Feasibility Study
   • Property inventory and assessment for inclusion in SSA
   • List of property address, parcel numbers, assessed valuation, and other pertinent information
   • SSA boundary finalization
   • SSA budget creation, costs for desired services, and potential tax levy to meet budget needs
   • SSA Governance and Management Plan
• Public meetings, fieldwork, conference calls and meetings with City staff and stakeholders

B. Special Service Area Designation
• Legal description of proposed SSA boundary
• Statement of proposed special services
• Preliminary budget for services and proposed tax rate
• Tasks associated with convening a Public Hearing including development of hearing notice, creation of list of notice recipients, development of public meeting notice, public hearing presentation, development of ordinances designating the SSA and establishing the SSA levy

Additionally, for the Chicago Avenue project, PLACE will sub-contract a portion of the work to B.H. Suhr and Co., Inc., On Track Fulfillment and Minutemen Press.

Project Experience
Our project experience with other contracts similar in scope, size, and discipline includes:

State Street SSA #1 Reconstitution

Chicago, IL
February – July 2014
PLACE was engaged by the Chicago Loop Alliance (CLA) to guide the organization through the renewal and expansion of SSA #1 located in downtown Chicago along State Street. This effort required careful consideration and evaluation of three options for renewal and expansion: simple renewal of the existing SSA, termination of the existing SSA and the creation of a new SSA with the former and expanded area geography, or renewal of the existing SSA and the creation of a new abutting SSA. PLACE helped CLA and the SSA Advisory Committee consider the pros and cons of the options. The real estate impacts were significant and the exploration involved engagement of a variety of stakeholders, including corporate property owners, educational institutions, individual property and business owners, the Building Owners and Managers Association, and downtown resident groups. Public meetings were held to share options with the community and shape the final application, which will be submitted to the City in 2015.

Client: Chicago Loop Alliance
Contact: Mike Edwards, Executive Director
Address: 27 East Monroe Street, Suite 900A, Chicago, IL 60603
Email: mike@chicagoloopalliance.com
Telephone: 312.782.9160
Creation of Albany Park SSA #60
Chicago, IL
January 2013 – February 2014

In 2013, the North River Commission hired PLACE to lead the process of establishing a new SSA in the northwest Chicago neighborhood of Albany Park, one of the most diverse neighborhoods in the city. PLACE provided leadership and guidance on creating a Special Service Area in a ward with a new alderman and divergent constituencies. The SSA was successfully launched in January, 2014.

Client: North River Commission
Contact: Carla Agostinelli, Director of Economic Development
Address: 3403 W. Lawrence Ave., Suite 201, Chicago, IL 60625
Email: cagostinelli@northrivercommission.org
Telephone: 773.478.0202

Creation of Hyde Park SSA #61
Chicago, IL
2011 – February, 2014

PLACE was initially retained by the University of Chicago to explore the feasibility of creating a Special Service Area in the main commercial area of Hyde Park. After concluding that the SSA would be beneficial, PLACE was engaged by the Southeast Chicago Commission to lead a 20-member Advisory Committee through the process of developing the SSA. PLACE hosted 6 Advisory Committee meetings and 4 community meetings in order to develop consensus about boundaries, budget, tax rate, and programs and services. The district is shared between two aldermen and is located within a TIF district, providing additional complexity that PLACE successfully navigated. PLACE developed several optional scenarios, heat maps and potential budgets and revenue projections for the committee and aldermen’s consideration. The SSA successfully launched in January, 2014.

Client: Southeast Chicago Commission
Contact: Wendy Walker Williams, Executive Director
Address: 1511 East 53rd Street Chicago, IL 60615
Email: wendywilliams@uchicago.edu
Telephone: 773.324.6926
Rogers Park – Clark Street SSA #24
Chicago, IL
December 2012 – January 2014

PLACE worked with the Rogers Park Business Alliance to reconstitute SSA #24 for an additional 10 years. In addition to collecting PIN and ownership information and mapping boundaries in GIS, PLACE conducted a Needs Survey in Spanish and English, going door-to-door to elicit participation and input. PLACE discovered a significant drop in district EAV as well as a major property wrongly classified and therefore under-assessed. A reclassification of the property by the Assessor’s office was initiated by the organization. PLACE also played an active role in working to obtain support signatures for the reconstitution effort. The SSA was renewed in January, 2014.

Client: Rogers Park Business Alliance
Contact: Sandi Price, Executive Director
Address: 1448 W. Morse Avenue Chicago, IL 60626
Email: sprice@rogers-park.org
Telephone: 773.508-5885

Lincoln Park – Lincoln Ave. SSA #35
Chicago, IL
January – May 2014

PLACE worked to reconstitute and expand SSA #35 along Lincoln Avenue in Lincoln Park. This project is the 7th project we have worked on with the Lincoln Park Chamber. In the course of the reconstitution, Mayor Emanuel announced his intention to raise property taxes to address unfunded pension obligations. The Alderman indicated that she would not support an increase in the tax rate, which was being requested by the Advisory Committee. After additional analysis and revenue projections, the Chamber and Advisory Committee decided to postpone renewal until 2015 and have asked PLACE to continue to work with them on this project.

Client: Lincoln Park Chamber of Commerce
Contact: Kim Schlif, President & CEO
Address: 1925 N. Clybourn, Suite 301, Chicago, IL 60614
Email: kschlif@lpcchamber.com
Telephone: 773.860.0266
Lakeview Area Master Plan (LAMP)
Chicago, IL
September 2010 – March 2011

PLACE was hired as the lead consultant by the Lakeview Chamber of Commerce and SSA #27 to develop a comprehensive approach to ensure that the Lakeview community maintained its commercial vibrancy and continued to improve as a shopping and entertainment district and destination. PLACE focused on broad and deep community engagement through extensive use of social media, competitions, open houses, a dedicated project website and smaller, hosted parties. PLACE teamed with moss design to incorporate sustainability initiatives and develop persuasive visuals to demonstrate what could be done in terms of open space, connections to urban agriculture, and enhanced connectivity. Five key documents were created: a sustainability guide for business owners, business attraction materials, an executive summary, a work plan with sub-district implementation strategies and a best practices manual. All of these components were designed as tools for implementation. The project received widespread media attention through features by the Chicago Tribune, WGV-TV and WGN Radio, Fox News Chicago, WLS 890 AM, Chicago Public Radio and the Huffington Post. The plan was awarded the Community Outreach Award from the Illinois Chapter of the American Planning Association and a Merit Award from the International Downtown Association.

Client: Lakeview Chamber of Commerce
Contact: Heather Way Kitzes, Executive Director
Address: 1409 W. Addison St., Chicago, IL 60613
Email: hway@lakeviewchamber.com
Telephone: 773.472.7171

Municipal Clients in Illinois
While PLACE has extensive experience working with SSAs and chamber of commerce throughout the City of Chicago, to date, we have not taken on any work with Municipal clients in Illinois.
2. Project Manager

PLACE President Kimberly Bares will be the Project Manager for the Chicago Avenue SSA project. Kimberly has more than 20 years' experience in nonprofit organizations. She has served as Executive Director of four organizations in Chicago, Berwyn and Baltimore and has experience working in diverse communities with varying constituencies. Her professional background has provided her with expertise in affordable housing development, community organizing, TIFs, SSAs, commercial district planning, strategic planning, Board development and fundraising. Specifically, Kimberly has had direct involvement and accountability for the creation, management or administration of more than 30 SSAs and four TIF districts. She has had extensive experience in community outreach, leading two community TIF processes in conjunction with Loyola University Chicago and a community-wide planning process with the Northeastern Illinois Planning Commission, UIC's City Design Center and Northwestern University's Asset-Based Community Development Institute. She holds a bachelor's degree from SUNY Geneseo, a master's degree in Urban Planning and Policy from the University of Illinois at Chicago and a Certificate in Nonprofit Management from Northwestern University's Kellogg School of Management. She is an active member of the International Downtown Association. See resume below.

Additional members of the PLACE team for this project include:

- **Noah Gordon** – Noah has worked for the City of Chicago's Building Department, rewriting the city's building code. He has also worked on the research and creation of corridor redevelopment plans in Rogers Park, Lincoln Park and South Holland, IL, including extensive mapping, policy research and economic market analysis. Additionally, Noah has experience with GIS, working with the University of Illinois' Center for Advanced Design Research and Exploration (CADRE), where he developed web-based GIS maps. Noah has worked on nearly 15 SSA projects throughout Chicago.

- **Jill Siegel** – Jill has more than a decade of business district management experience, having served as Director of Planning for the Memphis, TN downtown BID and as SSA Program Manager in two Chicago neighborhoods: Andersonville and Northalsted. Jill's consulting experience has run the gamut from physical planning and design to market studies and implementation planning. Jill has a Master's in Architecture degree.
Kimberly Bares \ President

Kimberly Bares draws on her diverse community and economic development experience to lead organizations, neighborhoods and municipalities in designing and implementing dynamic, effective and practicable urban revitalization strategies and tools. Her professional background has provided her with expertise in affordable housing development, community organizing, TIFs, SSAs, commercial district planning, strategic planning, Board development and fundraising. She has had direct involvement and accountability for the creation, management or administration of more than thirty Special Service Areas and four Tax Increment Financing districts.

Prior to forming PLACE Consulting, Kimberly was the executive director of several community development organizations, focusing on economic development, community organizing and housing development in Baltimore, Berwyn, IL and Chicago.

Kimberly’s project experience includes:

**CNN 2.0 | 2014**  
Kimberly is the lead consultant with MPC (Metropolitan Planning Council) on a review, analysis and synthesis of over 100 Chicago issue and neighborhood area plans that have been completed since 2000. Project funding is from The Chicago Community Trust and the results of the project will guide and inform future projects and planning efforts of Chicago’s Dept. of Planning and Development.

**SSA Creation and Reconstitution | 2006-present**  
Kimberly is Chicago’s SSA expert, having worked on over 35 SSA projects. She has overseen and directed the community engagement process, budgeting and district planning for these projects. Current projects are State Street, Michigan Avenue, West Town, Devon Avenue, Greektown and Lincoln Park. Previous projects include Albany Park, Hyde Park, Bronzeville, Marquette Park, Pilsen, Little Village and South Chicago neighborhoods.

**Edgewater Chamber of Commerce, Interim CEO | 2013**  
Kimberly served as Interim CEO for 11 months. She focused on improving operations and efficiency, instituted governance and finance policies and procedures, restructured staffing, oversaw a successful summer festival, developed new chamber programs, increased chamber financial resources substantially and co-managed the process for hiring the new, permanent CEO.

**LAMP – Lakeview Area Master Plan | 2011**  
Kimberly led the PLACE team as it developed and successfully completed the award-winning Lakeview Area Master Plan. Plan components included an innovative and compelling public engagement process for youth and adults, sub-district design and business attraction recommendations that included a low-
line walking path, public way enhancements, gateway improvements, tenant recruitment incentives, sustainable business guidelines and best practices research.

Devon-Sheridan Tax Increment Finance District | 2009
While executive director at Rogers Park Business Alliance, Kimberly led a large-scale community process that resulted in the creation of a Tax Increment Finance district on Sheridan Road and Devon Avenue, around Loyola University Chicago and bridging the neighborhoods of Edgewater and Rogers Park. She then led the creation of design guidelines to shape the development of the area in a manner that was sensitive to the needs and desires of the community.

Commercial Corridor Plans, Howard Street and Morse Avenue | 2006
Kimberly designed a community input and data analysis process that successfully resulted in commercial corridor plans for two major business districts in Rogers Park that had been underdeveloped and underserved. Project partners included UIC’s City Design Center and Northwestern University’s Asset Based Community Development Institute. Both districts have experienced significant subsequent investment and plan progress continues to be monitored and reported by the Rogers Park Business Alliance utilizing a “Dashboard” approach to tracking implementation.

Awards | Publications | Presentations
- 2011 International Downtown Association. Merit Award for the Lakeview Area Master Plan.
- 2011 American Planning Association, Illinois Chapter. Community Outreach Award for the Lakeview Area Master Plan.
- 2004 Citizen of the Year, Rogers Park Community Council, Chicago, IL.
- 2003 Nicholas V. Trkla Award, Urban Land Institute, Chicago, IL.
- 1996 Baltimore Citizen Award, City of Baltimore.
3. Fees

<table>
<thead>
<tr>
<th>Description of Scope of Services</th>
<th>Total Time Needed to Complete Task (Provide in Hours; Increments no less than .5)</th>
<th>Hourly Rate (Provide in $)</th>
<th>Total Cost to Complete Task</th>
<th>Notes/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sect. 1: Special Service Area Feasibility Study: Work with the City of Eleva and Economic Development staff and neighborhood merchant groups to study feasibility of Special Service Area</td>
<td>PM - 8 hours Senior Associate - 30 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$3,960.00</td>
<td>Assumes 1 meeting with City businesses</td>
</tr>
<tr>
<td>- Inventory Property Conduct Fieldwork to Determine Appropriateness for Inclusion in Special Service Area</td>
<td>PM - 6 hours Senior Associate - 8 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$1,280.00</td>
<td>Assumes 1 meeting with City businesses</td>
</tr>
<tr>
<td>- Develop list of appropriate properties for inclusion in Special Service Area</td>
<td>PM - 16 hours Senior Associate - 8 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$2,660.00</td>
<td>Assumes 1 meeting with City businesses</td>
</tr>
<tr>
<td>- Coordinate with City and merchant groups to finalize SSA boundary</td>
<td>PM - 8 hours Senior Associate - 8 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$1,760.00</td>
<td>Assumes 1 meeting with City businesses</td>
</tr>
<tr>
<td>- Establish initial budget for special service area</td>
<td>PM - 8 hours Senior Associate - 24 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$4,480.00</td>
<td>Assumes 1 meeting with City businesses</td>
</tr>
<tr>
<td>- Establish special service area governance and management plan in coordination with merchant districts</td>
<td>PM - 8 hours Senior Associate - 12 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$2,400.00</td>
<td>Assumes 1 meeting with City businesses</td>
</tr>
<tr>
<td>- Convene one public meeting to present results of feasibility study</td>
<td>PM - 10 hours Senior Associate - 12 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$2,400.00</td>
<td>Assumes 1 meeting with City businesses</td>
</tr>
<tr>
<td>- (Optional - Only if necessary) Convene additional Public Meeting</td>
<td>PM - 4 hours Senior Associate - 20 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$2,480.00</td>
<td>Assumes 1 meeting with City businesses</td>
</tr>
<tr>
<td>TOTAL COST FOR SPECIAL SERVICE AREA FEASIBILITY STUDY (Total all costs in Sect. 1)</td>
<td></td>
<td></td>
<td>$16,640.00</td>
<td></td>
</tr>
</tbody>
</table>

Sect. 2: Special Service Area Designation Coordination: Coordinate the Special Service Area designation, tasks include the coordination of documents, public meetings, and other work outlined below:

<table>
<thead>
<tr>
<th>Description of Scope of Services</th>
<th>Total Time Needed to Complete Task (Provide in Hours; Increments no less than .5)</th>
<th>Hourly Rate (Provide in $)</th>
<th>Total Cost to Complete Task</th>
<th>Notes/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>PM - 1 hour Senior Associate - 6 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$1,220.00</td>
<td>Includes $500 for sub-contract with B.H. Suhr and Co., Inc. to develop legal description</td>
<td></td>
</tr>
<tr>
<td>PM - 4 hours Senior Associate - 12 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$1,080.00</td>
<td>Assumes 1-2 meetings with City businesses</td>
<td></td>
</tr>
<tr>
<td>PM - 2 hours Senior Associate - 6 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$480.00</td>
<td>Assumes 1 meeting with City businesses</td>
<td></td>
</tr>
<tr>
<td>PM - 6 hours Senior Associate - 12 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$1,920.00</td>
<td>Assumes 1 meeting with City</td>
<td></td>
</tr>
<tr>
<td>PM - 8 hours Senior Associate - 12 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$1,920.00</td>
<td>Assumes 1 meeting with City</td>
<td></td>
</tr>
<tr>
<td>PM - 2 hours Senior Associate - 4 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$640.00</td>
<td>Includes $5,000 for sub-contract with B.H. Suhr and Co., Inc., to do title searches for list</td>
<td></td>
</tr>
<tr>
<td>PM - 2 hours Senior Associate - 16 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$8,640.00</td>
<td>Assumes City is paying advertising costs for placing meeting notice in newspaper</td>
<td></td>
</tr>
<tr>
<td>PM - 2 hours Senior Associate - 4 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$640.00</td>
<td>Includes $153.78 for sub-contracts with On Track Fulfillment and Minuteman Press for preparation of hearing notice mailing</td>
<td></td>
</tr>
<tr>
<td>PM - 2 hours Senior Associate - 4 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$1,163.78</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PM - 4 hours Senior Associate - 16 hours</td>
<td>PM @ $120/hour Senior Associate at $100/hour</td>
<td>$2,080.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL COST FOR COORDINATION OF SPECIAL SERVICE AREA DESIGNATION (Total all costs in Sect. 2)</td>
<td></td>
<td></td>
<td>$18,343.78</td>
<td></td>
</tr>
<tr>
<td>TOTAL COST FOR SCOPE OF SERVICES</td>
<td></td>
<td></td>
<td>$28,983.78</td>
<td></td>
</tr>
<tr>
<td>TOTAL COST FOR MWBE SCOPE OF SERVICES</td>
<td></td>
<td></td>
<td>$5,673.78</td>
<td></td>
</tr>
<tr>
<td>% of MWBE SCOPE OF SERVICES</td>
<td></td>
<td></td>
<td>10%</td>
<td></td>
</tr>
</tbody>
</table>
4. Contract Exceptions
PLACE does not have any exceptions to the City of Evanston’s standard contract in Exhibit I (pages 25–36 Professional Services Agreement) of the Request for Proposals that would prevent us from executing it.
5. Exhibits
   A. Disclosure of Ownership Interests
   B. Conflict of Interest Form
   C. Acknowledgement of Understanding
   D. Anti-Collusion and Proposer's Certification
   E. City of Evanston M/W/EBE Policy
   F. M/W/EBE Participation Compliance Form
      • B.H. Suhr and Company, Inc.
      • On Track Fulfillment, Inc.
      • Minutemen Press
   G. M/W/EBE Participation Waiver Request
   H. PLACE Consulting, Inc. Purchase Agreement (proof of 100% woman ownership)
Exhibit A

DISCLOSURE OF OWNERSHIP INTERESTS

The City of Evanston Code Section 1-18-1 et seq. requires all persons (APPLICANT) seeking to do business with the City to provide the following information with their proposal. Every question must be answered. If the question is not applicable, answer with "NA".

APPLICANT NAME: PLACE CONSULTING, INC.

APPLICANT ADDRESS: 3701 N. RAINEYWOOD AVE, STE 205 CHICAGO, IL 60613

TELEPHONE NUMBER: 773-920-9905

FAX NUMBER: 773-249-7060

APPLICANT is (Check One)
✓ Corporation
✓ Partnership
✓ Sole Owner
✓ Association

Other ( )

Please answer the following questions on a separate attached sheet if necessary.

SECTION I - CORPORATION

1a. Names and addresses of all Officers and Directors of Corporation.

KIMBERLY BARES, PRESIDENT 2929 W. GREGORY ST CHICAGO, IL 60625

1b. (Answer only if corporation has 33 or more shareholders.)
Names and addresses of all those shareholders owning shares equal to or in excess of 3% of the proportionate ownership interest and the percentage of shareholder interest. (Note: Corporations which submit S.E.C. form 10K may substitute that statement for the material required herein.)

N/A
1c. (Answer only if corporation has fewer than 33 shareholders.)
Names and addresses of all shareholders and percentage of interest of each herein.
(Note: Corporations which submit S.E.C. form 10K may substitute that statement for the material requested herein.)

Kimberly Bares, 100% 2929 W. Gregory St Chicago, IL 60625

SECTION 2 - PARTNERSHIP/ASSOCIATION/JOINT VENTURE

2a. The name, address, and percentage of interest of each partner whose interests therein, whether limited or general, is equal to or in excess of 3%.

N/A

2b. Associations: The name and address of all officers, directors, and other members with 3% or greater interest.

N/A

SECTION 3 - TRUSTS

3a. Trust number and institution.

N/A

3b. Name and address of trustee or estate administrator.

N/A

3c. Trust or estate beneficiaries: Name, address, and percentage of interest in total entity.

N/A
SECTION 4 - ALL APPLICANTS - ADDITIONAL DISCLOSURE

4a. Specify which, if any, interests disclosed in Section 1, 2, or 3 are being held by an agent or nominee, and give the name and address of principal.

N/A

4b. If any interest named in Section 1, 2, or 3 is being held by a "holding" corporation or other "holding" entity not an individual, state the names and addresses of all parties holding more than a 3% interest in that "holding" corporation or entity as required in 1(a), 1(b), 1(c), 2(a), and 2(b).

N/A

4c. If "constructive control" of any interest named in Sections 1, 2, 3, or 4 is held by another party, give name and address of party with constructive control. ("Constructive control" refers to control established through voting trusts, proxies, or special terms of venture of partnership agreements.)

N/A

I have not withheld disclosure of any interest known to me. Information provided is accurate and current.

3/9/14  Kimberly Barie  Signature of Person Preparing Statement

DATE  PRESIDENT  Title

ATTEST:  Sandi Price  Notary Public

Commission Expires: 12/22/15
Exhibit B

CONFLICT OF INTEREST FORM

PLACE CONSULTING INC., hereby certifies that it has conducted an investigation into whether an actual or potential conflict of interest exists between the bidder, its owners and employees and any official or employee of the City of Evanston.

Proposer further certifies that it has disclosed any such actual or potential conflict of interest and acknowledges if bidder/Proposer has not disclosed any actual or potential conflict of interest, the City of Evanston may disqualify the bid/proposal.

KIMBERLY BAIRES, PRESIDENT
(Name of Bidder/Proposer if the Bidder/Proposer is an Individual)
(Name of Partner if the Bidder/Proposer is a Partnership)
(Name of Officer if the Bidder/Proposer is a Corporation)

The above statements must be subscribed and sworn to before a notary public. Subscribed and Sworn to this 9th day of August, 2018.

OFFICIAL SEAL
SANDI PRICE
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES: 12/23/15

Failure to complete and return this form may be considered sufficient reason for rejection of the bid / proposal.
Exhibit C

ACKNOWLEDGEMENT OF UNDERSTANDING

THE SECTION BELOW MUST BE COMPLETED IN FULL AND SIGNED

The undersigned hereby certifies that they have read and understand the contents of this solicitation and attached service agreements, and agree to furnish at the prices shown any or all of the items above, subject to all instructions, conditions, specifications and attachments hereto. Failure to have read all the provisions of this solicitation shall not be cause to alter any resulting contract or to accept any request for additional compensation. By signing this document, the Proposer hereby certifies that they are not barred from bidding on this contract as a result of bid rigging or bid rotating or any similar offense (720 ILCS 33E-3, 33E-4).

Authorized Signature: KIMBERLY BARES
Company Name: PLACE CONSULTING, INC.
Typed/Printed Name: KIMBERLY BARES
Date: 3/9/14
Title: PRESIDENT
Telephone Number: 773-920-9905
Fax Number: 773-249-7060
Email: KBARES@PLACECONSULTING.NET
Exhibit D

ANTI-COLLUSION AFFIDAVIT AND PROPOSER'S CERTIFICATION

KIMBERLY BANES, being first duly sworn,
deposes and says that she is PRESIDENT

(Proposer)
of PLACE CONSULTING, INC.

(Partner, Officer, Owner, Etc.)

The party making the foregoing proposal or bid, that such bid is genuine and not collusive, or sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference with any person; to fix the bid price element of said bid, or of that of any other bidder, or to secure any advantage against any other bidder or any person interested in the proposed contract.
The undersigned certifies that she is not barred from bidding on this contract as a result of a conviction for the violation of State laws prohibiting bid-rigging or bid-rotating.

KIMBERLY BANES
(Name of Bidder if the Bidder is an Individual)

KIMBERLY BANES
(Name of Partner if the Bidder is a Partnership)

KIMBERLY BANES
(Name of Officer if the Bidder is a Corporation)

The above statements must be subscribed a sworn to before a notary public.

Subscribed and Sworn to this 9th day of August, 2014.

SANDI PRICE
Notary Public

Commission Expires: 12/22/15

Failure to complete and return this form may be considered sufficient reason for rejection of the bid.
EXHIBIT E

City of Evanston M/W/EBE Policy

A City of Evanston goal is to provide contracting and subcontracting opportunities to Minority Business Enterprises, Women Business Enterprises, and Evanston Business Enterprises. The goal of the Minority, Women and Evanston Business Enterprise Program (M/W/EBE) is to assist such businesses with opportunities to grow. To assist such growth, the City’s goal is to have general contractors utilize M/W/EBEs to perform no less than 25% of the awarded contract.

Firms bidding on projects with the City must work to meet the 25% goal or to request a waiver from participation. It is advised that bidders place advertisements requesting subcontractors and that they email or contact individual firms that would be appropriate to partner in response to the project. For samples of possible advertisements, see the City of Evanston’s Business Diversity Section: http://www.cityofevanston.org/business/business-diversity/. If you request a paper copy of the additional documents, it will be available free of charge from the Purchasing Office, 2100 Ridge Road Suite 4200, Evanston, IL 60201.

If a bidder is unable to meet the required M/W/EBE goal, the Bidder must seek a waiver or modification of the goal on the attached forms. Bidder must include:

1. A narrative describing the Bidder’s efforts to secure M/W/EBE participation prior to the bid opening.
2. Documentation of each of the assist agencies that were contacted, the date and individual who was contacted, and the result of the conversation (see form)
3. A letter attesting to instances where the bidder has not received inquiries/proposals from qualified M/W/EBEs
4. Names of owners, addresses, telephone numbers, date and time and method of contact of qualified M/W/EBE who submitted a proposal but were not found acceptable.
5. Names of owners, addresses, telephone numbers, date and time of contact of at least 15 qualified M/W/EBEs the bidder solicited for proposals for work directly related to the Bid prior to the bid opening (copies must be attached).

If a bidder is selected with a Subcontractor listed to meet the M/W/EBE goal, a “monthly utilization report” will be due to the City prior to each payment being issued to the Contractor. This report will include documentation of the name of the firm hired, the type of work that firm performed, etc. Should the M/W/EBE not be paid according to the schedule proposed in this document, the City reserves the right to cancel the contract. Examples of this monthly form can be found on the City’s website: http://www.cityofevanston.org/business/business-diversity/.
Exhibit F

M/WEBE PARTICIPATION COMPLIANCE FORM

I do hereby certify that

B. H. SURF & COMPANY, INC. (Name of firm) intends to participate as a Subcontractor or General Contractor on the project referenced above.

This firm is a (check only one):

___ Minority Business Enterprise (MBE), a firm that is at least 51% managed and controlled by a minority, certified by a certifying agency within Illinois.

___ Women’s Business Enterprise (WBE), a firm that is at least 51% managed and controlled by a woman, certified by a certifying agency within Illinois.

X Evanston Based Enterprise (EBE), a firm located in Evanston for a minimum of one year and which performs a “commercially useful function”.

Total proposed price of response $ 37,045.78.

Amount to be performed by a M/W/EBE $ 5500.00

Percentage of work to be performed by a M/W/EBE 14.85%

Information on the M/W/EBE Utilized:

Name B. H. SURF & COMPANY, INC

Address 840 Custer Ave

Phone Number 847-864-6315

Signature of firm attesting to participation

Title and Date President 8/4/14

Please attach

1. Proper certification documentation if applying as a M/WBE and check the appropriate box below. This M/WBE will be applying with documentation from:
   □ Cook County
   □ City of Chicago
   □ State certification
   □ Federal certification

2. Attach business license if applying as an EBE
Exhibit F

MM/EBE PARTICIPATION COMPLIANCE FORM

I do hereby certify that
On Track Fulfillment, Inc. (Name of firm) intends to participate as a Subcontractor or General Contractor on the project referenced above.

This firm is a (check only one):

___ Minority Business Enterprise (MBE), a firm that is at least 51% managed and controlled by a minority, certified by a certifying agency within Illinois.

___ Women's Business Enterprise (WBE), a firm that is at least 51% managed and controlled by a woman, certified by a certifying agency within Illinois.

X   Evanston Based Enterprise (EBE), a firm located in Evanston for a minimum of one year and which performs a "commercially useful function".

Total proposed price of response $222.00 37,045.78
Amount to be performed by a MM/EBE $222.00
Percentage of work to be performed by a MM/EBE 0.60 %

Information on the MM/EBE Utilized:
Name On Track Fulfillment, Inc.
Address 2000 Greenleaf St Ste 4 Evanston IL 60202-1083
Phone Number 847-328-5969
Signature of firm attesting to participation Pamela Johnson
Title and Date President August 11, 2014

Please attach

1. Proper certification documentation if applying as a MM/EBE and check the appropriate box below. This MM/EBE will be applying with documentation from:
   □ Cook County
   □ City of Chicago
   □ State certification
   □ Federal certification

2. Attach business license if applying as an EBE
CITY OF EVANSTON
GENERAL BUSINESS LICENSE

Licensee
ON TRACK FULFILLMENT INC

License Number
01BLC000000666

Business Type
0-3000 SQUARE FEET

Is Hereby Licensed to Operate at:

2000 GREENLEAF ST 4
EVANSTON, IL 60202

This Business License authorizes the licensee to operate said business at said location under Title 3 of the Evanston City Code governing businesses. This License shall not be assigned, sold or transferred, and shall not authorize any person, entity or organization to conduct business other than the person, entity, or organization to which it has been issued, nor shall this license serve to authorize any business practice other than that purpose for which it was issued. The licensee shall comply with all applicable City, State, and Federal Laws.

This License must be prominently displayed on the business premises at all times.

THIS LICENSE EXPIRES 12/31/14
Exhibit F

MW/EBE PARTICIPATION COMPLIANCE FORM

I do hereby certify that

_____ Minuteman Press _______________________________ (Name of firm) intends to participate as a Subcontractor or General Contractor on the project referenced above.

This firm is a (check only one):

_____ Minority Business Enterprise (MBE), a firm that is at least 51% managed and controlled by a minority, certified by a certifying agency within Illinois.

_____ Women's Business Enterprise (WBE), a firm that is at least 51% managed and controlled by a woman, certified by a certifying agency within Illinois.

____x____ Evanston Based Enterprise (EBE), a firm located in Evanston for a minimum of one year and which performs a “commercially useful function”.

Total proposed price of response $363.78
Amount to be performed by a MW/EBE $ 37,045.78
Percentage of work to be performed by a MW/EBE 0.98%

Information on the MW/EBE Utilized:

Name Herbert Rivero
Address 1553 Sherman Ave
Phone Number 847.866.9777
Signature of firm attesting to participation
Title and Date President 08.11.2014

Please attach

1. Proper certification documentation if applying as a MWBE and check the appropriate box below. This MWBE will be applying with documentation from:
   - Cook County
   - City of Chicago
   - State certification
   - Federal certification

2. Attach business license if applying as an EBE
CITY OF EVANSTON
GENERAL BUSINESS LICENSE

License Number 01BLC0000000593
Business Type 0-3000 SQUARE FEET

Licensee
MINUTEMAN PRESS

Licensee is hereby licensed to operate at:
1553 SHERMAN AVE
EVANSTON, IL  60201

This Business License authorizes the licensee to operate said business at said location under Title 3 of the Evanston City Code governing businesses. This License shall not be assigned, sold or transferred, and shall not authorize any person, entity or organization to conduct business other than the person/entity, or organization to which it has been issued, nor shall this license serve to authorize any business practice other than that purpose for which it was issued. The licensee shall comply with all applicable City, State, and Federal Laws.

This License must be prominently displayed on the business premises at all times.

THIS LICENSE EXPIRES 12/31/14
Exhibit G

MW/EBE PARTICIPATION WAIVER REQUEST

I am President of Plate Consulting, and I have authority to execute this certification on behalf of the firm. I Kimberley Barnes do hereby certify that this firm seeks to waive all or part of this MW/EBE participation goal for the following reason(s):

(CHECK ALL THAT APPLY. SPECIFIC SUPPORTING DOCUMENTATION MUST BE ATTACHED.)

1. No MW/EBEs responded to our invitation to bid.

2. An insufficient number of firms responded to our invitation to bid.
   For #1 & 2, please provide a narrative describing the outreach efforts from your firm and proof of contacting at least 15 qualified MW/EBEs prior to the bid opening. Also, please attach the accompanying form with notes regarding contacting the Assist Agencies.

3. No subcontracting opportunities exist.
   Please provide a written explanation of why subcontracting is not feasible.

4. MW/EBE participation is impracticable.
   Please provide a written explanation of why MW/EBE participation is impracticable.

Therefore, we request to waive 8.57% of the 25% utilization goal for a revised goal of 16.43%.

Signature: Kimberley Barnes

Date: 0/8/14
August 8, 2014

JacQuera Calvert
Purchasing Specialist
Lorraine H. Morton Civic Center
2100 Ridge Avenue, Room 4200
Evanston, IL 60201

Dear Ms. Calvert:

PLACE Consulting, Inc. requests a waiver of the 25% M/W/EBE goal because it is impracticable for the following reasons:

1. The contract amount is relatively small, and very little of the work involved in the scope of services can be done outside the PLACE firm.
2. For all work involving vendors, we have identified Evanston-based businesses and we anticipate that approximately 16% of the contract amount will be spent with those vendors.
3. PLACE Consulting, while not yet officially recognized, is a woman-owned business.
4. We have attached a copy of the purchase agreement as supporting documentation that demonstrates that PLACE Consulting, Inc. is a woman-owned firm.
5. Therefore, while officially less than 25% of the M/W/EBE goal is being met, in practicality 100% of the M/W/EBE goal is met in hiring PLACE Consulting for this project.

Sincerely,

[Signature]

Kimberly Bares
President
STOCK POWER

FOR VALUE RECEIVED, DevCorp North, an Illinois non-profit corporation (d/b/a Rogers Park Business Alliance) hereby sells, assigns and transfers unto Kimberly Bares, an individual, one hundred (100) shares of Common Stock of Place Consulting, Inc., a Illinois corporation, evidenced by Certificate No. [ ] (the “Certificate”), and does hereby irrevocably constitute and appoint ______________________________ as attorney-in-fact to transfer the Certificate on the books of said company with full power of substitution.

Dated: 7/27/12

DevCorp North, an Illinois non-profit corporation

By: _________________
Name: Summer Roberts
Title: President
AFFIDAVIT OF UNCERTIFIED STOCK

The undersigned hereby certifies that:

1. The undersigned is the legal and beneficial owner of 100 shares of Place Consulting, Inc., an Illinois corporation (the "Corporation"), which represents all of the outstanding shares of the Corporation (the "Shares").

2. A stock certificate representing the Shares was never created.

3. The undersigned is entitled to full and exclusive possession of the Shares and no other person or entity has any right, title, claim or interest in, to or respecting the Shares.

4. If a stock certificate representing the Shares (the "Stock Certificate") is found or comes into the undersigned's possession or control or into the possession or control of the undersigned's successors or assigns, then such Stock Certificate shall be delivered immediately and without consideration to the Corporation or its agents, if any, to be canceled.

5. The undersigned will save, defend, indemnify and hold harmless the Corporation and its successors, from, against and in respect of any liability, loss, damage, cost, charge, action, counsel fees and expenses of every kind and nature whatsoever arising as a result of or out of the making of any payment, transfer, delivery or exchange called for by the Stock Certificate.

Executed this 27th day of July, 2013.

DEVCORP NORTH D/B/A ROGERS PARK BUSINESS ALLIANCE

[Signature]
Name: Sumner T. Roberts
Title: President
SECRETARY'S CERTIFICATE

OF

DEVCORP NORTH D/B/A ROGERS PARK BUSINESS ALLIANCE

June [28], 2013

The undersigned does hereby certify, on behalf of DevCorp North, an Illinois non-profit corporation (d/b/a Rogers Park Business Alliance) ("Seller"), that [he] is the duly elected, qualified, and acting Secretary of Seller, and that as such, [he] is authorized to execute and deliver this secretary certificate (the "Secretary Certificate") pursuant to Section 2.2(b) of that certain Stock Purchase Agreement, by and between Place Consulting, Inc., an Illinois corporation, Seller and Kimberly Bares, an individual ("Buyer"), dated as of June [28], 2013 (the "Purchase Agreement").

The undersigned hereby further certifies to Buyer, in [his] capacity as Secretary of Seller, and not in his individual capacity, as follows:

1. Attached hereto as Exhibit A is a true, correct, and complete copy of resolutions duly adopted by the Board of Directors of Seller, authorizing the execution, delivery, and performance by Seller of the Purchase Agreement, which resolutions have not been amended, modified, supplemented, rescinded, or revoked and are in full force and effect in such form on the date hereof.
IN WITNESS WHEREOF, the undersigned has executed this Secretary's Certificate as of the date first set forth above.

DEVCORP NORTH D/B/A ROGERS PARK BUSINESS ALLIANCE

[Signature]

____________________, Secretary
Rogers Park Business Alliance
Board Meeting
June 27th 2013
Meeting Minutes

Present: Dena Al Khatib, Mary Bao, Beth Demes, Tommy FitzGibbon, Jose Garcia, Dorothy Gregory, David Loggins, Jim McHale, Anthony Mesok, Summur Roberts (Chair), Jack Swenson, Sandi Price (staff).

1. Call to order – 5:01 PM

2. Approval of minutes from May 23, 2013 board meeting.
   • Motion made by Dena Al Khatib, seconded by Dorothy Gregory to approve the minutes. Motion passed unanimously.

3. President’s Report – Summur Roberts
   • Documents have been prepared by the attorney for the purchase of PLACE. The value of PLACE was determined by RPBA placing an ad for the sale PLACE. One bid was received by Kimberly Bares for the amount of $3,000. Motion was made by Jim McHale and seconded by Dorothy Gregory to sell PLACE to Kimberly Bares. Approved unanimously.
   • Summer commented on the Strategic Planning Work – The Transition Team recommended the hire of Sandi as ED. Summur commented that our next step would be to evaluate our mission vs. current events. Summur stated that we need to make decisions on what groups we should be aligned with. The subject of governing the board using the Carver system was brought up. N & G will look at incorporating John Carvers system into the working of the board. P & D and Membership would be key committees that would be key in bringing back information to the board.

4. Executive Director – Sandi Price
   • Update of the progress of SSA #24. Low attendance was had at the two required public meetings. All required paperwork has been filed by PLACE with the City. We are looking for a term of 15 years and the boundaries will extend down Clark to Albion.
   • Delegate Agency process with the city will be conducted as a RFP.
   • Applied for EarnFare funding through DHS for 2013-2014. The current contract has $1,500 to spend by 6/30; it does not appear that RPBA will be able to spend the monies by the deadline. 2013-2014 up to $42,000.
   • Howard Street SSA in rolling out their branding campaign – Hello Howard.
   • Celebrate Clark Street. We are still looking for volunteers.
   • Web ad proposal $500 annual we are looking to break this down into monthly payments. New advertisers would pay $350 or $35 per month with a 30 cancellation.

5. Nominating and Governance – Beth Demes
   • Nominating and Governance will be moving forward with the Carver model.

6. Old Business
   • Discussion was had regarding a proposed Flea Market on Howard Street. Sol Café is talking about a sidewalk sale. Maybe we can merge the two events.
   • There is the possibility of the Peterson Garden Project taking over the vacant land at the Lerner site.

7. Meeting Adjourned at 6:00pm
STOCK PURCHASE AGREEMENT

WHEREAS, it is proposed that DevCorp North, an Illinois non-profit corporation (d/b/a Rogers Park Business Alliance) (the “Company”) sell all of the issued and outstanding equity of Place Consulting, Inc., the Company’s wholly-owned subsidiary, pursuant to the terms of a Stock Purchase Agreement substantially in the form attached hereto as Exhibit A (the “Purchase Agreement”); and

WHEREAS, the Board of Directors of the Company (the “Board”) deems the Purchase Agreement desirable and in the best interests of the Company and desires to authorize, adopt and approve the execution, delivery and performance of the Purchase Agreement and all documents and agreements related thereto.

NOW, THEREFORE, BE IT RESOLVED, that the Purchase Agreement, all documents and agreements related thereto and the other transactions contemplated thereby are hereby authorized, adopted and approved;

FURTHER RESOLVED, that the officers of the Company be and each of them acting alone is hereby authorized, empowered and directed as an authorized signatory in the name and on behalf of the Company to enter into, execute and deliver the Purchase Agreement and all documents and agreements related thereto, together with such additional, modified or revised terms to such documents, if any, as may be acceptable to such officer as evidenced by his execution thereof;

FURTHER RESOLVED, that the officers of the Company, acting alone or together, be, and each of them hereby is, authorized, empowered and directed, in the name and on behalf of the Company, to execute and deliver such other agreements, instruments, certificates, modifications, amendments, supplements and other documents and to do or cause to be done any and all acts and things as any such officer shall determine to be necessary, proper or desirable in order to effectuate the purposes of any of the foregoing resolutions and to perform the obligations of the Company under or in connection with the foregoing resolutions, including, without limitation, any agreements executed and delivered in accordance with these resolutions, upon such conditions as shall be approved by the officer executing same, such officer’s execution and delivery of such agreement, instrument, certificate, modification, amendment, supplement or document, or the taking of such action, to constitute conclusive evidence of approval by the Board and that the same are in accordance with these resolutions and constitute the duly authorized acts of the Company; and

FURTHER RESOLVED, that all actions previously taken by any director, officer, representative or agent of the Company relating to the foregoing resolutions are hereby adopted, ratified, confirmed and approved in all respects as the acts and deeds of the Company.

* * * * *

93 of 323
STOCK PURCHASE AGREEMENT

WHEREAS, DevCorp North, an Illinois non-profit corporation (d/b/a Rogers Park Business Alliance) ("RPBA") is the sole shareholder of all of the issued and outstanding equity of Place Consulting, Inc. (the "Company");

WHEREAS, it is proposed that RPBA sell all of the issued and outstanding equity of the Company pursuant to the terms of a Stock Purchase Agreement substantially in the form attached hereto as Exhibit A (the "Purchase Agreement"); and

WHEREAS, the Board of Directors of the Company (the "Board") desires to authorize, adopt and approve the execution, delivery and performance of the Purchase Agreement and all documents and agreements related thereto.

NOW, THEREFORE, BE IT RESOLVED, that the officers of the Company be and each of them acting alone is hereby authorized, empowered and directed as an authorized signatory in the name and on behalf of the Company to enter into, execute and deliver the Purchase Agreement and all documents and agreements related thereto, together with such additional, modified or revised terms to such documents, if any, as may be acceptable to such officer as evidenced by his execution thereof;

FURTHER RESOLVED, that the officers of the Company, acting alone or together, be, and each of them hereby is, authorized, empowered and directed, in the name and on behalf of the Company, to execute and deliver such other agreements, instruments, certificates, modifications, amendments, supplements and other documents and to do or cause to be done any and all acts and things as any such officer shall determine to be necessary, proper or desirable in order to effectuate the purposes of any of the foregoing resolutions and to perform the obligations of the Company under or in connection with the foregoing resolutions, including, without limitation, any agreements executed and delivered in accordance with these resolutions, upon such conditions as shall be approved by the officer executing same, such officer's execution and delivery of such agreement, instrument, certificate, modification, amendment, supplement or document, or the taking of such action, to constitute conclusive evidence of approval by the Board.
STOCK PURCHASE AGREEMENT

by and among

ROGERS PARK BUSINESS ALLIANCE,

PLACE CONSULTING, INC.,

and

KIMBERLY BARES

June [28], 2013
STOCK PURCHASE AGREEMENT

THIS STOCK PURCHASE AGREEMENT (this "Agreement") is entered into as of June [28], 2013 by and among DevCorp North, an Illinois non-profit corporation (d/b/a Rogers Park Business Alliance) ("Seller"), Place Consulting, Inc., an Illinois corporation (the "Company"), and Kimberly Bares, an individual ("Buyer").

RECITALS

WHEREAS, Seller owns beneficially and of record all of the issued and outstanding common stock of the Company (the "Common Stock"); and

WHEREAS, upon the terms of this Agreement, Seller desires to sell to Buyer, and Buyer desires to purchase from Seller, the Common Stock.

NOW, THEREFORE, in consideration of the foregoing and the respective representations and warranties, covenants and agreements set forth in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound hereby, agree as follows:

ARTICLE I

THE TRANSACTIONS

1.1. **Stock Purchase.** On the Closing Date, subject to the terms of this Agreement, Buyer agrees to purchase from Seller, and Seller agrees to sell, convey, assign, transfer and deliver to Buyer, the Common Stock by delivering to Buyer stock certificates evidencing the Common Stock, duly endorsed in blank or accompanied by stock powers duly executed in blank, with all required stock transfer stamps affixed or provided, for the consideration specified in this Article I.

1.2. **Purchase Price.** The purchase price for the Common Stock (the "Purchase Price") shall be equal to Three Thousand Dollars ($3,000).

1.3. **Payment of Purchase Price.** On the Closing Date, Buyer shall pay, or cause to be paid, to Seller the Purchase Price by cashiers or certified check.

ARTICLE II

CLOSING AND CLOSING DELIVERIES

2.1. **Closing.** Upon the terms of this Agreement, the closing of the transactions provided for in this Agreement (the "Closing") will take place at 10:00 a.m., Chicago time, on the Closing Date. The Closing will take place by the delivery of the requisite documents (or the electronic transmission of true and correct copies thereof) to the offices of Winston & Strawn LLP, 35 West Wacker Drive, Chicago, Illinois 60601, at 10:00 a.m. local time or at such other place as is mutually agreed to by Buyer and Seller. The date upon which the Closing actually takes place is referred to as the "Closing Date".
2.2. **Company or Seller Deliveries.** At the Closing, the Company or Seller, as the case may be, shall deliver or cause to be delivered to Buyer all items required to be delivered by the Company or Seller under this Agreement for the Closing, including the following:

(a) the certificates representing all of the issued and outstanding Common Stock duly endorsed in blank or accompanied by stock powers duly executed in blank, with all required stock transfer stamps affixed or provided, or if any certificate have been lost, stolen or destroyed, an affidavit of that fact (in form and content acceptable to Buyer) by the Seller;

(b) a certificate of the Secretary of Seller dated the Closing Date certifying as to the resolutions duly adopted by the Board of Directors of Seller (or minutes of a duly called meeting at which a quorum was present) authorizing the execution, delivery and performance of this Agreement; and

(c) such other duly executed documents and certificates as may be reasonably requested by Buyer.

2.3. **Buyer’s Obligations at Closing.** At the Closing, Buyer shall deliver or cause to be delivered to Seller all items required to be delivered by Buyer under this Agreement for the Closing, including the following:

(a) the Purchase Price in accordance with Article I; and

(b) such other duly executed documents and certificates as may be reasonably requested by Seller.

**ARTICLE III**

**REPRESENTATIONS AND WARRANTIES OF SELLER**

As an inducement to Buyer to enter into and perform her obligations under this Agreement, and in consideration of the covenants of Buyer contained herein, Seller does hereby represent and warrant to Buyer, as follows:

3.1. **Organization of the Company.** The Company is a corporation duly formed, validly existing and in good standing under the laws of the State of Illinois. The Company has all requisite corporate power and authority to carry on its business as presently conducted.

3.2. **Capitalization; Title.** The entire authorized capital stock of the Company consists of one thousand (1,000) shares of common stock, of which one hundred (100) shares are issued and outstanding as of the date hereof. Seller owns good title to the Company Stock free and clear of all liens.

3.3. **Authorization; Enforceability; Noncontravention.**

(a) Seller has all requisite corporate power and authority to enter into and deliver this Agreement, carry out the transactions contemplated hereby, and to perform it obligations hereunder. All necessary corporate action has been taken by Seller with respect to
the authorization, approval of and the execution and delivery of this Agreement and the performance of its obligations hereunder. This Agreement has been duly and validly executed and delivered by Seller, and assuming due and valid authorization, execution and delivery hereof by Buyer, constitutes and the valid and legally binding obligation of Seller and is enforceable against Seller in accordance with its terms, except as may be limited by bankruptcy, insolvency, reorganization, moratorium or other similar statute, law, constitution, rule, statute, ordinance, regulation, order, requirement or other binding action or requirement of any governmental authority ("Laws") affecting the enforcement of creditors' rights in general and subject to general principles of equity (regardless of whether such enforceability is considered in a proceeding in equity or at law).

(b) The Company has all requisite corporate power and authority to enter into and deliver this Agreement, carry out the transactions contemplated hereby, and to perform its respective obligations hereunder. All necessary corporate action has been taken by the Company with respect to the authorization, approval of and the execution and delivery of this Agreement and the performance of its obligations hereunder. No other proceedings on the part of the Company are necessary to authorize this Agreement. This Agreement has been duly and validly executed and delivered by the Company, and assuming due and valid authorization, execution and delivery hereof by Buyer, constitutes the valid and legally binding obligation of the Company and is enforceable against the Company in accordance with its terms, except as may be limited by bankruptcy, insolvency, reorganization, moratorium or other similar Laws affecting the enforcement of creditors' rights in general and subject to general principles of equity (regardless of whether such enforceability is considered in a proceeding in equity or at law).

3.4. No Other Representations or Warranties. EXCEPT FOR THE REPRESENTATIONS AND WARRANTIES CONTAINED IN THIS ARTICLE III, SELLER MAKES NO EXPRESS OR IMPLIED REPRESENTATION OR WARRANTY, AND SELLER HEREBY DISCLAIMS ANY SUCH REPRESENTATION OR WARRANTY, WITH RESPECT TO THE COMPANY, THE EXECUTION AND DELIVERY OF THIS AGREEMENT AND THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS AGREEMENT.

ARTICLE IV
REPRESENTATIONS AND WARRANTIES OF BUYER

As an inducement to Seller to enter into and perform its obligations under this Agreement, and in consideration of the covenants of Seller contained herein, Buyer does hereby represent and warrant to Seller, as follows:

4.1. Authorization; Enforceability; Noncontravention.

(a) Buyer has the legal capacity to enter into and deliver this Agreement, to carry out the transactions contemplated hereby and to perform her obligations hereunder.

(b) This Agreement has been duly and validly executed and delivered by Buyer, and assuming due and valid authorization, execution and delivery hereof by the other parties hereto, constitutes the valid and legally binding obligation of Buyer and is enforceable.
against Buyer in accordance with its terms, except as may be limited by bankruptcy, insolvency, reorganization, moratorium or other similar Laws affecting the enforcement of creditors’ rights in general and subject to general principles of equity (regardless of whether such enforceability is considered in a proceeding in equity or at law).

4.2. Investment Purpose. Buyer is acquiring the Common Stock solely for her own account for investment purposes and not with a view to distribution thereof. Buyer acknowledges that the Common Stock is not registered under the Securities Act of 1933, as amended, or any state securities laws.

4.3. Accredited Investor. Buyer is sophisticated in financial matters and is able to evaluate the risks and benefits of the transactions contemplated by this Agreement. Buyer understands and has fully considered the risks of the transaction contemplated by this Agreement and understands that (a) this transaction is suitable only for a buyer who is able to bear the economic consequences of losing her entire investment, (b) the purchase of the Company is a speculative investment which involves a high degree of risk of loss by Buyer of her entire investment, and (c) there are substantial restrictions on the transferability of, and there will (for the foreseeable future) be no public market for, the capital stock of the Company, and accordingly, it may not be possible for an indeterminate period of time to liquidate her investment in the Company (if ever).

4.4. No Other Representations or Warranties. Buyer acknowledges that Seller makes no representations or warranties, express or implied, other than those contained in Article III of the Agreement. Buyer has received and read this Agreement, and has been offered the opportunity to conduct a full due diligence inquiry with respect to the Company prior to the execution of this Agreement. Buyer has made or has had the opportunity to make such inspections she has deemed necessary and to investigate any information given by Seller to further her evaluation of the transactions contemplated by this Agreement.

4.6. Legal Representation; Related Matters. It is acknowledged by Buyer that Seller and the Company have retained Winston & Strawn LLP ("W&S") to act as their counsel in connection with the transactions contemplated hereby and that W&S has not acted as counsel for any other party in connection with the transactions contemplated hereby and that none of the other parties has the status of a client of W&S for conflict of interest or any other purposes as a result thereof. Buyer has not been provided any legal advice or assistance from W&S and expressly disclaims any legal representation by W&S. This Agreement is the product of arms-length negotiations. Buyer has read this Agreement completely and has not been influenced to any extent whatsoever by any representations or statements by any person other than those contained in this Agreement. Buyer has had the opportunity to seek advice and assistance from competent counsel in connection with this Agreement, the terms herein and the transaction contemplated hereby. Accordingly, the language contained within and comprising this Agreement shall not be construed in favor of or against any one party on the grounds that the party drafted the Agreement.
ARTICLE V  
INDEMNIFICATION

5.1.  Indemnification by Buyer.  Buyer shall indemnify Seller in respect of, and hold Seller harmless from and against, any and all claims, damages, losses and costs suffered, incurred or sustained by Seller or to which Seller becomes subject at any time, resulting from, arising out of or relating to the operation of the Company after the Closing Date.

ARTICLE VI  
MISCELLANEOUS

6.1.  Binding Effect.  This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors, permitted assigns, representatives, and heirs, except that neither this Agreement nor any of the covenants and agreements herein or rights, interests or obligations hereunder may be assigned or delegated by any party without the prior written consent of the other parties hereto.

6.2.  Entire Agreement.  This Agreement sets forth the entire agreement and understanding of parties in respect of the transactions contemplated hereby and supersedes all prior agreements, arrangements and understandings relating to the subject matter hereof.

6.3.  Further Instruments.  The parties hereto will, at the Closing or any time thereafter, deliver and/or execute such further instruments as may reasonably be requested by the other parties which are necessary or appropriate with respect to the consummation of the transactions contemplated by this Agreement, all at the sole cost and expense of the requesting party.

6.4.  Notices.  All notices, requests, demands, tenders or other communications required or permitted hereunder ("Notice") must be in writing and are deemed to have been duly given if (a) delivered personally, (b) mailed, certified or registered mail, return receipt requested, postage prepaid, receipt acknowledged, (c) sent by Federal Express or other nationally recognized overnight courier service or overnight express U.S. Mail, postage prepaid, or (d) sent by facsimile or e-mail transmission, followed with an original sent in accordance with (a), (b) or (c) above, as follows:

(a)  If to Seller:

    Rogers Park Business Alliance
    1448 W. Morse Avenue
    Chicago, IL 60626
    Facsimile: (773) 508-9488
    Attention: Sandi Price
    E-mail: sprice@rogers-park.com

    with a copy to (which copy shall not constitute notice hereunder):

    Winston & Strawn LLP
    35 West Wacker Drive
    Chicago, Illinois 60601
Fax: (312) 558-5700
Attention: Patrick O. Doyle, Esq.
E-mail: pdoyle@winston.com

(b) If to Buyer:

Kimberly Bares
3759 N. Ravenswood Avenue, Suite #129
Chicago, IL 60613
E-mail: kbares@placeconsulting.net

Notices personally delivered or transmitted by facsimile or e-mail transmission (with confirmation of delivery) are deemed to have been given on the date so delivered or transmitted; provided, that if the confirmation of delivery sets forth a delivery time at the recipient’s address later than 5:00 p.m. Chicago time on any day except Saturday or Sunday on which commercial banks are not required or authorized to close in Chicago, Illinois (a “Business Day”), then the facsimile will be deemed delivered on the succeeding Business Day. Notices mailed are deemed to have been given on the date three (3) Business Days after the date posted, and notices sent in accordance with (c) above are deemed to have been given on the next Business Day after delivery to the courier service or U.S. Mail (in time for next day delivery). The parties may change their address for receipt of notices by delivery of a Notice of change of address in accordance with the terms of this Section 6.4.

6.5. No Third-Party Beneficiaries. Except to the extent otherwise specifically provided in this Agreement, this Agreement is for the sole benefit of the parties hereto and their successors, assigns, representatives and heirs, and nothing herein expressed or implied shall give or be construed to give any person, other than the parties hereto, and such successors and permitted assigns, representatives and heirs, any legal or equitable rights hereunder.

6.6. Headings. The headings of the sections of this Agreement are inserted for convenience only and shall not constitute a part hereof.

6.7. Governing Law and Jurisdiction and Consent to Service. This Agreement shall be governed by and construed and interpreted according to the laws of the State of Illinois without giving effect to any choice of law or conflict of law rules or provisions (whether of the State of Illinois or any other jurisdiction) that would cause the application of the laws of any jurisdiction other than the State of Illinois. Each of the parties hereto (a) agrees that any suit, action or proceeding arising out of or relating to this Agreement shall be brought solely in the state or federal courts located in Illinois; (b) consents to the exclusive jurisdiction of such court in any suit, action or proceeding relating to or arising out of this Agreement; (c) waives any objection that it may have to the laying of venue in any such suit, action or proceeding; and (d) agrees that service of any court paper may be made in such manner as may be provided under applicable laws or court rules governing service of process.

6.8. Waiver. No term, provision, or condition of this Agreement shall be waived except in a writing signed by all parties hereto and any such written waiver in any one or more instances shall not be deemed to be a further or continuing waiver of any such term, provision, or
condition of this Agreement. The course of conduct of the parties shall not be considered a waiver of any term, provision or condition of this Agreement.

6.9. Amendments and Modifications. Any and all amendments and modifications of this Agreement must be in writing signed by all parties hereto. The course of conduct of the parties shall not be considered an amendment or modification of any term, provision or condition of this Agreement.

6.10. Counterparts. This Agreement may be executed simultaneously in counterparts (including by means of electronically transmitted reproductions of signature pages), each of which shall be deemed an original, but all of which together constitute one and the same instrument. Delivery of an executed signature page by facsimile transmission or by e-mail in PDF format shall be as effective as delivery of a manually signed counterpart of this Agreement.

6.11. Interpretation. Unless otherwise expressly provided or unless the context requires otherwise: (a) all references in this Agreement to Articles and Sections shall mean and refer to Articles and Sections of this Agreement; (b) all references to statutes and related regulations shall include all amendments of the same and any successor or replacement statutes and regulations; (c) words using the singular or plural number also shall include the plural and singular number, respectively; (d) references to “hereof”, “herein”, “hereby” and similar terms shall refer to this entire Agreement; (e) the term “including” shall be deemed to mean “including, without limitation”; (f) words of any gender include each other gender; and (g) whenever this Agreement refers to a number of days, such number shall refer to calendar days, unless such reference is specifically to “Business Days”.

[signature page follows]
IN WITNESS WHEREOF, the parties hereto hereby execute this Stock Purchase Agreement as of the date first written above.

BUYER:

Kimberly Bares

COMPANY:

PLACE CONSULTING, INC.

By: [Signature]
Name: [Name]
Title: [Title]

SELLER:

DEVCORP NORTH D/B/A ROGERS PARK BUSINESS ALLIANCE

By: [Signature]
Name: [Name]
Title: [Title]

[Signature Page to Stock Purchase Agreement]
Memorandum

To: Wally Bobkiewicz, City Manager
    Johanna Nyden, Economic Development Division Manager

From: Tammi Turner, Purchasing Manager

Subject: Study & Designation of Chicago Avenue Special Service Area, RFP 14-50

Date: October 27, 2014

The goal of the Minority, Women, and Evanston Business Enterprise Program (M/W/EBE) is to assist such businesses with opportunities to grow. In order to help ensure such growth, the City has established a 25% M/W/EBE subcontracting participation goal for general contractors.

With regard to Study & Designation of Chicago Avenue Special Service Area, RFP 14-50, in the base amount of $36,983.78, the primary contractor PLACE Consulting, Inc. has subcontracted the following:

<table>
<thead>
<tr>
<th>Name of M/W/EBE</th>
<th>Scope of Work</th>
<th>Contract Amount</th>
<th>%</th>
<th>MBE</th>
<th>WBE</th>
<th>EBE</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.H. Suhr &amp; Co</td>
<td>Design</td>
<td>$ 5,500.00</td>
<td>14.87%</td>
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<td></td>
<td></td>
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<tr>
<td>On Track Fulfillment</td>
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<td>$ 222.00</td>
<td>0.60%</td>
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<tr>
<td>Minuteman Press</td>
<td>Printing</td>
<td>$ 363.78</td>
<td>0.98%</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td><strong>Total M/W/EBE</strong></td>
<td></td>
<td><strong>$ 6,085.78</strong></td>
<td><strong>16.45%</strong></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

PLACE Consulting, Inc. has requested a waiver for the remaining 8.55% M/W/EBE participation goal. A 8.55% M/W/EBE waiver is granted. PLACE Consulting, Inc. will receive credit for 16.45% M/W/EBE participation.

Cc: Marty Lyons, Assistant City Manager/CFO
Memorandum

To: Honorable Mayor and Members of the City Council
   Administration & Public Works Committee

From: W. Grant Farrar, Corporation Counsel
       Theresa Whittington, Administrative Adjudication & Liquor Licensing
       Manager

Subject: Ordinance 125-O-14, Increasing the Number of Class C-1 Liquor Licenses for Bangers and Lace Evanston LLC d/b/a Bangers and Lace, 810 Grove Street

Date: October 9, 2014

Recommended Action:
Staff recommends City Council adoption of Ordinance 125-O-14.

Funding Source:
n/a

Summary:
Ordinance 125-O-14 amends Evanston City Code of 2012 Subsection 3-4-6-(C-1), as amended, to increase the number of authorized Class C-1 liquor licenses from six (6) to seven (7). Bangers and Lace Evanston LLC d/b/a Bangers and Lace (“Company”), 810 Grove Street, was recommended for issuance of a Class C-1 liquor license. This license will permit Company to retail sale on the premises specified of alcoholic liquor only for consumption on the premises while food is available until 3:00 am. Application materials were submitted by Business Representative Jason Freiman.

Legislative History:
At the October 9, 2014 Liquor Control Review Board meeting, Company requested consideration of application for a Class C-1 liquor license (Hotel/Restaurant; core area until 3am). The Board recommended the issuance of a Class C-1 Liquor License.

Alternatives:
n/a

Attachments:
Ordinance 125-O-14
Application
Minutes of the October 9, 2014 Liquor Control Review Board meeting
125-O-14

AN ORDINANCE

Amending Subsection 3-4-6-(C-1) of the City Code
to Increase the Number of Class C-1 Liquor Licenses
from Six to Seven
(Bangers and Lace Evanston LLC, d/b/a “Bangers and Lace”, 810
Grove Street)

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: Subsection 3-4-6-(C-1) of the Evanston City Code of 2012,
as amended, is hereby further amended by increasing the number of Class C-1 liquor
licenses from six (6) to seven (7), to read as follows:

(C1) CLASS C1 licenses, which shall authorize the sale on the premises specified of
alcoholic liquor only for consumption on the premises while food is available. Such
licenses may be issued only to hotels or restaurants in the core area. Establishments holding class C1 licenses must have some food service available
when alcoholic liquor is being sold. The meanings of "hotel," "restaurant" and "core
area" shall be as defined in Section 3-4-1 of this Chapter.

The sale of alcoholic liquor shall not take place between the hours of 2:00 a.m. and
11:00 a.m., except that sales may be made up to 3:00 a.m. on Friday, Saturday,
Sunday mornings and up to 3:00 a.m. on the mornings of January 1, Memorial Day,
July 4, Labor Day and Thanksgiving.

The applicant for the renewal only of such licenses may elect to pay the amount
herein semiannually. Such election shall be made at the time of application.

The annual single payment fee for initial issuance or renewal of such license shall
be $8,000.00.

The total fee required hereunder for renewal applicants electing to make
semiannual payments, payable pursuant to the provisions of Section 3-4-7 of this
Chapter, shall be $8,400.00.

No more than six (6) seven (7) such licenses shall be in force at any one (1) time.
SECTION 2: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced:_________________, 2014
Approved:

Adopted:_________________, 2014 _________________________, 2014

_________________________
Elizabeth B. Tisdahl, Mayor

Attest: Approved as to form:

_________________________
Rodney Greene, City Clerk
W. Grant Farrar, Corporation Counsel
<table>
<thead>
<tr>
<th>Date:</th>
<th>October 21, 2014</th>
<th>Liquor Class:</th>
<th>C-1</th>
<th>Initial license Fee:</th>
<th>$8,000</th>
</tr>
</thead>
</table>

### 1. APPLICANT

**A. Corporation name:**
Bangers and Lace Evanston LLC

**B. Business name:**
Bangers and Lace

**C. Previous business name (if dba changed):**

**D. Business address (city, state, zip code):**
810 Grove St, Evanston, IL 60210

**E. Business telephone:**

**F. Business website:**
Bangersandlacechicago.com

**G. Business Email:**
chris@bangersandlacechicago.com

**H. Illinois business tax number:**
[Blacked out]

### 2. BUSINESS ESTABLISHMENT LOCATION INFORMATION

**A. Address applying for liquor license (exact street address):**
810 Grove St, Evanston, IL 60210

**B. Full description of the location including floor layout, specific floors, rooms, etc. (attach a site plan):**
SEE ATTACHED

**C. Is the business required to be located within the "Retail Package Store Area"?**
- Yes [X] 
- No

- If yes, is it located within the "Retail Package Store Area"?
  - Yes [X] 
  - No

### 3. BUSINESS TYPE & LIQUOR SERVICE INFORMATION

**A. Business type:**
- [X] Restaurant
- [ ] Hotel
- [ ] Package store
- [ ] Grocery store
- [ ] Other (explain below):
  - Full service restaurant

**Liquor to be served and/or sold:**
- [X] Alcoholic liquor
- [ ] Beer and Wine only
- [ ] Wine only

**Days and times liquor is served:**
- [X] Sunday 11 am to 10 pm
- [X] Monday 11 am to 10 pm
- [X] Tuesday 11 am to 10 pm
- [X] Wednesday 11 am to 10 pm
- [X] Thursday 11 am to 10 pm
- [X] Friday 11 am to 10 pm
- [X] Saturday 11 am to 10 pm

**Liquor will served or sold by:**
- [X] Glass
- [X] Bottle
- [ ] Can
- [ ] Waitstaff and/or
- [ ] Over the counter
### 4. BUSINESS SPECIFIC INFORMATION (for restaurants)

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Does the applicant seek to sell and/or serve liquor upon the premises</td>
<td></td>
<td></td>
</tr>
<tr>
<td>of a restaurant?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If your response is “No,” skip this section and proceed to section 5.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Does the restaurant premises maintain and conduct business to the</td>
<td></td>
<td></td>
</tr>
<tr>
<td>public as an establishment where meals are actually and regularly served?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Does the restaurant provide adequate and sanitary kitchen and dining</td>
<td></td>
<td></td>
</tr>
<tr>
<td>room equipment and capacity, with sufficient employees to prepare,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>cook, and serve suitable food?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. How many tables are or will be in the restaurant? What is the</td>
<td></td>
<td></td>
</tr>
<tr>
<td>seating capacity?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E. Is there an existing or proposed menu? If your response is “Yes,”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>please attach the menu.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F. Does the restaurant currently hold or has applied for a City of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evanston food license? If your response is “Yes,” what is the expected</td>
<td></td>
<td></td>
</tr>
<tr>
<td>issue date?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 5. BUSINESS SPECIFIC INFORMATION (for hotels)

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Does the applicant seek to sell and/or serve liquor upon the premises</td>
<td></td>
<td></td>
</tr>
<tr>
<td>of a hotel?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If your response is “No,” skip this section and proceed to section 6.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Does the hotel premises maintain and conduct business to the public</td>
<td></td>
<td></td>
</tr>
<tr>
<td>as an establishment where meals are actually and regularly served?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Does the hotel provide adequate and sanitary kitchen and dining room</td>
<td></td>
<td></td>
</tr>
<tr>
<td>equipment and capacity, with sufficient employees to prepare, cook, and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>serve suitable food?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Does the hotel have at least 50 regular rooms for transients?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E. Does the hotel currently hold or has applied for a City of Evanston</td>
<td></td>
<td></td>
</tr>
<tr>
<td>food license? If your response is “Yes,” what is the expected issue date?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 6. BUSINESS SPECIFIC INFORMATION (for package stores)

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Does the applicant seek to sell liquor upon the premises of a package</td>
<td></td>
<td></td>
</tr>
<tr>
<td>store?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If your response is “No,” skip this section and proceed to section 7.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Is the package store premises located in the “retail package store</td>
<td></td>
<td></td>
</tr>
<tr>
<td>area” as defined by the attached map?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Is the package store used only for retail sale of alcoholic liquor in</td>
<td></td>
<td></td>
</tr>
<tr>
<td>original packages to persons at least 21 years of age for consumption off</td>
<td></td>
<td></td>
</tr>
<tr>
<td>the premises?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Has the applicant reviewed the Liquor Code definition of a “package</td>
<td></td>
<td></td>
</tr>
<tr>
<td>store”?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 7. BUSINESS SPECIFIC INFORMATION (for grocery stores)

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Does the applicant seek to sell and liquor upon the premises of a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>grocery store and/or combination store? If your response is “No,” skip</td>
<td></td>
<td></td>
</tr>
<tr>
<td>this section and proceed to section 8.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Does the grocery store premises consist of a grocery store and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>combination store under one roof?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Does the grocery store provide a minimum of 12,000 square feet of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>production, preparation, and display for product sales? Approximate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ly how many square feet are provided?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Does the grocery store currently hold or has applied for a City of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evanston food license? If your response is “Yes,” what is the expected</td>
<td></td>
<td></td>
</tr>
<tr>
<td>issue date?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
8. PREMISES OWNERSHIP INFORMATION

A. Does the corporation own the premises for which this liquor license is being sought?  
   □ yes  □ no  
   If your response is "Yes," proceed to section 10.

B. Does the corporation possess a lease on such premises covering the full period for which such liquor license is sought?  
   □ yes  □ no

C. What is the period covered by the lease? Aug 30, 2013 to Aug 29, 2018

D. What is the name of the Landlord? 
   BIO Grove Evanston LLC

E. What is the address of the Landlord? (please include city, state, and zip code.)
   BIOGrove St Evanston 60210

9. ELIGIBILITY QUESTIONS

A. Has the owner or any relative had a business or liquor license revoked?  
   □ yes  □ no

B. Is the owner disqualified to receive a license by reason of any matter or thing contained in Title 3, Chapter 4 of the City of Evanston Code, other ordinance, and laws of the State of Illinois or other ordinances of the City of Evanston?  
   □ yes  □ no

C. Does the owner agree not to violate any laws of the State of Illinois, or of the United States, or any ordinance of the City of Evanston in the conduct of his or her place of business?  
   □ yes  □ no

D. Has the owner received assistance in preparing this application? If the response is "Yes," please provide the information below.

   name  address  telephone  relationship

I, the Applicant and/or duly appointed representative, have reviewed the prepared application and accept it as true and correct to the best of my knowledge. I agree to report any changes to the contents of this application, whether they occur before or after a license is issued, to the City of Evanston within 30 days. I agree to notify the City of Evanston of any and all changes in corporate stockholder shares, corporate officers and directors. Further, I understand that the liquor license issued is not transferrable. It is understood that the acceptance and deposition of the fee herein tendered does not constitute acceptance of the liquor license application.

[Signature of Applicant]  
[Date: 6-11-2014]
State of )
County of )

The undersigned hereby makes application for a Class ____ liquor license. I / we swear (or affirm) that I / we will not violate any of the ordinances of the City of Evanston or laws of the State of Illinois or the laws of the United States of America in the conduct of the place of business described herein; that I have read and understand Title 3, Chapter 4 of the Evanston City Code; and that the statements contained in this application are true and correct.

Signature of Applicant

Subscribed and sworn to before me
this 15 day of July, 2014

Notary Public
**CORPORATE INFORMATION FORM**  
(Supplement A)

| Applicants must file business with Secretary of State: |  |
| Name of Corporation/Partnership: | Bangers and Lace Evanston LLC |
| Corporate Address: | 810 Grove St., Evanston, IL 60210 |
| Corporate Ph #: (310) 922-9946 | Corporate Email: chrisjhaisma@gmail.com |
| Business Status: |  |
| Date Corporation/Partnership was Organized: | 09/06/13 |
| State Articles of Incorporation/Organization filed: | Illinois |
| Date Articles of Incorporation/Organization filed with Secretary of State: | 09/06/13 |
| Date Certification of Incorporation/Organization was issued by Secretary of State: | 09/06/13 |
| Are there any amendments to Articles of Incorporation? | Yes | No |
| Date Amendment Filed: | 01/15/14 |
| What are the total shares of stock created by this Corporation? | N/A |

**H. List stockholders with 5% or more in holdings**  
(corporations with a long list, attach copy of list):

<table>
<thead>
<tr>
<th>Name</th>
<th>Percentage of Stock</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangers and Lace Holding Co.</td>
<td>100%</td>
</tr>
</tbody>
</table>

Has Corporation attached an organization chart/listing with Names, Title, Address and Percentage of Stock of Corporation officers and directors?  
Yes | No

Has the Corporation attached a file-stamped copy of Articles of Incorporation/Organization?  
Yes | No

Explain any existing options & names of persons concerned as they pertain to purchase or acquire stock at a future date:  
None

What is the objective of Corporation?  
Restaurant

Has a Shareholder and/or Site Manager Background Form been completed for each person holding (5%) or more stock in this corporation?  
Yes | No
1. Limited Liability Company Name: BANGERS & LACE EVANSTON LLC

2. Address of Principal Place of Business where records of the company will be kept:

   810 GROVE STREET

   EVANSTON, IL 60201

3. Articles of Organization effective on the filing date.

4. Registered Agent's Name and Registered Office Address:

   BRIAN W. TROGLIA
   1950 N ELSTON AVE
   CHICAGO, IL 60642-1227

5. Purpose for which the Limited Liability Company is organized:

   “The transaction of any or all lawful business for which Limited Liability Companies may be organized under this Act.”

6. The LLC is to have perpetual existence.

7. The Limited Liability Company is managed by the manager(s).

   FREIMAN, JASON D.
   1555 W PEARSON ST UNIT 626
   CHICAGO, IL 60642

8. Name and Address of Organizer

   I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Organization are to the best of my knowledge and belief, true, correct and complete.

   Dated: SEPTEMBER 06, 2013

   BRIAN W TROGLIA
   1950 N ELSTON AVE STE 200
   CHICAGO, IL 60642

This document was generated electronically at www.cyberdriveillinois.com
1. Limited Liability Company Name: Bangers & Lace Evanston LLC

2. Articles of Amendment effective on:
   ✔ the file date
   ☐ a later date (not to exceed 30 days after the file date) ____________________________

3. Articles of organization are amended as follows (check applicable item(s) below):
   ☐ a) Admission of a new member (give name and address below)*
   ✔ b) Admission of a new manager (give name and address below)*
   ☐ c) Withdrawal of a member (give name below)*
   ☐ d) Withdrawal of a manager (give name below)*
   ☐ e) Change in address of the office at which the records required by Section 1-40 of the Act are kept (give new address, a P.O. Box alone or C/O is unacceptable.)
   ☐ f) Change of registered agent and/or registered agent's office (give new name and/or address below, Address change to P.O. box alone or c/o is unacceptable.)
   ☐ g) Change in the Limited Liability Company's name (give new name below)
   ☐ h) Change in date of dissolution or other events of dissolution enumerated in Item 6 of the Articles of Organization
   ☐ i) Other (give information in space below)
   ☐ j) Establish authority to issue series (see back filing fee $400)*

* Changes in members/managers may, but are not required to be reported in an amendment to the Articles of Organization.

Additional Information:

b) Robert Podesta
   1670 West Division Street
   Chicago, Illinois 60622

b) Nicholas Podesta
   2200 W. Erie Street
   Chicago, Illinois 60622

New Name of LLC (as changed): ____________________________________________________

(continued on back)
4. The amendment was approved in accordance with Section 5-25 of the Illinois Limited Liability Company Act, and, if adopted by the managers, was approved by not less than the minimum number of managers necessary to approve the amendment, member action not being required; or, if adopted by the members, was approved by not less than the minimum number of members necessary to approve the amendment.

5. I affirm, under penalties of perjury, having authority to sign hereon, that these Articles of Amendment are to the best of my knowledge and belief, true, correct and complete.

Dated: 1-1-14 2014

Signature (Must comply with Section 5-45 of ILLCA.)

Jason Freeman, Manager
Name and Title (type or print)

* The following paragraph is adopted when Item 3j is checked:

The operating agreement provides for the establishment of one or more series. When the company has filed a Certificate of Designation for each series, which is to have limited liability pursuant to Section 37-40 of the Illinois Limited Liability Company Act, the debts, liabilities and obligations incurred, contracted for or otherwise existing with respect to a particular series shall be enforceable against the assets of such series only, and not against the assets of the Limited Liability Company generally or any other series thereof, and unless otherwise provided in the operating agreement, none of the debts, liabilities, obligations or expenses incurred, contracted for or otherwise existing with respect to this company generally or any other series thereof shall be enforceable against the assets of such series.
**CERTIFICATE OF LIABILITY INSURANCE**

**DATE (MM/DD/YYYY):** 07/22/14

**OP ID:** JZBANGE-2

---

**INSURED:**
Bangers and Lace Evanston, LLC
Jason Freiman
810 Grove Street
Evanston, IL 60201

---

**COVERAGES**

<table>
<thead>
<tr>
<th>TYPE OF INSURANCE</th>
<th>INSURER</th>
<th>INSURER B</th>
<th>INSURER C</th>
<th>INSURER D</th>
<th>INSURER E</th>
<th>INSURER F</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENERAL LIABILITY</strong></td>
<td>Society Insurance</td>
<td>Jason Freiman</td>
<td>Evanston, IL 60201</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>COMMERCIAL GENERAL LIABILITY</strong></td>
<td>X</td>
<td>TRM585294</td>
<td>07/22/14 07/22/15</td>
<td>$1,000,000</td>
<td>DAMAGE TO RENTED PREMISES (Ex. occurrence) $100,000</td>
<td></td>
</tr>
<tr>
<td><strong>Liquor Liability</strong></td>
<td>X</td>
<td>TRM585294</td>
<td>07/22/14 07/22/15</td>
<td>$2,000,000</td>
<td>GENERAL AGGREGATE $1,000,000</td>
<td></td>
</tr>
<tr>
<td><strong>AUTOMOBILE LIABILITY</strong></td>
<td></td>
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<tr>
<td><strong>ANY AUTO</strong></td>
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<td></td>
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<tr>
<td><strong>ALL OWNED AUTOS</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>SCHEDULED AUTOS</strong></td>
<td></td>
<td></td>
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<tr>
<td><strong>NON-OWNED AUTOS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>HIRED AUTOS</strong></td>
<td>X</td>
<td>CA11444154</td>
<td>07/22/14 07/22/15</td>
<td>$1,000,000</td>
<td>COMBINED SINGLE LIMIT $1,000,000</td>
<td></td>
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<tr>
<td><strong>UMBRELLA LIMIT</strong></td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td><strong>EXCESS LIABILITY</strong></td>
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<td></td>
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<tr>
<td><strong>OCCUR CLAIMS-MADE</strong></td>
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</tr>
</tbody>
</table>

---

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES**
City of Evanston is Additional Insured for General Liability if required by written contract.

---

**CERTIFICATE HOLDER:**
City of Evanston
Liquor Licensing Department
2100 Ridge Avenue, #2700
Evanston, IL 60201

---

**CANCELLATION:**

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

**AUTHORIZED REPRESENTATIVE:**

---

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Effective Date: July 23rd, 2014

CITY OF EVANSTON
Cook County, Illinois

CORPORATE SURETY BOND
(Supplement B)

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED Bangers and Lace Evanston, LLC
(Corporation)

of the City of Evanston, County of Cook and State of Illinois

a corporation organized and existing under the laws of the State of Illinois, as Principal and

WESTERN SURETY COMPANY
(Name of Surety Company)

South Dakota and licensed to do business in the City of Evanston, County of Cook and State of Illinois, hereinafter called the sureties, are held and firmly bound unto the City of Evanston, a municipal corporation, in the sum of TWENTY-FIVE HUNDRED AND NO/100 DOLLARS, for the payment whereof to the City of Evanston, the principal and said sureties bind themselves, their heirs, executors, administrators and assigns jointly and severally firmly by these presents. Signed, sealed and dated this 23rd DAY OF July 2014.

WHEREAS the above named principal has been granted a license as an alcoholic liquor dealer by the Liquor Control Commissioner of the City of Evanston under the provision of the Title 3, Chapter 5, relating to the Sale of Alcoholic Liquor, of the Municipal Code of the City of Evanston, 1984, and amendments thereto, which license will expire on the 23rd DAY OF July 2015.

NOW, THEREOF, the Condition of the foregoing obligation is such that if the said principal, his agents and employees, shall comply with all the provisions of Title 3, Chapter 5, of the Municipal Code of the City of Evanston hereinbefore described, and any and all other ordinances of the City of Evanston relating to the operation of the business of Alcoholic Liquor, as defined in said ordinance; and if said principal, his agents or employees shall not violate said ordinance or any ordinances, rules or regulations now in force or which may hereafter be in force in the City of Evanston affecting the operation of said business, then this obligation shall be void; otherwise it shall remain in full force and effect.

Signed, Sealed and Delivered this 23rd day of July, 2014.

By: (Affix Seal)

Title: [Signature]

State of Illinois
County of Cook

Sureties

WESTERN SURETY COMPANY

By: [Signature]

Title: Vice President

State of SOUTH DAKOTA
County of Minnehaha

(State of)

(Affix Seal)
Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:


Paul T, Bruflat

of

Sioux Falls

State of

South Dakota

its regularly elected

Vice President

as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Liquor City of Evanston

bond with bond number 62103991

for Bangers and Lace Evanston, LLC

as Principal in the penalty amount not to exceed: $2,500.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

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

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its

Vice President

with the corporate seal affixed this 23rd day of July, 2014.

ATTEST

By

W ESTERN S URETY C OMPANY

L. Nelson, Assistant Secretary

Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA } ss
COUNTY OF MINNEHAHA } 

On this 23rd day of July, 2014, before me, a Notary Public, personally appeared

Paul T. Bruflat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.

S. PETRIK

NOTARY PUBLIC

My Commission Expires August 11, 2016

Form F1975-1-2012
Certificate of Completion

This is to certify that

JASON D. FREIMAN
has completed a course of study in
Beverage Alcohol Sellers & Servers Education and Training
(B.A.S.S.E.T.)
dated
JANUARY 15, 2014
offered by
Charlie's Professional Bartending, Inc.

Illinois State B.A.S.S.E.T. Instructor
License No. 03-5A-0043260

http://www.charliebar.coursehost.com/Certificate/EDCC33C4-047D-41D0-BDB5-78547EF4D9FF
Illinois BASSET Off-Premise
SELLER / SERVER CERTIFICATION

Trainee Name: Nicholas Podesta
Date of Completion: 03/05/2014 13:30 CST

School Name: Learn2Serve
Certification #: IL 2203984

I, ____________________________, certify that the above named person successfully completed an approved Learn2Serve Seller/Server course.

This course provides necessary knowledge and techniques for the responsible serving of alcohol.

This is your temporary certificate of completion. You will receive your official card in the mail. Please forward all questions to support@360training.com.

Corporate Headquarters
13801 Burnet Rd., Suite 100
Austin, Texas 78727
P: 800-442-1149
Illinois BASSET On-Premise
SELLER / SERVER CERTIFICATION

Trainee Name: Robert A Podesta
Date of Completion: 09/03/2014 15:36 CST

I, ________________,

Certify that the above named person successfully completed an approved Learn2Serve Seller/Server course.

School Name: Learn2Serve
Certification #: IL 2268930

This course provides necessary knowledge and techniques for the responsible serving of alcohol.

This is your temporary certificate of completion. You will receive your official card in the mail. Please forward all questions to support@360training.com.
BEER LIST AND EDIBLES MENU

Option 1 succeeds in giving the customer an easy way to navigate the menu by optimizing the space and consolidating the cocktails menu with the edibles menu. Ornate flourishes and other subtle decorative elements help bring the Bangers' personality to life.

PRODUCTION METHOD

14" x 8.5" menus printed on cream paper and placed within the existing menu servers.
MEETING MINUTES
Liquor Control Board
Thursday, October 9, 11:30 a.m.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Room 2750

Members Present: Mayor Elizabeth Tisdahl, Marion Macbeth, Dick Peach; Byron Wilson

Members Absent: Dave Skrodzki

Staff Present: W. Grant Farrar, Theresa Whittington

Others Present: Jason Freiman (Bangers & Lace); Robert Podesta (Bangers & Lace); John Boyk (CVS District Manager); Cory McMahon (CVS District Manager); Larry Cohen (CVS Attorney); Minkaz Lakhani (Shell Gas Station Owner); Anjana Hansen (Shell Gas Attorney); Alderman Ann Rainey (Shell); Mitchell Einhorn (Lush Wine & Spirits); Mary Nikezic (Lush Wine Attorney); James Weber (Lush Wine Attorney); Liz Hletko (Few Spirits); Jim Ryan (Bake 425)

Presiding Member: Local Liquor Control Commissioner Elizabeth Tisdahl/Mayor

CALL TO ORDER
The Local Liquor Control Commissioner Elizabeth Tisdahl called the meeting to order at 11:32 a.m.

NEW BUSINESS

Bangers and Lace Evanston, LLC., d/b/a Bangers and Lace, 810 Grove Street, Evanston, IL 60201

Jason Freiman (JF) of Bangers & Lace requested consideration of an application for issuance of a class C-1 Liquor License (Restaurant/liquor-core area). He explained that Bangers & Lace currently has a location in Wicker Park and that he is excited to open another location in Evanston.

Mayor Tisdahl inquired about the request for a C-1 license which allows for closing hours as late as 3am. JF responded that the late night hours are designed to appeal to the urban dweller in search of late-night food options.

JF stated that he is aware that the location has a negative reputation as the former location of The Keg. Robert Podesta (RP) explained that Bangers & Lace is a restaurant and is not set up as a bar. A significant amount of money has been spent to renovate the physical space. RP further noted that Bangers & Lace will not be offering low cost domestic beers. Marion Macbeth also commented that the Bangers & Lace is an entirely different business concept than The Keg and does not think they can be compared. Bangers & Lace will occupy 45% of the space and offer a wide and unique variety of house made sausages.
Board members reviewed the application packet in advance of the meeting and found it all in order. The Local Liquor Control Commissioner asked the members if there were any concerns over the request. None were voiced. The Board recommended issuing a class C-1 Liquor License to be introduced at the City Council meeting on October 27, 2014.

**Highland Park CVS, LLC, d/b/a CVS Pharmacy #8760, 3333 Central Street, Evanston, IL 60201**

John Boyk (JB) of CVS Pharmacy requested consideration of an application for issuance of a class F liquor license (grocery store/liquor). He stated that the CVS on Central Street is across the street from a Walgreens in Skokie that sells alcohol. CVS is seeking a liquor license in order to better compete for business. 30% of CVS stores sell alcohol. Alcohol sales provide convenience to customers and provide a competitive advantage against big box stores. JB also noted that the City will gain in the form of liquor tax collected. It is expected that alcohol sales will comprise 5-10% of total revenue. CVS is willing to tailor the alcohol selection to the community needs and wants.

Mayor Tisdahl noted that the Walgreens on Chicago was granted a liquor license in order to offset the costs of making is net-zero. Grant Farrar noted that the two Osco Drug stores in Evanston also have liquor licenses.

Marion Macbeth appreciated CVS’s need to compete with the Skokie Walgreens. Dick Peach has no issue with it and appreciated CVS’s offer to tailor the alcohol choices if it becomes an issue.

JB discussed CVS’s commitment to the responsible sale of alcohol. CVS registers are programmed to require age verification data input before alcohol sales can be completed. All servers are BASSET trained in responsible alcohol sales. Employees are also required to attend compliance training twice a year. Employees found to violate compliance policy are terminated.

Board members reviewed the application packet in advance of the meeting and found it all in order. The Local Liquor Control Commissioner asked the members if there were any concerns over the request. None were voiced. The Board recommended issuing a class F Liquor License to be introduced at the City Council meeting on October 27, 2014.

**Dil Foods, Inc., d/b/a Shell Gas Station, 2494 Oakton Street, Evanston, IL 60202**

Anjana Hansen (AH) spoke on behalf of Shell Gas Station’s request for consideration of an application for issuance of a class O liquor license (gas station/beer). AH noted that City Council recently approved the creation of a class O license class for gas stations. Class O authorizes the sale of beer only. Beer will be added to an existing cooler at the Shell gas station. Mr. Lakhani wished to sell beer in order to offer convenience to his customers who stop by for gas and take-out food from Dunkin Donuts and Subway. Sale of liquor will allow Shell to better compete with Food 4 Less. AH also noted how well maintained the property is on the outside and inside.

Mayor Tisdahl sought clarification that beer would not be sold at the fast-food stores. AH responded that alcohol sales are restricted to the convenience store portion of the business.
Board members reviewed the application packet in advance of the meeting and found it all in order. The Local Liquor Control Commissioner asked the members if there were any concerns over the request. None were voiced. The Board recommended issuing a class O Liquor License to be introduced at the City Council meeting on October 27, 2014.

**Lush Wine and Spirits, d/b/a Lush Wine and Spirits, 2022 Central Street, Evanston, IL 60201**

Mitchell Einhorn (ME) of Lush Wine & Spirits requested consideration of an amendment and issuance of a class I liquor license (restaurant-packaged goods store/liquor). Lush Wine and Spirits is a packaged goods store that also offers small plates of food and on-site consumption of alcohol. It has two locations in Chicago and is seeking to open a location in Evanston. ME stated that they have picked out a site on Central street and feel that Lush Wine and Spirits will be a great fit. The Class I liquor class currently in the liquor code is a close match for the Lush business model but some amendments are being sought to better accommodate Lush’s business model of co-mingled restaurant and packaged goods sales.

Mayor Tisdahl expressed concern over Lush’s plan to offer food service after 5pm. Mr. Einhorn responded that lunch demand is low and that Lush is further challenged with finding enough staff qualified and knowledgeable about cheese, charcuterie and alcohol pairings. This is why Lush limits its food service to after 5pm. Sunday brunch is under consideration.

Mayor Tisdahl asked if the intention is to offer alcohol for on-site consumption during hours when food is not served. ME responded that it is the current model in place in Chicago. Mayor Tisdahl explained that the Evanston Liquor Code requires food service during on-site consumption.

Dick Peach asked if Lush could satisfy the meal requirement by offering cheese and crackers and other similar snacks. ME noted that the menu is already made up of small plates. The issue is staffing employees prior to 5pm. James Weber (JW) asked if Lush could have separate hours for retail sales for off-site consumption and specific hours for on-site sale and consumption. ME felt that was a fair compromise and will allow Lush to gauge interest in food service and on-site consumption prior to 5pm.

Grant Farrar has reviewed some initial suggested edits to Class I. GF said he will have a follow up conversation with Lush to make sure everyone is in agreement regarding its business plan and amendments. GF will work directly with James Weber on amendment language.

ME presented samples of wine, beer and spirits that represent non-traditional containers sizes. Many wines, spirits and beers are now offered in containers that are smaller than the limits allowed for in the code. Lush would like the amendment to account for the smaller container sizes that are prevalent in today’s market. Many are from small batch producers and represent rarer wines, beers and spirits. Many artisanal spirits are only made available in smaller bottles. Marion Macbeth noted that the industry seems to be changing with the popularity of craft beers and smaller batch producers who produce in smaller bottles.
It was generally agreed that container size is best regulated in terms of ounces rather than price. Any provisions written for class I would only apply to class I license holders, of which there currently are none. Grant Farrar offered to work closely with Lush’s council and the Liquor Commissioner to work out a way to make sure container size limits in class I are not universally applied to all license classes.

The amendment and liquor application was approved in concept pending Grant Farrar’s work on amending class I to accommodate Lush Wine and Spirits business model. The matter of amendment and application approval will be placed on the agenda of the 11/10/14 City Council meeting.

**Few Spirits LLC, Few Spirits, 918 Chicago Avenue, Evanston, IL 60202**

Consideration of an amendment to class P (Craft Distillery) to allow for sale of alcohol in 200 ml containers for off-site consumption. Liz Hletko (LH) spoke on behalf of Few Spirits request for smaller container sizes. She stated that Few Spirits would like to sell in smaller 200 ml bottles for inclusion in gift boxes. LH also feels it will help Few compete with other distillers who already sell in smaller containers.

Mayor Tisdahl asked about pricing of the smaller bottles. LH responded that the prices will range from $20 to $30 for a 200 ml bottle of spirits, which is a higher price per ounce that the current 375 ml bottles.

Grant Farrar stated that Few Spirits is the only distillery licensed under class P so there is no risk of 200 ml bottles setting precedence outside of this license class.

The Mayor and members of the board were all in favor of the 200 ml container size.

LH expressed interest in seeking an additional amendment to allow Few Spirits to sell mixed cocktail drinks for on-site consumption, similar to how Temperance sells beer. This matter was not heard because the issue was not on the agenda for today’s meeting. The matter will be taken up at the next liquor board meeting which will occur sometime in December.

**Bake 425, Evanston, IL**

Consideration of an amendment to class A (Restaurant/Beer-Wine Shop) or new license class creation to allow for sale of alcohol for off-site consumption. Jim Ryan (JR) spoke on behalf of Bake 425’s request for amendment. JR operates a “take and bake” pizza business similar to Homemade Pizza Kitchen. Bake 425 has taken over eight (8) of the former Homemade Pizza Kitchen locations, including two in Evanston on Central and Chicago avenue.

JR would like to offer takeout beer and wine with the takeout pizza. His focus will be on American craft beers and small batch California wine. There will be no on-premise consumption of alcohol. JR noted that there is not a liquor license class in which his model fits and that the closest match is Class A. He asked for an amendment to class A that will allow for off-site beer/wine sales and take-away food. JR noted that Bake 425 has a packaged goods liquor license in Highland Park and will be receiving a limited food production liquor license in Winnetka.
Grant Farrar (GF) told the liquor board that the class A was created for Central Street Café which has since gone out of business. There is currently no active class A liquor licenses. GF stated that class A could be amended to fit in with Bake 425’s model.

Mayor Tisdahl requested language that would prevent sale of alcohol without purchase of food. GF responded that the code can be written as to require alcohol sales to accompany food sales. Grant Farrar stated that he will follow-up Jim Ryan on the language and business model.

The request for amendment was approved by the board. The matter of amendment approval will be placed on the agenda of the 11/10/14 City Council meeting.

**ADJOURNMENT**

The meeting was adjourned by the Local Liquor Control Commissioner Elizabeth Tisdahl, Mayor at 12:22 p.m., October 9, 2014.

Respectfully Submitted,

Theresa Whittington
Liquor Licensing Manager, Legal Department
For City Council meeting of October 27, 2014

Item A5

Ordinance 126-O-14 – Increase Class F Liquor License

For Introduction

Memorandum

To: Honorable Mayor and Members of the City Council
   Administration & Public Works Committee

From: W. Grant Farrar, Corporation Counsel
      Theresa Whittington, Administrative Adjudication & Liquor Licensing Manager

Subject: Ordinance 126-O-14, Increasing the Number of Class F Licenses for Highland Park CVS, LLC d/b/a CVS Pharmacy #8760, 3333 Central Street

Date: October 14, 2014

Recommended Action:
Staff recommends City Council adoption of Ordinance 126-O-14.

Summary:
Ordinance 126-O-14 amends Evanston City Code of 2012 Subsection 3-4-6-(F), as amended, to increase the number of authorized Class F liquor licenses from eight (8) to nine (9), and permit issuance of a Class F license to Highland Park CVS, LLC d/b/a CVS Pharmacy #8760 (“Company”), 3333 Central Street. This license will permit Company to retail sale of alcoholic liquor in grocery stores, combination stores, and wholesale clubs requiring membership in original packages to persons of at least twenty-one (21) years of age for consumption off the premises. Application materials were submitted by Business Representative Linda M. Cimbron.

Legislative History:
At the October 9, 2014 Liquor Control Review Board meeting, Company requested consideration of application for a Class F liquor license

Attachments:
Ordinance 126-O-14
Application

See Agenda Item A4 for Minutes of October 9, 2014 Liquor Control Review Board meeting
AN ORDINANCE

Amending Subsection 3-4-6-(F) of the City Code

to Increase the Number of Class F Liquor Licenses from Eight to Nine

(Highland Park CVS LLC, d/b/a CVS Pharmacy #8760, 3333 Central Street)

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: Subsection 3-4-6-(F) of the Evanston City Code of 2012, as amended, is hereby further amended by increasing the number of Class F liquor licenses from eight (8) to nine (9), to read as follows:

(F) CLASS F licenses, which shall authorize the retail sale of alcoholic liquor in grocery stores, combination stores as defined in Section 3-4-1 of this Chapter, and wholesale clubs requiring membership in original packages to persons of at least twenty-one (21) years of age for consumption off the premises. The applicant for such license shall pay an initial fee of $35,000.00 and thereafter an annual fee of $11,500.00.

1. It shall be unlawful for a class F licensee to sell a single container of beer unless the volume of the container is greater than forty (40) ounces or 1.18 liters. It shall be unlawful for a licensee to bundle, tape, package, or otherwise manipulate single containers of beer for sale as a set. Any such manipulation of packaging shall be a violation of this Subsection. Nothing in this Subsection shall be construed as prohibiting the sale of packages containing six single containers of beer, including such packages consisting of various single containers of beer chosen by the consumer.

2. It shall be unlawful for a class F licensee to sell a single container of wine unless the container is greater than sixteen (16) fluid ounces or 0.473 liters.

3. It shall be unlawful for a class F licensee to sell a single container of alcoholic liquor, except beer and wine which are regulated by Subsections (F)1. and (F)2. of this Section, unless the container is greater than sixteen (16) fluid ounces or 0.473 liters.
4. The sale of alcoholic liquor at retail pursuant to the class F license may begin after 8:00 a.m., Monday through Sunday. Alcoholic liquor shall not be sold after the hour of 12:00 midnight on any day.

5. No such license may be granted to an establishment that is located within five hundred (500) feet of a licensee holding a class N liquor license.

6. A class F licensee shall provide a minimum of twelve thousand (12,000) square feet of production, preparation, and display area in which products are prepared and are for sale.

   The total number of class F licenses in effect at any one time shall not exceed eight (8) nine (9).

**SECTION 2:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 4:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

**SECTION 5:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.
City of Evanston annual Liquor License Application

City of Evanston
Application for Liquor License

Date: AUG 26 2014

Liquor Class: F

Initial license Fee: $35,000.00

1. APPLICANT

A. Corporation name:
Highland Park CVS, LLC

B. Business name:
CVS/pharmacy #8760

C. Previous business name (if dba changed):

D. Business address (city, state, zip code):
One CVS Drive, MC #1160, Woonsocket, RI 02895

E. Business telephone:
(401) 770-3355

F. Business website:

G. Business Email:
cathy.tardie@cvsaremark.com

H. Illinois business tax number:

2. BUSINESS ESTABLISHMENT LOCATION INFORMATION

A. Address applying for liquor license (exact street address):
3333 Central Street

B. Full description of the location including floor layout, specific floors, rooms, etc. (attach a site plan):
Retail Pharmacy (floor plan attached)

C. Is the business required to be located within the "Retail Package Store Area"?
[ ] Yes  [ ] No
If yes, is it located within the "Retail Package Store Area"?
[ ] Yes  [ ] No

3. BUSINESS TYPE & LIQUOR SERVICE INFORMATION

A. Business type:
[ ] Restaurant  [ ] Hotel  [ ] Package store  [ ] Grocery store  [ ] Other (explain below):

Describe the nature of the business / principal kind of business:
Retail Pharmacy

Liquor to be served and/or sold:
[ ] Alcoholic liquor  [ ] Beer and Wine only  [ ] Wine only

Days and times liquor is served:

- Sunday: 8:00AM to 10:00PM
- Monday: 8:00AM to 10:00PM
- Tuesday: 8:00AM to 10:00PM
- Wednesday: 8:00AM to 10:00PM
- Thursday: 8:00AM to 10:00PM
- Friday: 8:00AM to 10:00PM
- Saturday: 8:00AM to 10:00PM

Liquor will served or sold by:
[ ] Glass  [ ] Bottle  [ ] Can  [ ] Waitstaff and/or  [ ] Over the counter
4. BUSINESS SPECIFIC INFORMATION (for restaurants)

A. Does the applicant seek to sell and/or serve liquor upon the premises of a restaurant?  
   If your response is "No," skip this section and proceed to section 5.
   □ yes □ no

B. Does the restaurant premises maintain and conduct business to the public as an establishment where meals are actually and regularly served?
   □ yes □ no

C. Does the restaurant provide adequate and sanitary kitchen and dining room equipment and capacity, with sufficient employees to prepare, cook, and serve suitable food?
   □ yes □ no

D. How many tables are or will be in the restaurant?  
   What is the seating capacity?

E. Is there an existing or proposed menu? If your response is "Yes," please attach the menu.
   □ yes □ no

F. Does the restaurant currently hold or has applied for a City of Evanston food license?  
   If your response is "Yes," what is the expected issue date?
   □ yes □ no

5. BUSINESS SPECIFIC INFORMATION (for hotels)

A. Does the applicant seek to sell and/or serve liquor upon the premises of a hotel?  
   If your response is "No," skip this section and proceed to section 6.
   □ yes □ no

B. Does the hotel premises maintain and conduct business to the public as an establishment where meals are actually and regularly served?
   □ yes □ no

C. Does the hotel provide adequate and sanitary kitchen and dining room equipment and capacity, with sufficient employees to prepare, cook, and serve suitable food?
   □ yes □ no

D. Does the hotel have at least 50 regular rooms for transients?
   □ yes □ no

E. Does the hotel currently hold or has applied for a City of Evanston food license?  
   If your response is "Yes," what is the expected issue date?
   □ yes □ no

6. BUSINESS SPECIFIC INFORMATION (for package stores)

A. Does the applicant seek to sell liquor upon the premises of a package store?  
   If your response is "No," skip this section and proceed to section 7.
   □ yes □ no

B. Is the package store premises located in the "retail package store area" as defined by the attached map?
   □ yes □ no

C. Is the package store used only for retail sale of alcoholic liquor in original packages to persons at least 21 years of age for consumption off the premises?
   □ yes □ no

D. Has the applicant reviewed the Liquor Code definition of a "package store"?
   □ yes □ no

7. BUSINESS SPECIFIC INFORMATION (for grocery stores)

A. Does the applicant seek to sell and liquor upon the premises of a grocery store and/or combination store? If your response is "No," skip this section and proceed to section 8.
   ☑ yes □ no

B. Does the grocery store premises consist of a grocery store and combination store under one roof?
   ☑ yes □ no

C. Does the grocery store provide a minimum of 12,000 square feet of production, preparation, and display for product sales? Approximately how many square feet are provided? 15,002.00 sq.ft.
   ☑ yes □ no

D. Does the grocery store currently hold or has applied for a City of Evanston food license?  
   If your response is "Yes," what is the expected issue date?  
   (copy attached)
   ☑ yes □ no
City of Evanston annual Liquor License Application

8. PREMISES OWNERSHIP INFORMATION

A. Does the corporation own the premises for which this liquor license is being sought? □ yes ✔ no
   If your response is “Yes,” proceed to section 10.

B. Does the corporation possess a lease on such premises covering the full period for which such liquor license is sought? ☑ yes □ no

C. What is the period covered by the lease? 12/01/64 to 11/30/19

D. What is the name of the Landlord? Kathleen Kilby Gutrich

E. What is the address of the Landlord? (please include city, state, and zip code.)
   300 Nordica Avenue, Glenview, IL 60025

9. ELIGIBILITY QUESTIONS

A. Has the owner or any relative had a business or liquor license revoked? □ yes ✔ no

B. Is the owner disqualified to receive a license by reason of any matter or thing contained in Title 3, Chapter 4 of the City of Evanston Code, other ordinance, and laws of the State of Illinois or other ordinances of the City of Evanston? □ yes ✔ no

C. Does the owner agree not to violate any laws of the State of Illinois, or of the United States, or any ordinance of the City of Evanston in the conduct of his or her place of business? ☑ yes □ no

D. Has the owner received assistance in preparing this application? If the response is “Yes,” please provide the information below.

<table>
<thead>
<tr>
<th>name</th>
<th>address</th>
<th>telephone</th>
<th>relationship</th>
</tr>
</thead>
</table>

I, the Applicant and/or duly appointed representative, have reviewed the prepared application and accept it as true and correct to the best of my knowledge. I agree to report any changes to the contents of this application, whether they occur before or after a license is issued, to the City of Evanston within 30 days. I agree to notify the City of Evanston of any and all changes in corporate stockholder shares, corporate officers and directors. Further, I understand that the liquor license issued is not transferrable. It is understood that the acceptance and deposition of the fee herein tendered does not constitute acceptance of the liquor license application.

[Signature]
Linda M. Cimbron
Assistant Secretary

[Date]
8-5-2014
City of Evanston
Liquor License Application

AFFIDAVIT

State of Rhode Island SS
County of Providence

The undersigned hereby makes application for a Class _ liquor license. I / we swear (or affirm) that I / we will not violate any of the ordinances of the City of Evanston or laws of the State of Illinois or the laws of the United States of America in the conduct of the place of business described herein; that I have read and understand Title 3, Chapter 4 of the Evanston City Code; and that the statements contained in this application are true and correct.

[Signature]
Signature of Applicant

Subscribed and sworn to before me this 5th day of August, 2014
[Signature]
Notary Public

Cathy Tardie Notary Public
State of Rhode Island
My Commission Expires 07/06/2015

[Seal]
City of Evanston annual Liquor License Application

CORPORATE INFORMATION FORM
(Supplement A)

Applicants must file business with Secretary of State:

| Name of Corporation/Partnership: | Highland Park CVS, LLC |

Corporate Address:

| One CVS Drive, Woonsocket, RI 02895 |

Corporate Ph #: (401) 765-1500 | Corporate Email: | FEIN: [redacted] |

| Business Status: |
| Date Corporation/Partnership was Organized: | 08/24/01 |
| State Articles of Incorporation/Organization filed: | IL |
| Date Articles of Incorporation/Organization filed with Secretary of State: | 08/24/01 |
| Date Certification of Incorporation/Organization was issued by Secretary of State: | 08/24/01 |
| Are there any amendments to Articles of Incorporation? (If yes, provide date filed) | [ ] Yes [ ] No |
| Date Amendment Filed: |

What are the total shares of stock created by this Corporation? [Signature]

H. List stockholders with 5% or more in holdings (corporations with a long list, attach copy of list):

<table>
<thead>
<tr>
<th>Name</th>
<th>Percentage of Stock</th>
</tr>
</thead>
<tbody>
<tr>
<td>See Attached Corporate Officer List</td>
<td>0%</td>
</tr>
</tbody>
</table>

| Has Corporation attached an organization chart/listing with Names, Title, Address and Percentage of Stock of Corporation officers and directors? | [ ] Yes [ ] No |

| Has the Corporation attached a file-stamped copy of Articles of Incorporation/Organization? | [ ] Yes [ ] No |

Explain any existing options & names of persons concerned as they pertain to purchase or acquire stock at a future date:

What is the objective of Corporation?

Retail Pharmacy - sales in medication, health and beauty aids

| Has a Shareholder and/or Site Manager Background Form been completed for each person holding (5%) or more stock in this corporation? | [ ] Yes [ ] No |

City of Evanston Liquor License Application (Rev. 12/19/2013)
To all to whom these Presents Shall Come, Greeting:

I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that

HIGHLAND PARK CVS, L.L.C., HAVING ORGANIZED IN THE STATE OF ILLINOIS ON AUGUST 24, 2001, APPEARS TO HAVE COMPLIED WITH ALL PROVISIONS OF THE LIMITED LIABILITY COMPANY ACT OF THIS STATE, AND AS OF THIS DATE IS IN GOOD STANDING AS A DOMESTIC LIMITED LIABILITY COMPANY IN THE STATE OF ILLINOIS.

In Testimony Whereof, I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois, this 28TH day of MARCH A.D. 2014.

Jesse White
SECRETARY OF STATE

Authentication #: 1406700556
Authenticate at: http://www.cyberdriveillinois.com

141 of 323
<table>
<thead>
<tr>
<th>Personnel Name</th>
<th>Management Title</th>
<th>Home Address</th>
<th>Business Address</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas S. Moffatt</td>
<td>President</td>
<td>29 Homestead Circle, Kingston, RI 02881</td>
<td>One CVS Drive, Woonsocket, RI 02895</td>
<td>401-765-1500</td>
</tr>
<tr>
<td>Carol A. DeNale</td>
<td>Senior Vice President/Treasurer</td>
<td>75 Poplar St., Watertown, MA 02472</td>
<td>One CVS Drive, Woonsocket, RI 02895</td>
<td>401-765-1500</td>
</tr>
<tr>
<td>Melanie K. Luker</td>
<td>Secretary</td>
<td>45 Susan Drive, Cranston, RI 02520</td>
<td>One CVS Drive, Woonsocket, RI 02895</td>
<td>401-765-1500</td>
</tr>
<tr>
<td>Linda M. Cimbron</td>
<td>Assistant Secretary</td>
<td>45 Bridge Street, Warren, RI 02885</td>
<td>One CVS Drive, Woonsocket, RI 02895</td>
<td>401-765-1500</td>
</tr>
<tr>
<td>Jeffrey E. Clark</td>
<td>Assistant Treasurer</td>
<td>2 Joy Lane, Hingham, MA 02043</td>
<td>One CVS Drive, Woonsocket, RI 02895</td>
<td>401-765-1500</td>
</tr>
<tr>
<td>Jason D. Desrochers</td>
<td>Assistant Treasurer</td>
<td>359 Sanford Road, Alfred, ME 04002</td>
<td>One CVS Drive, Woonsocket, RI 02895</td>
<td>401-765-1500</td>
</tr>
</tbody>
</table>
Illinois
Limited Liability Company Act
Articles of Organization

SUBMIT A DUPLICATE
Must be typewritten

Date: 8-24-01
Assigned File #: 0059411-3
Filing Fee: $400.00
Approved: B

1. Limited Liability Company Name: Highland Park CVS, L.L.C.

(The LLC name must contain the words limited liability company, L.L.C., or LLC and cannot contain the terms corporation, corp., incorporated, inc., inc., c/o, limited partnership, or L.P.)

2. If transacting business under an assumed name, complete and attach Form LLC-1.20.

3. The address of its principal place of business: (Post office box alone and c/o are unacceptable.)
   One CVS Drive, Legal Dept., Woonsocket, RI 02895

4. The Articles of Organization are effective on: (Check one)
   a) [x] the filing date, or b) [ ] another date later than but not more than 60 days subsequent to the filing date: ____________

5. The registered agent's name and registered office address is:
   
   Registered agent: [ ] Corporation System
   [ ] Middle Initial
   [ ] Last Name
   
   Registered Office: c/o C.T. Corporation System, 208 South LaSalle Street,
   [ ] Number
   [ ] Street
   [ ] Suite #
   [ ] City
   [ ] ZIP Code
   [ ] County

6. Purpose or purposes for which the LLC is organized: Include the business code # (IRS Form 1065).
   If not sufficient space to cover this point, add one or more sheets of this size.
   "The transaction of any or all lawful business for which limited liability companies may be organized under this Act."
   5912 Retail Pharmacy

7. The latest date, if any, upon which the company is to dissolve: [ ]
   (month, day, year)

Any other events of dissolution enumerated on an attachment. (Optional)
8. Other provisions for the regulation of the internal affairs of the LLC per Section 5-5 (a) (8) included as attachment: if yes, state the provisions(s) from the LLLCA. □ Yes □ No

9. a) Management is by manager(s): if yes, list names and business addresses. □ Yes □ No

b) Management is vested in the member(s): if yes, list names and addresses. □ Yes □ No

CVS Meridian, Inc.
One CVS Drive
Woonsocket RI 02895

10. I affirm, under penalties of perjury, having authority to sign hereon, that these articles of organization are to the best of my knowledge and belief, true, correct and complete.

Dated August 21 2001
(Month/Day) (Year)

Signature(s) and Name(s) of Organizer(s)

Melanie K. Luken, Assistant Secretary (Name of corporation or other entity)

Business Address(es)

1. One CVS Drive
   Number
   Street
   Woonsocket
   City/Town RI 02895
   State ZIP Code

2. Number
   Street
   City/Town
   State ZIP Code

3. Number
   Street
   City/Town
   State ZIP Code

(Signatures must be in ink on an original document. Carbon copy, photocopy or rubber stamp signatures may only be used on conformed copies.)
OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

AUGUST 24, 2001

C T CORPORATION SYSTEM
208 SOUTH LASALLE STREET
CHICAGO, IL 60604-1136

RE HIGHLAND PARK CVS, L.L.C.

DEAR SIR OR MADAM:

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD THE ARTICLES OF ORGANIZATION THAT CREATED YOUR LIMITED LIABILITY COMPANY. WE EXTEND OUR BEST WISHES FOR SUCCESS IN YOUR NEW VENTURE.

THE LIMITED LIABILITY COMPANY MUST FILE AN ANNUAL REPORT PRIOR TO THE FIRST DAY OF ITS ANNIVERSARY MONTH NEXT YEAR. A PRE-PRINTED ANNUAL REPORT FORM WILL BE SENT TO THE REGISTERED AGENT AT THE ADDRESS SHOWN ON THE RECORDS OF THIS OFFICE APPROXIMATELY 60 DAYS PRIOR TO ITS ANNIVERSARY MONTH.

SINCERELY YOURS,

Jesse White

JESSE WHITE
SECRETARY OF STATE

DEPARTMENT OF BUSINESS SERVICES
LIMITED LIABILITY COMPANY DIVISION
TELEPHONE (217)524-8008

JW:LLC
AMENDED AND RESTATEd
OPERATING AGREEMENT OF
Highland Park CVS, L.L.C. (the "Company")
as of 01/01/2006

ARTICLE I
FORMATION AND MEMBERSHIP

SECTION 1.01. Formation. The Company has been organized as a limited liability company pursuant to the Illinois Limited Liability Company Act, as amended (the "Act"). The Act shall govern the rights and liabilities of the parties hereto except as otherwise expressly stated.

ARTICLE II
OFFICES, NAME, ETC.

SECTION 2.01. Principal Office. The principal office of the Company shall be One CVS Drive, Woonsocket, Rhode Island or such other place as may be determined from time to time by the Member.

SECTION 2.02. Name. The business of the Company shall be conducted under the name of "Highland Park CVS, L.L.C." or such other name as the Member may determine from time to time.

SECTION 2.03. Term. The term of the Company commenced on the date its Certificate of Formation was filed in the office of the Secretary of State of Illinois and shall continue until terminated as hereinafter provided.

SECTION 2.04. Authorized Persons. The actions of the individual who executed the Certificate of Formation of the Company as an Authorized Person of the Company, are hereby ratified.

SECTION 2.05. Registered Agent. The name of the Company's Registered Agent in Illinois shall be CT Corporation System.

SECTION 2.06. Business Ventures. The Member may engage independently or with others in other business ventures of every nature and description, and the Company shall not have any rights in and to such independent ventures or the income or profits derived therefrom.
ARTICLE III
PURPOSES AND POWERS

SECTION 3.01. Purpose. The Company shall be a sole member limited liability company organized under the laws of the State of Illinois. The purpose of the Company is retail sales of drugs, health and beauty aids and any and all other lawful acts or activities permitted under the Act.

SECTION 3.02. Powers. In furtherance of the purposes of the Company as set forth in Section 3.01 and in addition to those powers provided in the Act, the Company hereby has the additional power and authority to enter into any kind of activity and to perform and carry out contracts of any kind necessary to, or in connection with, or incidental to, the accomplishment of the purposes of the Company, so long as said activities and contracts may be lawfully carried on or performed by a limited liability company under the Act.

ARTICLE IV
CAPITAL OF THE COMPANY

SECTION 4.01. Capital Contributions. The Member has contributed to the capital of the Company in such amounts as set forth in the books and records of the Company. The Member shall not be obligated to make additional contributions.

ARTICLE V
MEMBER

SECTION 5.01. Identity and Liability of Member. The "Member" shall be the party set forth on Exhibit A hereto, as such may be amended from time to time. The Member shall not be liable for the obligations of the Company solely by reason of being a Member. The Member shall not be required to make any contributions to the capital of the Company.

ARTICLE VI
MANAGEMENT

SECTION 6.01. General. The powers of the Company shall be exercised exclusively by or under the exclusive authority of, and the business and affairs of the Company shall be managed under the exclusive direction and control of, the Member.

SECTION 6.02. Officers.

(a) If desired, the Member may appoint one or more officers of the Company, which may include a President, one or more Vice Presidents, a Secretary, one or more Assistant Secretaries, a Treasurer and one or more Assistant Treasurers.
(b) Any officer may be removed, either with or without cause, by the Member.

(c) Any officer may resign at any time by giving written notice to the Member. Any such resignation shall take effect at the date of receipt of such notice or at any later time specified therein; and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

(d) A vacancy in any office because of death, resignation, removal, disqualification or any other cause may be filled by the Member.

ARTICLE VII
DISTRIBUTIONS

SECTION 7.01. Distribution of Company Funds. After providing for the payment of any amounts due on any indebtedness of the Company and providing for a reasonable reserve for the payment of expenses of the Company, any remaining cash funds of the Company may be distributed or advanced to the Member.

ARTICLE VIII
INDEMNIFICATION

SECTION 8.01. Indemnification of Members and Officers. The Member or the officers of the Company (each, an "Indemnified Person") shall be indemnified in the manner and to the full extent permitted by the Act. Each person who at any time is, or shall have been, a Member or officer of the Company, and is threatened to be or is made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that he or she is, or was, a Member, officer or agent of the Company, or is or has served at the request of the Company as a manager, officer, member, employee or agent of another company, partnership, joint venture, trust or other enterprise, shall be indemnified against expenses (including attorneys' fees and expenses), judgments, fines and amounts paid in settlement actually and reasonably incurred in connection with any such action, suit or proceeding to the fullest extent permitted. The foregoing right of indemnification shall in no way be exclusive of any other rights of indemnification to which such Member or officer may be entitled under any agreement, or otherwise, and shall continue as to a person who has ceased to be a Member or officer and shall inure to the benefit of the heirs, executors and administrators of such a person.

ARTICLE IX
FISCAL YEAR, ACCOUNTING, INSPECTION OF BOOKS

SECTION 9.01. Fiscal Year and Accounting. Except as otherwise determined by the Member, the fiscal year of the Company shall be the calendar year. The books of the
Company shall be kept on such method as the Member shall from time to time determine consistent with generally accepted accounting principles.

SECTION 9.02. Inspection of Books. The books of the Company shall at all times be available for inspection and audit by the Member at the Company's principal place of business during business hours.

ARTICLE X
Dissolution

SECTION 10.01. Events of Dissolution. The Company shall be dissolved on the first to occur of the following events: (a) the Member approves in writing the termination and dissolution of the Company or (b) the bankruptcy or dissolution of the Member. Notwithstanding the dissolution of the Company, the business of the Company shall continue to be governed by this Agreement until the winding up of the Company occurs.

SECTION 10.02. Distribution Upon Dissolution. Upon dissolution, after payment of, or adequate provision for, the debts and obligations of the Company, the remaining assets of the Company (or the proceeds of sales or other dispositions in liquidation of the Company's assets) shall be distributed to the Member. The Company shall terminate when all property has been distributed to the Member.

ARTICLE XI
GENERAL PROVISIONS

SECTION 11.01. Modification. This Agreement may be amended or modified by the Member.

SECTION 11.02. Governing Law; Severability. All questions with respect to the construction of this Agreement and the rights and liabilities of the Member shall be determined in accordance with the applicable provisions of the laws of the State of Illinois. If any provision of this Agreement, or the application thereof to any person or circumstances, shall, for any reason and to any extent, be invalid or unenforceable, the remainder of this Agreement and the application of that provision to other persons or circumstances shall not be affected, but rather shall be enforced to the extent permitted by law.

SECTION 11.03. Pronouns. Feminine or neuter pronouns shall be substituted for those of the masculine gender, the plural for the singular and the singular for the plural, in any place in this Agreement where the context may require such substitution.

SECTION 11.04. Titles. The titles of Articles and Sections are included only for convenience and shall not be construed as a part of this Agreement or in any respect affecting or modifying its provisions.
IN WITNESS WHEREOF, the undersigned Member has caused this amended agreement to be executed as of January 1, 2006.

CVS Pharmacy, Inc.
Its Sole Member

[Signature]

By: __________________________
Print Name: Melanie K. Luker
Title: Assistant Secretary
# Certificate of Liability Insurance

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not affirmatively or negatively amend, extend, or alter the coverage afforded by the policies below. This certificate of insurance does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder.

**Important:** If the certificate holder is an additional insured, the policy(ies) must be endorsed. If subrogation is waived, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

## Coverages

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Highland Park CVS, LLC, dba CVS/pharmacy #0760 located at 3333 Central Street, Evanston, IL 60201. City of Evanston is/are named as an additional insured as their interests may appear, as respects the leased premises, but only to the extent required under the lease of the premises or under any other written contract or agreement.

## Certificate Holder

City of Evanston
2100 Ridge Avenue
Evanston, IL 60201

## Cancellation

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

**Authorized Representative**
Yvonne Myers
Marsh USA Inc.

© 1998-2010 ACORD Corporation. All rights reserved.

ACORD 25 (2010/05)
City of Evanston annual Liquor License Application

CITY OF EVANSTON
Cook County, Illinois

CORPORATE SURETY BOND
(Supplement B)

Surety Bond #: 012023160

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, Highland Park CVS, LLC dba CVS/pharmacy #8760 of the City of Evanston, County of Cook, and State of Illinois, a corporation organized and existing under the laws of the State of Illinois, as Principal and Liberty Mutual Insurance Company, organized and existing under the law of the State of Massachusetts, and licensed to do business in of the City of Evanston, County of Cook, and State of Illinois, hereinafter called the sureties, are held and firmly bound unto the City of Evanston, a municipal corporation, in the sum of TWENTY-FIVE HUNDRED AND NO/100 DOLLARS, for the payment whereof to the City of Evanston, the principal and said sureties bind themselves, their heirs, executors, administrators, and assigns jointly and severally firmly by these presents. Signed, sealed, and dated this 20th DAY OF August, 2014.

WHEREAS the above named principal has been granted a license as an alcoholic liquor dealer by the Liquor Control Commissioner of the City of Evanston under the provision of the Title 3, Chapter 4, relating to the Sale of Alcoholic Liquor, of the Municipal Code of the City of Evanston, recodified January 2014, and amendments thereto, which license will expire on the ___ DAY OF _____, 20__.

NOW, THEREOF, the Condition of the foregoing obligation is such that if the said principal, his agents and employees, shall comply with all the provisions of Title 3, Chapter 4, of the Municipal Code of the City of Evanston hereinafter described, and any and all other ordinances of the City of Evanston relating to the operation of the business of Alcoholic Liquor, as defined in said ordinance; and if said principal, his agents or employees shall not violate said ordinance or any ordinances, rules or regulations now in force or which may hereafter be in force in the City of Evanston affecting the operation of said business, then this obligation shall be void; otherwise it shall remain in full force and effect.
Highland Park CVS, LLC dba CVS/pharmacy #8760
Signed, sealed, and dated this 20th DAY OF August 2014
By: Linda M. Cimbron
Title: Assistant Secretary
State of Rhode Island
County of Providence

Liberty Mutual Insurance Company
Signed, sealed, and dated this 20th DAY OF August 2014
By: Patricia A. Hopgood
Title: Attorney-In-Fact
State of Massachusetts
County of Suffolk

PRINCIPAL

SURETIES

ACKNOWLEDGEMENT OF CORPORATE SURETY

The foregoing instrument was acknowledged before me
by Deborah M. Dyer
this 20th day of August, 2014.

Notary Signature
My Commission Expires March 3, 2017

City of Evanston Liquor License Application (Rev. 12/19/2013)
THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.
This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

American Fire and Casualty Company  Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company  West American Insurance Company

Certificate No. 0369804

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint: Christopher R. Kelly; Deborah J. Thomson; Donna K. Doucet; Patricia A. Hopgood; Sally E. Palmer; Thomas W. Weber

all of the city of Boston, state of MA, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for end on its behalf as surely and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 26th day of November, 2013.

American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA
COUNTY OF MONTGOMERY

On this 26th day of November, 2013, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.

By: Teresa Pastella , Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect as follows:

ARTICLE IV -- OFFICERS -- Section 12, Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surely any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereunto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-In-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII -- Execution of Contracts -- SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surely any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereunto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation -- The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surely any and all undertakings, bonds, recognizances and other surety obligations.

Authorization -- By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 30th day of August, 2013.

By: [Signature]

Gregory W. Davenport, Assistant Secretary
CITY OF EVANSTON
HEALTH DEPARTMENT LICENSE

FOOD ESTABLISHMENT LICENSE

HIGHLAND PARK CVS, LLC.

155 of 323

CVS/PHARMACY #8760

Located At

3333 CENTRAL ST, EVANSTON, IL 60201

As a Food Establishment Under License Number

09FOOD-0212

This license expires December 31, 2014.

No license shall be assigned, sold or transferred, nor shall any license authorize any person other than the applicant to conduct business under such license.

December 18, 2013

Date Printed

Director, Health Department

This License Must Be Posted At All Times So As To Be Clearly Visible To All Patrons.

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<td>IL</td>
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<td>COOK</td>
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<td>08746</td>
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<td>IL</td>
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<td>Highland Park CVS, L.L.C.</td>
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<td>County</td>
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<tr>
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<tr>
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<td>IL</td>
<td>60002-1453</td>
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<tr>
<td>08946</td>
<td>Highland Park CVS, L.L.C.</td>
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<td>15840 S. Cicero Ave.</td>
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<td>60452-3654</td>
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<tr>
<td>10052</td>
<td>Highland Park CVS, L.L.C.</td>
<td>1515 Sheridan Rd.</td>
<td>Wilmette</td>
<td>IL</td>
<td>60091-1822</td>
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</tr>
</tbody>
</table>
Illinois BASSET Off-Premise
SELLER / SERVER CERTIFICATION

Trainee Name: Kayla A Jordan-O'Brien
Date of Completion: 08/19/2014 03:08 CST

School Name: Learn2Serve
Certification #: IL 2263266

I, _______________

Certify that the above named person successfully completed an approved Learn2Serve Seller/Server course.

This course provides necessary knowledge and techniques for the responsible serving of alcohol.

This is your temporary certificate of completion. You will receive you official card in the mail. Please forward all questions to support@360training.com.

Corporate Headquarters
13801 Burnet Rd., Suite 100
Austin, Texas 78727
P: 800-442-1149
Illinois BASSET Off-Premise
SELLER / SERVER CERTIFICATION

Trainee Name: John E. Wnek
Date of Completion: 08/21/2014 13:13 CST

School Name: Learn2Serve
Certification #: IL 2285084

I, John E. Wnek, hereby certify that the above named person successfully completed an approved Learn2Serve Seller/Server course.

This course provides necessary knowledge and techniques for the responsible serving of alcohol.

This is your temporary certificate of completion. You will receive your official card in the mail. Please forward all questions to support@360training.com.

Corporate Headquarters
13801 Burnet Rd., Suite 100
Austin, Texas 78727
P: 800-442-1149
Illinois BASSET Off-Premise
SELLER / SERVER CERTIFICATION

Trainee Name: Claudio Flores
Date of Completion: 07/30/2014 18:31 CST

School Name: Learn2Serve
Certification #: IL 1078188

I, _____________________________
Certify that the above named person
successfully completed an approved
Learn2Serve Seller/Server course.

This course provides necessary
knowledge and techniques for the
responsible serving of alcohol.

This is your temporary certificate of completion. You will receive your official card in the mail. Please forward all questions to support@360training.com.

Corporate Headquarters
13801 Burnet Rd., Suite 100
Austin, Texas 78727
P: 800-442-1149
Memorandum

To: Honorable Mayor and Members of the City Council
   Administration & Public Works Committee

From: W. Grant Farrar, Corporation Counsel
       Theresa Whittington, Administrative Adjudication & Liquor Licensing Manager

Subject: Ordinance 127-O-14, Increasing the Number of Class O Liquor Licenses for Dil Foods, Inc. d/b/a Shell Gas Station, 2494 Oakton Street

Date: October 9, 2014

Recommended Action:
Staff recommends City Council adoption of Ordinance 127-O-14.

Summary:
Ordinance 127-O-14 amends Evanston City Code of 2012 Subsection 3-4-6-(O), as amended, to increase the number of authorized Class O liquor licenses from zero (0) to one (1). Dil Foods, Inc. d/b/a Shell Gas Station (“Company”), 2494 Oakton Street, was recommended for issuance of a Class O liquor license. This license will permit Company to retail sale on the premises specified of alcoholic liquor in original packaging only for consumption off the premises until midnight. Application materials were submitted by Business Representative Minhaz Lakhani.

Legislative History:
At the October 9, 2014 Liquor Control Review Board meeting, Company requested consideration of application for a Class O liquor license (automobile service stations). The Board recommended the issuance of a Class O Liquor License.

Attachments:
Ordinance 127-O-14
Application
See Agenda Item A4 for Minutes of the October 9, 2014 Liquor Control Review Board meeting
AN ORDINANCE

Amending Subsection 3-4-6-(O) of the City Code to Increase the Number of Class O Liquor Licenses from Zero to One
(Dil Foods, Inc., d/b/a “Shell Gas Station”, 2494 Oakton Street)

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: Subsection 3-4-6-(O) of the Evanston City Code of 2012, as amended, is hereby further amended by increasing the number of Class O liquor licenses from zero (0) to one (1), to read as follows:

(O) CLASS O licenses, which shall authorize the retail sale of beer in automobile service stations as defined in Section 3-4-1 of this Chapter, and in original packages to persons of at least twenty-one (21) years of age for consumption off the premises. The applicant for such license shall pay an initial fee of $2,000.00 and thereafter an annual fee of $2,000.00.

1. It shall be unlawful for a Class O licensee to sell a single container of beer unless the volume of the container is greater than forty (40) ounces or 1.18 liters. It shall be unlawful for a licensee to bundle, tape, package, or otherwise manipulate single containers of beer for sale as a set. Any such manipulation of packaging shall be a violation of this subsection.

2. The retail sale of beer pursuant to the Class O license may begin after 8:00 a.m., Monday through Sunday. Beer shall not be sold after the hour of 12:00 midnight on any day. The retail sale of beer area on the premises shall occupy no more than five hundred (500') square feet of floor space.

3. No sale of beer shall be allowed to any patron who is occupying a motor vehicle at the time of sale.

4. No sale of beer shall be allowed from a drive-in window or other similar opening in the licensed premises to any patron.

The total number of Class O licenses in effect at any one (1) time shall not exceed zero (0) one (1).
SECTION 2: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced:___________________, 2014
Approved:

Adopted:___________________, 2014
______________________________, 2014

______________________________
Elizabeth B. Tisdahl, Mayor

Attest:  
Approved as to form:

______________________________
Rodney Greene, City Clerk

______________________________
W. Grant Farrar, Corporation Counsel
### City of Evanston

**Application for Liquor License**

<table>
<thead>
<tr>
<th>Date:</th>
<th>August 28, 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>New business</td>
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<tr>
<td>Change of Ownership/Corporation</td>
<td></td>
</tr>
<tr>
<td>Change of License Class</td>
<td></td>
</tr>
<tr>
<td>Liquor Class:</td>
<td>O</td>
</tr>
<tr>
<td>Initial license Fee:</td>
<td>$2,000.00</td>
</tr>
</tbody>
</table>

### 1. APPLICANT

A. Corporation name: Dil Foods, Inc.

B. Business name: Shell Gas Station

C. Previous business name (if dba changed):  

D. Business address (city, state, zip code):  
2494 Oakton, Evanston, IL 60202

E. Business telephone: 847-332-2088

F. Business website: n/a

G. Business Email: lakhani.minhaz@gmail.com

### 2. BUSINESS ESTABLISHMENT LOCATION INFORMATION

A. Address applying for liquor license (exact street address):  
2494 Oakton

B. Full description of the location including floor layout, specific floors, rooms, etc. (attach a site plan):  
Automobile service station, which includes a Dunkin' donuts, and a Subway. The station also has a small grocery area. The liquor will be offered for purchase in coolers. See attached floor plan.

C. Is the business required to be located within the "Retail Package Store Area"?  
Yes No

If yes, is it located within the "Retail Package Store Area"?  
Yes No

### 3. BUSINESS TYPE & LIQUOR SERVICE INFORMATION

A. Business type:  
- Restaurant
- Hotel
- Package store
- Grocery store
- Other (explain below):

Describe the nature of the business / principal kind of business:  
Automobile service station

<table>
<thead>
<tr>
<th>Liquor to be served and/or sold:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcoholic liquor</td>
</tr>
<tr>
<td>Beer only</td>
</tr>
<tr>
<td>Wine only</td>
</tr>
</tbody>
</table>

Days and times liquor is served:  
- Sunday 8a to 12a
- Monday 8a to 12a
- Tuesday 8a to 12a
- Wednesday 8a to 12a
- Thursday 8a to 12a
- Friday 8a to 12a
- Saturday 8a to 12a

Liquor will served or sold by:  
- Glass
- Bottle
- Can
- Waitstaff and/or
- Over the counter
4. BUSINESS SPECIFIC INFORMATION (for restaurants)
A. Does the applicant seek to sell and/or serve liquor upon the premises of a restaurant? If your response is "No," skip this section and proceed to section 5.  
   □ yes □ no

B. Does the restaurant premises maintain and conduct business to the public as an establishment where meals are actually and regularly served?  
   □ yes □ no

C. Does the restaurant provide adequate and sanitary kitchen and dining room equipment and capacity, with sufficient employees to prepare, cook, and serve suitable food?  
   □ yes □ no

D. How many tables are or will be in the restaurant? What is the seating capacity?  
   □ yes □ no

E. Is there an existing or proposed menu? If your response is "Yes," please attach the menu.  
   □ yes □ no

F. Does the restaurant currently hold or has applied for a City of Evanston food license? If your response is "Yes," what is the expected issue date?  
   □ yes □ no

5. BUSINESS SPECIFIC INFORMATION (for hotels)
A. Does the applicant seek to sell and/or serve liquor upon the premises of a hotel? If your response is "No," skip this section and proceed to section 6.  
   □ yes □ no

B. Does the hotel premises maintain and conduct business to the public as an establishment where meals are actually and regularly served?  
   □ yes □ no

C. Does the hotel provide adequate and sanitary kitchen and dining room equipment and capacity, with sufficient employees to prepare, cook, and serve suitable food?  
   □ yes □ no

D. Does the hotel have at least 50 regular rooms for transients?  
   □ yes □ no

E. Does the hotel currently hold or has applied for a City of Evanston food license? If your response is "Yes," what is the expected issue date?  
   □ yes □ no

6. BUSINESS SPECIFIC INFORMATION (for package stores)
A. Does the applicant seek to sell liquor upon the premises of a package store? If your response is "No," skip this section and proceed to section 7.  
   □ yes □ no

B. Is the package store premises located in the "retail package store area" as defined by the attached map?  
   □ yes □ no

C. Is the package store used only for retail sale of alcoholic liquor in original packages to persons at least 21 years of age for consumption off the premises?  
   □ yes □ no

D. Has the applicant reviewed the Liquor Code definition of a "package store"?  
   □ yes □ no

7. BUSINESS SPECIFIC INFORMATION (for grocery stores)
A. Does the applicant seek to sell and liquor upon the premises of a grocery store and/or combination store? If your response is "No," skip this section and proceed to section 8.  
   □ yes □ no

B. Does the grocery store premises consist of a grocery store and combination store under one roof?  
   □ yes □ no

C. Does the grocery store provide a minimum of 12,000 square feet of production, preparation, and display for product sales? Approximately how many square feet are provided?  
   □ yes □ no

D. Does the grocery store currently hold or has applied for a City of Evanston food license? If your response is "Yes," what is the expected issue date?  
   □ yes □ no
8. PREMISES OWNERSHIP INFORMATION

A. Does the corporation own the premises for which this liquor license is being sought?  
   ☑ yes  ☐ no
   
   If your response is “Yes,” proceed to section 9.

B. Does the corporation possess a lease on such premises covering the full period for which such 
   liquor license is sought?
   ☐ yes  ☑ no

C. What is the period covered by the lease?  
   to

D. What is the name of the Landlord?

E. What is the address of the Landlord? (please include city, state, and zip code.)

9. ELIGIBILITY QUESTIONS

A. Has the owner or any relative had a business or liquor license revoked?  
   ☐ yes  ☑ no

B. Is the owner disqualified to receive a license by reason of any matter or thing contained in Title 
   3, Chapter 4 of the City of Evanston Code, other ordinance, and laws of the State of Illinois or other 
   ordinances of the City of Evanston?  
   ☑ yes  ☐ no

C. Does the owner agree not to violate any laws of the State of Illinois, or of the United States, or 
   any ordinance of the City of Evanston in the conduct of his or her place of business?  
   ☑ yes  ☐ no

D. Has the owner received assistance in preparing this application? If the response is “Yes,” please 
   provide the information below.

   name  address  telephone  relationship  
   Anjana Hansen  2017 Seward, Evanston 60202  847-644-5284  attorney

I, the Applicant and/or duly appointed representative, have reviewed the prepared application and 
accept it as true and correct to the best of my knowledge. I agree to report any changes to the 
contents of this application, whether they occur before or after a license is issued, to the City of 
Evanston within 30 days. I agree to notify the City of Evanston of any and all changes in corporate 
stockholder shares, corporate officers and directors. Further, I understand that the liquor license 
issued is not transferrable. It is understood that the acceptance and deposition of the fee 
herein tendered does not constitute acceptance of the liquor license application.

[Signature]

Signature of Applicant

8/28/14

Date
City of Evanston Liquor License Application

AFFIDAVIT

State of Illinois  
County of Cook  

The undersigned hereby makes application for a Class liquor license. I / we swear (or affirm) that I / we will not violate any of the ordinances of the City of Evanston or laws of the State of Illinois or the laws of the United States of America in the conduct of the place of business described herein; that I have read and understand Title 3, Chapter 4 of the Evanston City Code; and that the statements contained in this application are true and correct.

"OFFICIAL SEAL"
Margaret Cannon
Notary Public, State of Illinois
My Commission Expires 9/14/2014

Signature of Applicant

Subscribed and sworn to before me this 19 day of August, 2014,
Margaret Cannon
Notary Public

Signature of Applicant

(seal)
CORPORATE INFORMATION FORM
(Supplement A)

Applicants must file business with Secretary of State:

Name of Corporation/Partnership: Dil Foods, Inc.

Corporate Address:
2494 Oakton St., Evanston, IL 60202

Corporate Ph #: 847/332-2088 Corporate Email: lakhani.minhaz@gmail.com FEIN: [redacted]

Business Status:

Date Corporation/Partnership was Organized: July 29, 2009

State Articles of Incorporation/Organization filed: Illinois

Date Articles of Incorporation/Organization filed with Secretary of State: August 5, 2009

Date Certification of Incorporation/Organization was issued by Secretary of State: August 5, 2009

Are there any amendments to Articles of Incorporation? (if yes, provide date filed) Yes ☐ No ☐ Date Amendment Filed

What are the total shares of stock created by this Corporation? 1000

H. List stockholders with 5% or more in holdings (corporations with a long list, attach copy of list):

<table>
<thead>
<tr>
<th>Name</th>
<th>Percentage of Stock</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minhaz Lakhani</td>
<td>99</td>
</tr>
<tr>
<td>Dilshad Lakhani</td>
<td>1</td>
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</table>

Has Corporation attached an organization chart/listing with Names, Title, Address and Percentage of Stock of Corporation officers and directors? Yes ☐ No ☐

Has the Corporation attached a file-stamped copy of Articles of Incorporation/Organization? Yes ☐ No ☐

Explain any existing options & names of persons concerned as they pertain to purchase or acquire stock at a future date:

What is the objective of Corporation? to operate an automobile service station

Has a Shareholder and/or Site Manager Background Form been completed for each person holding (5%) or more stock in this corporation? Yes ☐ No ☐
### CORPORATION FILE DETAIL REPORT

<table>
<thead>
<tr>
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<th>DIL FOODS INC.</th>
<th>File Number</th>
<th>66684806</th>
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<tbody>
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<td>Status</td>
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<tr>
<td>Entity Type</td>
<td>CORPORATION</td>
<td>Type of Corp</td>
<td>DOMESTIC BCA</td>
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<tr>
<td>Incorporation Date (Domestic)</td>
<td>08/05/2009</td>
<td>State</td>
<td>ILLINOIS</td>
</tr>
<tr>
<td>Agent Name</td>
<td>MINHAZ S. LAKHANI</td>
<td>Agent Change Date</td>
<td>08/05/2009</td>
</tr>
<tr>
<td>Agent Street Address</td>
<td>2494 OAKTON ST</td>
<td>President Name &amp; Address</td>
<td>MINHAZ LAKHANI 5300 W PRATT SKOKIE 60077</td>
</tr>
<tr>
<td>Agent City</td>
<td>EVANSTON</td>
<td>Secretary Name &amp; Address</td>
<td>DIL SHAD LAKHANI SAME</td>
</tr>
<tr>
<td>Agent Zip</td>
<td>60212</td>
<td>Duration Date</td>
<td>PERPETUAL</td>
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<tr>
<td>Annual Report Filing Date</td>
<td>08/05/2014</td>
<td>For Year</td>
<td>2014</td>
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</table>

Return to the Search Screen

**Purchase Certificate of Good Standing**
(One Certificate per Transaction)

BACK TO CYBERDRIVEILLINOIS.COM HOME PAGE
ARTICLES OF INCORPORATION
Business Corporation Act

Jesse White, Secretary of State
Department of Business Services
221 S. Second St., Rm. 350
Springfield, IL 62706
217-782-9322
217-782-6881
www.cyberdriveillinois.com

Filed: 08-5-2009 Jesse White Secretary of State

See Note 1 on back to determine fees.

Filing Fee: $150 Franchise Tax $ 25.00 Total $ 175.00 6668-480-6 Approved: JAB

Submit in duplicate Type or Print clearly in black ink Do not write above this line

1. Corporate Name: DEE FOODS INC.

The Corporate Name must contain the word "Corporation," "Company," "Incorporated," "Limited," or an abbreviation thereof.

2. Initial Registered Agent: MINHAZ S. LAKHANI
First Name Middle Initial Last Name
Initial Registered Office: 2404 OAKTON ST
Number Street Suite No. (P.O. Box alone is unacceptable)
EVANSTON IL 60212 COOK
City ZIP Code County

3. Purposes(s) for which the Corporation is Organized:
If more space is needed, attach additional sheets of this size.

The transaction of any or all lawful businesses for which corporations may be incorporated under the Illinois Business Corporation Act.

4. Paragraph 1 — Authorized Shares, Issued Shares and Consideration Received:

<table>
<thead>
<tr>
<th>Class</th>
<th>Number of Shares Authorized</th>
<th>Number of Shares Proposed to be Issued</th>
<th>Consideration to be Received Thereof</th>
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</thead>
<tbody>
<tr>
<td>COMMON</td>
<td>10000</td>
<td>1000</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

TOTAL = $1,000.00

Paragraph 2 — The preferences, qualifications, limitations, restrictions and special or relative rights in respect of the shares of each class are:
If more space is needed, attach additional sheets of this size.

(cont. on back)

Printed by authority of the State of Illinois, March 2007 10M 0 462.09

08/05/2009 10:52AM
5. a. Number of Directors constituting the initial board of directors of the corporation:

b. Names and Addresses of persons serving as directors until the first annual meeting of shareholders or until their successors are elected and qualify:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City, State, ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
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<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6. a. It is estimated that the value of the property to be owned by the corporation for the following year wherever located will be: $ ______________________

b. It is estimated that the value of the property to be located within the State of Illinois during the following year will be: $ ______________________

c. It is estimated that the gross amount of business that will be transacted by the corporation during the following year will be: $ ______________________

d. It is estimated that the gross amount of business that will be transacted from places of business in the State of Illinois during the following year will be: $ ______________________

7. Other Provisions: Attach a separate sheet of this size for any other provision to be included in the Articles of Incorporation (e.g., authorizing preemptive rights, denying cumulative voting, regulating internal affairs, voting majority requirements, fixing a duration other than perpetual, etc.).

NAME(S) & ADDRESS(ES) OF INCORPORATOR(S)

8. The undersigned incorporator(s) hereby declare(s), under penalties of perjury, that the statements made in the foregoing Articles of Incorporation are true.

Dated JULY 20, 2009

Month & Day Year

<table>
<thead>
<tr>
<th>Name</th>
<th>Signature</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1. 2484 OAKTON ST EVANSTON IL 60212</td>
</tr>
<tr>
<td>MINHAZ LAKHANI</td>
<td>Signature</td>
<td>Street City/Town State ZIP Code</td>
</tr>
<tr>
<td>Dilshad Lakhani</td>
<td>Signature</td>
<td>2. 2484 OAKTON ST EVANSTON IL 60212</td>
</tr>
<tr>
<td>DILSHAD LAKHANI</td>
<td>Signature</td>
<td>Street City/Town State ZIP Code</td>
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Signature and Name

Address

Note 1 — Fee Schedule:

- The initial franchise tax is assessed at the rate of 15/100 of 1 percent ($1.50 per $1,000) on the paid-in capital represented in this state. (The minimum initial franchise tax is $25.)

- The filing fee is $150.

- The minimum total due (franchise tax + filing fee) is $175.

Printed by authority of the State of Illinois, March 2007 — 10M — O 182.20

Note 2 — Return to:

Firm name
Attention
Mailing Address
City, State, ZIP Code

08/05/2009 10:52AM
SPECIAL WARRANTY DEED

THE GRANTOR, REAL ESTATE EVANSTON, L L C., an Illinois limited liability company, with offices at c/o Lee Fry Companies, 825 N. Cass Avenue, Suite 209, Westmont, IL 60559 ("Grantor") for and in consideration of the sum of Ten Dollars ($10.00) and other valuable consideration in hand paid, the receipt and sufficiency of which are hereby acknowledged, does hereby GRANT, SELL, CONVEY, WARRANT, ASSIGN and DELIVER to GRANTEE, AMIN PROPERTIES, LLC., an Illinois limited liability company, with offices at 5300 W. Pratt, Skokie, IL 60077 ("Grantee") all interest in the real property described in Exhibit A attached hereto and made a part hereof, together with all improvements situated thereon, and all right, title and interest of Grantor in and to adjacent streets and rights-of-way, subject to the encumbrances described in Exhibit B attached hereto and made a part hereof (hereinafter called the "Permitted Encumbrances").

TO HAVE AND TO HOLD the herein described property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns, forever, and Grantor does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the said premises unto Grantee, its successors and assigns against every person whomsoever writing, claiming, or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise subject, however, to the Permitted Encumbrances.

Permanent Real Estate Number: 10-25-100-024 & 10-25-100-031

Property Address: 2424 Oakton Street, Evanston, IL 60201

CITY OF EVANSTON 020793
Real Estate Transfer Tax
City Clerk's Office

[Signature]
CERTIFICATE OF LIABILITY INSURANCE

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

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

PRODUCER
Service Insurance Agency
P.O. Box 1250
1686 N. Arlington Heights Road
Arlington Heights, IL 60004-1250
Servico Insurance Agcy

CONTACT NAME: Tom Kropp
PHONE (INC. Ext): 847-870-0400
FAX: 847-870-0562
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE

INSURED: DIL Foods, Inc. Amin Prop LLC
Lakhani & Sons Inc
2494 Oakton St.
Evanston, IL 60202

COVERAGES

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<tr>
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GENL AGGREGATE LIMIT APPLIES PER:

X POLICY LOOC

OTHER:

A AUTOMOBILE LIABILITY

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UMBERELA LIAB OCCUR CLAIMS MADE

EXCESS LIABILITY

| DED | RETENTION $
|-----|-------
|     |       |

W WORKERS COMPENSATION AND EMPLOYERS LIABILITY

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ANY PROPRIETOR PARTNER OR EXECUTIVE OFFICER MEMBERS EXCLUDED (Mandatory in HI)

DESCRIPTION OF OPERATIONS below

A LIQUOR LIAB

| GSP531112 | 08/07/2014 | 12/03/2014 | $1,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Items Sheet Schedule, may be attached if more space is required)

City of Evanston is named as an Additional Insured with respect to General Liability.

CERTIFICATE HOLDER

City of Evanston
2100 Ridge Avenue
Evanston, IL 60201

CANCELLATION

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

AUTHORIZED REPRESENTATIVE
Service Insurance Agency

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Effective Date: August 11th, 2014

CITY OF EVANSTON
Cook County, Illinois

CORPORATE SURETY BOND
(Supplement B)

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, DIL Food & #19977; & #65292; Inc & #12290; (Corporation)

of the City of Evanston, County of Cook and State of Illinois, a corporation organized and existing under the laws of the State of Illinois, as Principal and Western Surety Company, organized and existing under the law of the State of South Dakota, and licensed to do business in the City of Evanston, County of Cook and State of Illinois, hereinafter called the sureties, are held and firmly bound unto the City of Evanston, a municipal corporation, in the sum of TWENTY-FIVE HUNDRED AND NO/100 DOLLARS, for the payment whereof to the City of Evanston, the principal and said sureties bind themselves, their heirs, executors, administrators and assigns jointly and severally firmly by these presents. Signed, sealed and dated this 11th DAY OF August 2014.

WHEREAS the above named principal has been granted a license as an alcoholic liquor dealer by the Liquor Control Commissioner of the City of Evanston under the provisions of the Title 3, Chapter 5, relating to the Sale of Alcoholic Liquor, of the Municipal Code of the City of Evanston, 1984, and amendments thereto, which license will expire on the 11th DAY OF August 2015.

NOW, THEREFORE, the Conditions of the foregoing obligation is such that if the said principal, his agents and employees, shall comply with all the provisions of Title 3, Chapter 5, of the Municipal Code of the City of Evanston hereinafter described, and any and all other ordinances of the City of Evanston relating to the operation of the business of Alcoholic Liquor, as defined in said ordinance; and if said principal, his agents or employees shall not violate said ordinance or any ordinances, rules or regulations now in force or which may hereafter be in force in the City of Evanston affecting the operation of said business, then this obligation shall be void; otherwise it shall remain in full force and effect.

PRINCIPAL

Signed, Sealed and Delivered this ___ day of __________.

By: [Signature] President

State of Illinois

County of Cook

SURETIES

Signed, Sealed and Delivered this 11th day of August 2014.

By: [Signature] Vice President

WESTERN SURETY COMPANY

State of SOUTH DAKOTA

County of Minnehaha

(Affix Seal)

Corporate Surety Bond 120408
State of SOUTH DAKOTA

County of Minnehaha

ACKNOWLEDGEMENT OF CORPORATE SURETY

The foregoing instrument was acknowledged before me by Paul T. Bruflat
this ___11th____ day of ______August____, 2014.

______________
[Signature]
Notary Signature

S. PETRIK
NOTARY PUBLIC
SOUTH DAKOTA

My Commission Expires August 11, 2016
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:


Paul T. Bruflat of Sioux Falls, State of South Dakota, its regularly elected Vice President, as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Liquor City of Evanston bond with bond number 62123951

for DIL Food & 19977; Inc & 12290;

as Principal in the penalty amount not to exceed: $ 2,500.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

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

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President with the corporate seal affixed this 11th day of August, 2014.

ATTEST

L. Nelson, Assistant Secretary

By Paul T. Bruflat, Vice President

WESTERN SURETY COMPANY

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAZA

On this 11th day of August, 2014, before me, a Notary Public, personally appeared Paul T. Bruflat, Vice President and L. Nelson, Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.

S. PETRIK

NOTARY PUBLIC

My Commission Expires August 11, 2016

Form F1975-1-2012
Certificate of Completion

MINHAZ LAKHANI

Has diligently and with merit completed the Off-Premise BASSET Alcohol Certification on 8/8/2014 from the American Safety Council.

[Signature]
Certificate of Completion

American Safety Council

MUHAMMED KHAN

Has diligently and with merit completed
the Off-Premise BASSET Alcohol Certification
on 8/24/2014

from the American Safety Council.

Jeff Pairan
Memorandum

To: Honorable Mayor and Members of the City Council
   Administration and Public Works Committee

From: W. Grant Farrar, Corporation Counsel

Subject: Ordinance 114-O-14, Amending City Code Section 3-4-6-(P-2) to Allow for Sale of Beer in Twenty-Two Ounce Containers for Off-Site Consumption

Date: October 20, 2014

Recommended Action:
Local Liquor Commissioner recommends City Council adoption of Ordinance 114-O-14. This ordinance was introduced at the October 13, 2014 City Council meeting.

Summary:
The City of Evanston (“City”) currently restricts the P-2 liquor license to the sale of beer in thirty-two (32) ounce containers or greater for off-site consumption. Temperance Beer Company approached the City of Evanston’s Local Liquor Control Board (“LLCB”) requesting to decrease the minimum allowed volume of beer containers from thirty-two (32) ounces to twenty-two (22) ounces. The LLCB finds that twenty-two (22) ounce containers are typical of the craft beer industry. Recognizing this fact, the City Code will be amended to allow for sale of beer in twenty-two (22) ounce containers for off-site consumption for the current Class P-2 liquor licenses.

Attachments:
Ordinance 114-O-14
Minutes of the August 27, 2014 Liquor Control Review Board meeting
AN ORDINANCE

Amending Subsection 3-4-6-(P-2) of the City Code to Allow for Sale of Beer in Twenty-Two (22) Ounce Containers for Off-Site Consumption

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: Subsection 3-4-6-(P-2) of the Evanston City Code of 2012, as amended, is hereby further amended by allowing the sale of beer in twenty-two (22) ounce containers for off-site consumption, to read as follows:

(P-2) CRAFT BREWERY license shall authorize the on-site production and storage of craft beer in quantities not to exceed nine hundred thirty thousand (930,000) gallons (or 30,000 barrels) per year and the sale of such beer for consumption off-premises. It also authorizes on-site sampling and retail sale for consumption of such beer by persons of at least twenty-one (21) years of age. Such craft brewery licenses shall be issued subject to the following conditions:

1. It shall be unlawful for a Class P-2 licensee to sell a container of beer for off-premises consumption unless the volume of the container is equal to or greater than thirty-two (32) ounces or 0.94 liters, twenty-two (22) ounces or .65 liters.

2. Class P-2 licensees may during authorized hours of business offer for onsite consumption samples of beer, or beer for retail sale, the beer permitted to be produced and sold pursuant to this classification.

Licensees who offer servings of beer for retail sale shall provide expanded food service which includes such items as sandwiches, flatbreads, empanadas, hot dogs, salads, or other similar a la carte items to customers who are purchasing a craft beer serving(s). Licensees may arrange for the presence and operation of a mobile food vehicle on or adjacent to the licensed premises during authorized hours of business to serve food to customers. Only mobile food vehicle vendors licensed pursuant to Title 8, Chapter 23 of the City Code shall be allowed to be present and operate. Licensees required to provide expanded food service
shall comply with all applicable requirements of Title 8, Chapter 6 of the City Code.

3. Class P-2 licensees must have at least one (1) BASSET-certified site manager on-premises whenever beer is available for on-site consumption. All persons who sell, open, pour, dispense or serve craft beer shall be BASSETT certified. Class P-2 licensees must provide food service whenever beer is available for on-site consumption, in accordance with the specifications applicable to retail sale for on-site consumption. The licensee is strictly liable for complying with all provisions regarding food service. Craft beer for product sampling or retail sale for on-site consumption shall be sold and dispensed only in containers provided by the licensee. Craft beer servings for consumption on premises shall be dispensed in containers no larger than sixteen (16) ounces. Craft beer sold within the licensed premises for consumption on the premises shall not be removed from the licensed premises. No alcoholic liquor shall be brought onto the licensed premises or consumed on the licensed premises other than the craft beer sold at retail or offered for sampling.

4. It shall be unlawful for the holder of a Class P-2 license to provide a sample of or sell any beer between the hours of 12:00 a.m. and 10:00 a.m. on any Monday, Tuesday, Wednesday, Thursday or Friday; between the hours of 1:00 a.m. and 10:00 a.m. on any Saturday; and between the hours of 1:00 a.m. and 12:00 p.m. on any Sunday.

5. Every Class P-2 licensee must have a valid Class 3 Brewer's License from the State of Illinois. Every licensee shall maintain accurate records as to the total gallonage of beer manufactured on the premises and the total gallonage of beer manufactured on the premises and sold for consumption off-premises. Licensee shall produce said records to the City upon request.

6. Every employee of a Class P-2 licensee who participates in the production and sale of beer, pursuant to this license class, must be BASSET-certified.

The annual single payment fee for initial issuance or renewal of such license shall be $4,000.00.

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable pursuant to the provisions of Section 3-4-7 of this Chapter, shall be $4,090.00.
No more than one (1) such license shall be in force at any one (1) time.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 4: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: _________________, 2014  Approved: ____________________________, 2014

Adopted: _________________, 2014  ____________________________, 2014

_____________________________
Elizabeth B. Tisdahl, Mayor

Attest: Approved as to form:

_____________________________
Rodney Greene, City Clerk  W. Grant Farrar, Corporation Counsel
CALL TO ORDER
The Local Liquor Control Commissioner Elizabeth Tisdahl called the meeting to order at 11:35 a.m.

NEW BUSINESS

Temperance Beer Company, 2000 Dempster Street, Evanston, IL:
Seeks amendment to liquor license Class P-2 (Craft Brewery with on-site consumption) to allow for sale of beer in 22 ounce containers for off-site consumption.

Josh Gilbert (JG) requested an amendment to the Class P-2 license to allow for the sale of 22 oz. “bombers” for off-site consumption. JG brought in a sample of a 32 oz. container and a 22 oz. container to demonstrate the difference in sizes. The 32 oz. container is currently allowed under P-2. The 22 oz. containers will most likely contain small batch, special edition beers.

Mayor Tisdahl asked which other establishments sell 22 oz. beers. JG responded that Binny’s and Evanston 1st both sell 22 oz. containers. Amy Morton offered that 22 oz. containers are main stream these days. Dick Peach agreed that the 22 oz. container is typical in the craft beer industry.

Mayor Tisdahl expressed some concern over public consumption. JG explained that the price point of a 22 oz. craft beer is higher than typical beer and does not think its target consumer is inclined to public consumption of alcohol. Sandeep Ghaey offered that public consumption often occurs with 40 oz. containers which are currently allowed under the liquor code.

Grant Farrar offered that the 22 oz. container amendment could be drafted to apply to both craft brewer classes, P-1 and P-2. The 22 oz. container contents will be specific to “American Craft Beer”.
The Local Liquor Control Commissioner asked the members if there were any further concerns over the request. None were voiced. Amendments to Classes P-1 and P-2 are to be introduced at the City Council meeting on October 13, 2014.

FOR DISCUSSION

Diana Hamann – owner of The Wine Goddess, 702 Main Street
Request to eliminate or reduce the 6% liquor tax

Diana Hamann (DH) created a change.org petition to eradicate the liquor tax and reported to the board that she has obtained 375 signatures in support of the action. DH distributed handouts to attendees. The handout contains a breakdown of liquor, food/beverage and state/local tax by Chicago-land cities. DH explained to the board that Evanston has an effective tax rate of 15% on liquor, after accounting for the state/local sales tax.

Page 2 of the handout contrasted profit margins between a retail liquor store and a restaurant that sells liquor. It provided further details specific to The Wine Goddesses’ sales. DH explained that restaurants only pay 2% of their gross profits to liquor tax while a retail package store will pay 17% of its gross profits to liquor tax. She feels this is unfair to packaged goods stores. Using these profit margins, DH explained that her business is running a monthly deficit of -$676.00 per month and attributes part of those losses to the liquor tax.

DH cited steady increases in liquor tax revenue over the past ten years as reasoning that the liquor tax could be reduced. DH offered three ways to reduce the liquor tax: 1) eliminate entirely the liquor tax for retail packaged goods stores; 2) share the tax burden by increasing the state and local tax by 0.25%; 3) broaden the tax base by increasing the prepared food and beverage tax by 0.5%-1%.

Mayor Tisdahl thanked DH for her presentation. Mayor Tisdahl noted that a cut in taxes would also equal a cut in services. That will entail long and hard discussions with the people whose services would be cut. Raising taxes on another group will involve equally difficult discussion with that group. Removing $2 million dollars in taxes will result in services getting cut. DH responded that part of her proposal is to shift or share the tax burden in order to avoid revenue loss by the City.

Sandeep Ghaey (SG) acknowledged that it is difficult for business people to also be policy makers. SG said he definitely feels the pinch every 30th of the month when his liquor tax bill is due. He does not think the City ought to be taxing him at the current rate. SG doesn’t want to take $2 million from the City but he also does not want to incur great cost either. SG stated that his company makes less that he has given to the City every year for the past 5 years. He wondered why he should work 80 hours per week only to give the City more than his company makes. He has considered moving his business outside of Evanston, citing the $5000 annual fee as 2.5 times the Chicago rate. SG cited a 2007 economics analysis study by the Goodman Williams Group. It showed a $10 million dollar gap in demand versus supply for liquor sales in Evanston. SG noted that many comments on the change.org survey said Evanstonians take their retail liquor purchases outside of the City to avoid the tax. The City is losing potentially
$10 million dollars in liquor business. He offered if we lowered the tax to 2% then the City would lose less in sales. This could offset the loss in tax revenue. Dave Glatt offered that he is aware of serious wine collectors who will not buy in Evanston because the wine cost more due to the tax. 6% tax keeps them out of Evanston.

Mayor Tisdahl said she is happy to refer this matter to the economic development team for further review. Mayor Tisdahl asked Johanna Nyden to look into whether it is reasonable to expect increased sales to make up for a cut in liquor tax, as Sandeep Ghaey suggested.

Marion Macbeth acknowledged that the 6% tax may be onerous. She further stated a preference to spread out the tax burden by decreasing the liquor tax and increasing the prepared food and beverage tax.

Mayor Tisdahl explained that the City incurs extra costs that are specific to alcohol. She cited the homicide at the Keg and the extra police time spent dealing with intoxicated college students. DH stated that the liquor tax penalizes business owners. The Mayor disagreed and stated that the intent is not to penalize anyone. She further stated that the 6% liquor tax existed before DH opened up her business and it should have been part of her business plan calculations.

Dave Glatt (DG) stated that taxing alcohol is bad but that taxing food is worse. He agrees that alcohol causes social problems that cost money to address and that eating food does not cause similar issues. Taxing alcohol means taxing adults. Taxing food means taxing across all age groups, including children. DG noted that Whole Foods only pays 2% tax on its takeout food versus 9% on takeout food from a restaurant. Marion Peach offered that someone will always be unhappy when it comes to taxes. Marion Macbeth also pointed out that cities such as Naperville have larger commercial business and shopping tax bases and may not be the best cities to use for comparison purposes.

Dick Peach stated that he buys a lot of wine and eats out a lot in Evanston and has never noticed the tax amount before. He pays for the quality of the food and service but does not look at the tax. As a consumer he does not see the issue. While he is sympathetic, he stated the tax is not hidden and that all business owners should have been aware of the tax when they opened their businesses in Evanston. Dick Peach goes on to state that the bulk of tax revenue comes from restaurants with liquor licenses and that he wants to see those thrive. He is not in favor of an increase in the food tax.

Amy Morton (AM) shared her belief that everyone in the room shares the goal of maintaining Evanston as a world-class City. She wants Evanston to continue bring as many businesses to Evanston while maintaining the growing residential base. AM lives and works in Evanston. She stated that she wants to offer the very best prices to her guests but is not in favor of cutting City services as a result of cutting liquor taxes. The Found POS system shows a tax of 15% which is often misinterpreted by patrons as a “gratuity included” charge resulting in lower tips for her staff. She stated further that it would be great to have a lower liquor tax, but the issue is complex. The issues need to be explored but in a way that keeps in mind the children receiving free or reduced lunches.
Johanna Nyden stated that she will work with the City Manager and City Treasurer to discuss possible recommendations. Mayor Tisdahl indicated her trust in the economic development team to work through the issue.

**Sandeep Ghaey – owner of Vinic Wine, 1509 Chicago Ave**

Sandeep Ghaey (SG) discussed the administrative fee tax credit issued to license holders. He requested an increase in the credit amount issued to liquor license holders. SG stated that he loses 4% on sales made by credit card and only receives a 2% administrative fee tax credit. The tax credit is not in line with his costs. He would like to see the credit percentage increased. SG indicated a willingness to table the discussion until the broader issues for liquor taxes raised earlier are fully vetted.

**ADJOURNMENT**

The meeting was adjourned by the Local Liquor Control Commissioner Elizabeth Tisdahl, Mayor at 12:32 p.m., August 29, 2014.

Respectfully Submitted,

Theresa Whittington
Liquor Licensing Manager, Legal Department
Memorandum

To: Honorable Mayor and Members of the City Council
   Administration and Public Works Committee

From: Martin Lyons, Assistant City Manager/Treasurer

Subject: Ordinance 122-O-14 - Dissolution of Southwest Tax Increment Finance District

Date: October 6, 2014

Recommended Action:
Staff recommends adoption of Ordinance 122-O-14 to dissolve the Southwest TIF District effective December 31, 2014. As a part of this closure the City is required to officially notify all taxing districts regarding the dissolution and any distribution thereof from remaining funds in the TIF. This ordinance was introduced at the October 13, 2014 City Council meeting.

Funding Source:
N/A

Summary:
The Southwest TIF will close on December 31, 2014. As noted below, the City will have a modest amount of fund reserves for distribution, however, if further projects are noted between now and December 31, 2014, staff will seek Council approval for expenditure of these funds as opposed to distribution. According to the proposed 2015 budget, to be released on October, 10, 2014, the 2014 tax increment is estimated to be $610,000. As is also noted in the 2015 proposed budget, the FY 2014 proposed tax levy will include $128,000 from this TIF. As noted during the closure of the Downtown II TIF in 2009, this addition to the General Fund Operating Levy will not result in an increase to the overall levy to Evanston tax payers.

The Southwest TIF covers an area of the City bounded by Main Street to the North and Pitner to the East as noted on the map on the next page.
City of Evanston  
Southwest TIF  
As of August 31, 2014

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Beginning Fund Balance  
Ending Fund Balance  
$304,939  
$344,717  
$344,717  
$932,718

As noted above the TIF is expected to close the year with a fund balance just over $930,000. Assuming that the City receives approximately 20% of the total Evanston tax bill, this surplus would result in an estimated distribution to the City of just over $186,000. These funds would be distributed according to the City’s levy, which means that a portion will go toward The General Fund, Library Fund, and Police/Firefighters Pension Funds. Due to the transition of the Township, this portion would be deposited in the General Assistance Fund.

The City Council Agenda will have a surplus distribution ordinance for consideration in November 2014. This ordinance may be impacted by two separate ongoing issues as noted below:

1. The Village of Arlington Heights has filed suit against Cook County, challenging the process wherein the County has deducted prior year tax refunds from within a TIF district, taking the funds from the Village’s General Fund Tax Levy.

2. The City is considering whether to escrow all or a part of surplus funds for the purpose of paying future year tax refunds from the closed TIF district. This same issue was contemplated in 2009 when the Downtown II TIF was closed, and in that case the City transferred funds to the Parking Fund for payment of the
Sherman Avenue Parking deck debt service. Having no such outstanding liability, the Southwest TIF scenario would require the City to escrow the funds in some manner.

The TIF frozen valuation at inception was $1.0 million and as of December 31, 2013, was valued at $6.7 million, making the increase 570%.

After the Southwest TIF is closed and all numbers are finalized and audited, we will provide a report on the success of the district and the financial benefits it has brought to the City.

**Legislative History:**
- Ordinance 47-O-1990
- Ordinance 48-O-1990
- Ordinance 49-O-90

**Attachments:**
- Ordinance 122-O-14
AN ORDINANCE

Terminating the Redevelopment Project Area of the City of Evanston, Illinois, and Related Matters ("Southwest TIF")

WHEREAS, pursuant to Ordinances 47-O-90, 48-O-90, and 49-O-90 adopted June 25, 1990, the City of Evanston, Illinois (the “City”) adopted a redevelopment plan and a related redevelopment project (the “Redevelopment Plan and Redevelopment Project”), designated a redevelopment project area (the “Redevelopment Project Area”) (as described in Southwest TIF Redevelopment Project), and adopted tax increment finance for the Redevelopment Project Area.

WHEREAS, City Council has received the certification of the City’s Treasurer and Community Development Director that all redevelopment project costs for the Redevelopment Project Area have been paid, that all obligations in connection with the Redevelopment Project Area have been retired, and all excess monies have been distributed, and notice of the dissolution of the special tax allocation fund and the termination of the Redevelopment Project Area was given by the City Clerk on or before November 1, 2014, to all affected taxing districts.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, ILLINOIS, as follows:

SECTION 1: The City dissolves the special tax allocation fund for the Redevelopment Project Area, and terminates the Redevelopment Project Area as a “redevelopment project area” under the Act.
SECTION 2: The City Clerk shall immediately file a certified copy of this Ordinance 122-O-14 with the County Clerk of Cook County, Illinois.

SECTION 3: This Ordinance 122-O-14 shall become effective immediately upon its passage and approval.

Upon motion by ________________, seconded by ________________, adopted this ___ day of ________________, 2014, by roll call vote as follows:

Voting “Yes” (names):

______________________________
______________________________
______________________________
______________________________
______________________________
______________________________
______________________________
______________________________

Voting “No” (names):

______________________________
______________________________
______________________________
______________________________
______________________________
______________________________
______________________________
______________________________
Approved:

__________________________, 2014

_______________________________

Elizabeth B. Tisdahl, Mayor

Attest: Approved as to form:

_______________________________

Rodney Greene, City Clerk          W. Grant Farrar, Corporation Counsel
CERTIFICATION OF ORDINANCE 122-O-14

I, Rodney Greene, do hereby certify that I am the duly selected, qualified, and acting City Clerk of the City of Evanston, Cook County, Illinois (the “Municipality”) and, as such Official, I am the keeper of the records and files of the Municipality and of its City Council (the “Corporate Authorities”).

I do further certify that the attached ordinance constitutes a full, true, and correct excerpt from the proceedings of the Municipality’s Corporate Authorities held on _______________________, 2014, entitled:

AN ORDINANCE

Terminating the Redevelopment Project Area of the City of Evanston, Illinois, and Related Matters (“Southwest TIF”)

a true, correct, and complete copy of which ordinance as adopted at such meeting appears in the minutes of such meeting and is hereto attached. Such ordinance was adopted and approved on the date thereon set forth by not less than an affirmative vote of a majority of the Corporate Authorities and approved by the Mayor on the date indicated thereon.

I do further certify that the deliberations of the Corporate Authorities on the adoption of the above ordinance were taken openly, that the vote of the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such laws and such Code and their procedural rules in the adoption of such ordinance.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the City of Evanston, Illinois, this ___ day of ______________, 2014.

(SEAL) By: __________________________
Rodney Greene, City Clerk
To: Administration and Public Works Committee

From: Wally Bobkiewicz, City Manager
     Marty Lyons, Assistant City Manager
     Johanna Nyden, Economic Development Division Manager

Subject: Discussion of the City of Evanston’s Liquor Tax and Collected Liquor Tax Revenue

Date: October 10, 2014

Summary:
A reference was made to the Administration & Public Works Committee at the October 6, 2014 meeting of the Rules Committee to investigate the City’s Liquor Tax Rate and whether or not this places Evanston-based retailers of alcohol at a competitive disadvantage.

Staff has examined the issue and has provided a summary of information and background on the tax assessed and subsequent revenue collected by the City. Information is also provided on total licenses issued by the City as well as comparable and adjacent municipalities; some analysis of the comparison between these municipalities was also conducted to facilitate discussion. It is noteworthy to point out that it is challenging to compare Evanston’s competitive advantage or disadvantage without having information on the total sales volume of other municipalities directly adjacent to Evanston (i.e. locations that Evanston shoppers may shop for liquor in lieu of shopping in Evanston because they seek the savings of not paying the tax upon liquor purchased). Municipalities adjacent to Evanston do not levy a tax on liquor.

Background:
The City’s tax on alcohol for on- and off-premise consumption is known in the City Code (3-2-14-2) as the “Tax on the Privilege of Purchasing Alcoholic Liquor”. The City levy’s for such beverages is at a rate of six percent (6%) of the purchase price, exclusive of any other tax charged for alcoholic liquor. The Code permits the dealer of the alcoholic liquor to retain an amount of money equal to two percent (2%) of the tax due as compensation for services rendered in the collection and payment of the tax. Therefore, if the monthly liquor tax revenue remitted is $1,000, the dealer may retain $20 as an administrative fee. The funds collected through the tax on the privilege of purchasing alcoholic liquor are deposited in the City’s General Fund.
The City's liquor tax revenue has steadily grown since 2001 with the exception of a few years that appear to coincide with larger economic downturns (early 2000s recession and the Great Recession in 2007-2008). The reduction in 2011 is likely related to the City's shift in fiscal years in which 2011 was a 10 month fiscal year, rather than a regular 12 month fiscal year. The City's liquor tax revenue also reflects income from several distinct sources: 1) retailers associated with large grocery stores; 2) restaurants and hotels; 3) smaller retailers; and one-day liquor licenses. The tables and charts below illustrate the sources of funds and trends over time.

Liquor Tax Revenue Collected 2001-2013

Note: FY2011 represents a 10 month year.

Staff also examined the breakdown between total tax collected by establishments offering alcohol for sale for “off-premise consumption” (i.e. Jewel-Osco, Whole Foods, etc.) as compared to establishments with “on-premise consumption” licenses (i.e. restaurants, hotels, etc.). The pie charts on the following page illustrate the distribution between the total revenue collected at 1) establishments selling alcohol for “off-premise consumption” as compared to 2) establishments that sell alcohol for “on-premise consumption”.

As depicted in the pie chart, the majority of liquor tax revenue collected in Evanston is at establishments that sell alcohol that is for “off-premise consumption”. Based on the liquor tax on sales for alcohol for “off-premise consumption”, sales were approximately 57% and 54% of the total liquor sales for FY2013 and FY2014 year-to-date, respectively (Note: FY2014 is still in process, the reports of revenue provided are from January 2014
through June 2014). Approximately 42% and 43% of total liquor tax revenue collected for FY2013 and FY2014 year-to-date, respectively, was from sales of alcohol at “on-premise consumption” establishments.

Further study of liquor tax revenue collected for “off-premise consumption” indicates that the majority of sales occur in establishments greater than 10,000 square feet (i.e. Jewel-Osco, Trader Joe’s, etc.). A list of all establishments licensed for the sale of alcohol in Evanston is attached to this memorandum.

**FY2013 Total Liquor Tax Collected**

<table>
<thead>
<tr>
<th></th>
<th>On-Premise</th>
<th>Off-Premise</th>
<th>Both</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY2013 Breakdown of Off-Premise Liquor Tax Revenue Collected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$1,423,858</td>
<td>$1,227,511</td>
<td>$20,530</td>
</tr>
</tbody>
</table>

**FY2014 Total Liquor Tax Collected**

<table>
<thead>
<tr>
<th></th>
<th>On-Premise</th>
<th>Off-Premise</th>
<th>Both</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY2014 Breakdown of Off-Premise Liquor Tax Revenue Collected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$1,037,478</td>
<td>$530,885</td>
<td>$35,575</td>
</tr>
</tbody>
</table>

Further study of liquor tax revenue collected for “off-premise consumption” indicates that the majority of sales occur in establishments greater than 10,000 square feet (i.e. Jewel-Osco, Trader Joe’s, etc.). A list of all establishments licensed for the sale of alcohol in Evanston is attached to this memorandum.

**Comparison to Adjacent and Comparable Municipalities**

As stated in the introduction to this memorandum, it is difficult to derive an understanding of Evanston’s competitive advantage or disadvantage for sales of alcohol for on-premise or off-premise consumption. Staff reviewed adjacent and comparable municipalities to collect information on other municipalities to determine other municipalities that also have taxes on liquor and/or food and beverage tax and also to determine if Evanston exhibited characteristics of a community that was an outlier (i.e., Does information indicate that Evanston has fewer liquor licenses than other
municipalities of comparable size due to higher tax rates and therefore it can be contemplated that it is less economical to sell alcohol).

It is difficult to assess the impact of the tax on liquor upon sales of liquor due to the fact that sales of liquor in adjacent municipalities is are not publicly available information. Therefore, it is impossible to fully understand how many sales are “leaking” out of Evanston and going to other municipalities. The table on the following page summarizes the data collected on a variety of municipalities that are either adjacent or comparable to Evanston. Municipalities were selected for inclusion in the analysis due to either adjacency to Evanston, use of a tax on liquor, or possessing similar demographics. A few noteworthy highlights (data and information based on reports from the Illinois Liquor Control Board and not from individual municipalities in order to ensure a fair comparison across municipalities):

- Evanston has the highest tax on liquor rate at 6% as well as the greatest number of total licenses issued (110) of municipalities reviewed; the average total number of licenses per municipality was 60.
- Evanston has the greatest number of licenses issued for “on-premise consumption” at 83 total licenses; the average number of “on-premise consumption” licenses issued was 41.
- Evanston was below average for total number of licenses issued for “off-premise consumption” at 15 total licenses to an average of 17 total licenses.
- Evanston had the lowest acres of land (land comprising the municipality) per liquor license of all municipalities surveyed; Evanston has one liquor license for every 3,205 acres of land in Evanston. Adjacent municipalities such as Skokie and Wilmette had one license for every 6,742 and 5,891 acres of land respectively.

Of the municipalities represented in the table, only a few levy a tax on the sale of alcohol. The table below highlights the municipalities that levy a tax, an estimate of total liquor sales as well as an estimate of total sales per person (compares total population as well as total population above 20 years old).

**Liquor Sales Revenue & Total Liquor Tax Revenue Collected**

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Total Liquor Sales</th>
<th>Tax Rate</th>
<th>Total Liquor Tax Collected (FY2013)</th>
<th>Total Population</th>
<th>Total Population 20+</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Total Count</td>
<td>Liquor Sales/Pers</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evanston</td>
<td>$41,364,439</td>
<td>6%</td>
<td>$2,481,866</td>
<td>74,486</td>
<td>$555</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oak Park</td>
<td>$16,495,900</td>
<td>3%</td>
<td>$494,877</td>
<td>51,878</td>
<td>$318</td>
</tr>
<tr>
<td>Elgin</td>
<td>$36,666,667</td>
<td>3%</td>
<td>$1,100,000</td>
<td>108,188</td>
<td>$339</td>
</tr>
<tr>
<td>Park Ridge</td>
<td>$8,482,100</td>
<td>4%</td>
<td>$339,284</td>
<td>37,480</td>
<td>$226</td>
</tr>
<tr>
<td>Aurora</td>
<td>$11,272,727</td>
<td>3%</td>
<td>$310,000</td>
<td>197,899</td>
<td>$57</td>
</tr>
<tr>
<td>St. Charles</td>
<td>$49,603,950</td>
<td>2%</td>
<td>$992,079</td>
<td>32,974</td>
<td>$1,504</td>
</tr>
</tbody>
</table>

Source: U.S. Census; Municipal budgets | Note: The information collected by Census did not breakdown ages within 20-24, therefore a small number of individuals who are not of legal drinking age are included in this analysis.

Evanston’s total liquor sales per person is approximately $738 as compared to Oak Park (often compared as similar demographically to Evanston) at $429 sales per person above 20 years old.

205 of 323
## Liquor License Comparison by Community

<table>
<thead>
<tr>
<th>Comparable or Adjacent Municipalities</th>
<th>Demographics/Geography</th>
<th>Tax Rates</th>
<th>Liquor License Count</th>
<th>On-Premise Consumption</th>
<th>Off-Premise Consumption</th>
<th>Combo (On- &amp; Off-Premise)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Population</td>
<td>Total Size of Municipality (Square Miles)</td>
<td>Total Acres</td>
<td>Liquor Tax Rate</td>
<td>Food &amp; Beverage Tax Rate</td>
<td>Total # of Licenses</td>
<td>Number of People/# of Licenses</td>
</tr>
<tr>
<td>Evanston</td>
<td>74,486</td>
<td>7.80</td>
<td>339,768.00</td>
<td>6.00%</td>
<td>0.00%</td>
<td>110</td>
</tr>
<tr>
<td>Winnetka</td>
<td>12,187</td>
<td>3.89</td>
<td>169,448.40</td>
<td>0.00%</td>
<td>0.00%</td>
<td>17</td>
</tr>
<tr>
<td>Glencooe</td>
<td>8,723</td>
<td>3.76</td>
<td>164,668.80</td>
<td>0.00%</td>
<td>0.00%</td>
<td>17</td>
</tr>
<tr>
<td>Lincolnwood</td>
<td>12,590</td>
<td>2.69</td>
<td>117,176.40</td>
<td>6.00%</td>
<td>1.00%</td>
<td>20</td>
</tr>
<tr>
<td>Park Ridge</td>
<td>37,480</td>
<td>7.13</td>
<td>310,582.80</td>
<td>4.00%</td>
<td>1.00%</td>
<td>29</td>
</tr>
<tr>
<td>Wilmette</td>
<td>27,087</td>
<td>5.41</td>
<td>235,659.60</td>
<td>6.00%</td>
<td>0.00%</td>
<td>40</td>
</tr>
<tr>
<td>Oak Park</td>
<td>51,878</td>
<td>4.70</td>
<td>204,732.00</td>
<td>3.00%</td>
<td>0.00%</td>
<td>56</td>
</tr>
<tr>
<td>Morton Grove</td>
<td>23,270</td>
<td>5.09</td>
<td>221,720.40</td>
<td>0.00%</td>
<td>1.00%</td>
<td>44</td>
</tr>
<tr>
<td>Naperville</td>
<td>141,644</td>
<td>39.32</td>
<td>1,712,779.20</td>
<td>0.00%</td>
<td>2.50%</td>
<td>100</td>
</tr>
<tr>
<td>Skokie</td>
<td>64,784</td>
<td>10.06</td>
<td>438,213.60</td>
<td>0.00%</td>
<td>0.00%</td>
<td>65</td>
</tr>
<tr>
<td>St. Charles</td>
<td>33,327</td>
<td>14.93</td>
<td>650,360.80</td>
<td>2.00%</td>
<td>0.00%</td>
<td>65</td>
</tr>
<tr>
<td>Glenview</td>
<td>44,882</td>
<td>13.99</td>
<td>609,404.40</td>
<td>0.00%</td>
<td>0.00%</td>
<td>84</td>
</tr>
<tr>
<td>Champaign</td>
<td>138,423</td>
<td>20.16</td>
<td>976,367.60</td>
<td>0.00%</td>
<td>0.00%</td>
<td>100</td>
</tr>
<tr>
<td>Aurora</td>
<td>197,453</td>
<td>45.80</td>
<td>1,898,548.00</td>
<td>2.75%</td>
<td>1.75%</td>
<td>160</td>
</tr>
<tr>
<td>Elgin</td>
<td>108,188</td>
<td>37.71</td>
<td>1,642,647.60</td>
<td>3.00%</td>
<td>0.00%</td>
<td>99</td>
</tr>
<tr>
<td><strong>AVERAGE</strong></td>
<td><strong>61,444</strong></td>
<td><strong>224.76</strong></td>
<td><strong>NA</strong></td>
<td><strong>NA</strong></td>
<td><strong>59.71</strong></td>
<td><strong>903.45</strong></td>
</tr>
</tbody>
</table>

Source: Illinois Liquor Control Board and U.S. Census
History of Liquor Tax/Food & Beverage Tax Discussion
In 2010, the City discussed the matter of adjusting the liquor tax rate and the potential introduction of a prepared food and beverage tax to offset potential lost revenue from reducing the liquor tax rate. Discussions were held with staff, resident owners and liquor licensees. At the time, the discussion was around the reduction or elimination of the liquor tax for restaurants (“on-premise consumption”) and slight increase of the tax for establishments primarily selling for “off-premise consumption.” In 2010, the City had approximately 92 liquor licenses issued; the breakdown for the 92 licenses was 80 for “on-premise consumption” (86% of total licensees) and 12 (14% of total licensees) for “off-premise consumption”.

Attachments:
List of Licensed establishments in Evanston (Source: State of Illinois Board of Liquor Control)
<table>
<thead>
<tr>
<th>No.</th>
<th>Business Name</th>
<th>On-Premise/Off-Premise/Combo</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ALDI</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>2</td>
<td>D &amp; D Finer Foods</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>3</td>
<td>Evanston 1st Liquors</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>4</td>
<td>Food 4 Less</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>5</td>
<td>In Grape Company</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>6</td>
<td>Osco Drug #3428</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>7</td>
<td>Osco Drug #3487</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>8</td>
<td>Sam's Club #6444</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>9</td>
<td>Sips on Sherman</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>10</td>
<td>The Wine Goddess</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>11</td>
<td>Trader Joe's</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>12</td>
<td>Vinic Wine Company</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>13</td>
<td>Walgreens #15364</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>14</td>
<td>Whole Foods Market (1111 Chicago)</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>15</td>
<td>Whole Foods Market (1640 Chicago)</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>16</td>
<td>World Market</td>
<td>Off-Premise</td>
</tr>
<tr>
<td>17</td>
<td>27 Live</td>
<td>On-Premise</td>
</tr>
<tr>
<td>18</td>
<td>Addis Abeba</td>
<td>On-Premise</td>
</tr>
<tr>
<td>19</td>
<td>Bar Louie</td>
<td>On-Premise</td>
</tr>
<tr>
<td>20</td>
<td>BAT 17</td>
<td>On-Premise</td>
</tr>
<tr>
<td>21</td>
<td>Best Western University Plaza</td>
<td>On-Premise</td>
</tr>
<tr>
<td>22</td>
<td>Bistro Bordeaux</td>
<td>On-Premise</td>
</tr>
<tr>
<td>23</td>
<td>Blind Faith Café</td>
<td>On-Premise</td>
</tr>
<tr>
<td>24</td>
<td>Boltwood</td>
<td>On-Premise</td>
</tr>
<tr>
<td>25</td>
<td>Bravo Cucina Italiana</td>
<td>On-Premise</td>
</tr>
<tr>
<td>26</td>
<td>Buffalo Joe's Inc.</td>
<td>On-Premise</td>
</tr>
<tr>
<td>27</td>
<td>Buffalo Wild Wings</td>
<td>On-Premise</td>
</tr>
<tr>
<td>28</td>
<td>Campagnola</td>
<td>On-Premise</td>
</tr>
<tr>
<td>29</td>
<td>Carmens of Evanston</td>
<td>On-Premise</td>
</tr>
<tr>
<td>30</td>
<td>Century Theatres</td>
<td>On-Premise</td>
</tr>
<tr>
<td>31</td>
<td>Cheesie's Pub and Grub</td>
<td>On-Premise</td>
</tr>
<tr>
<td>32</td>
<td>Chef's Station</td>
<td>On-Premise</td>
</tr>
<tr>
<td>33</td>
<td>Chicago's Home of Chicken and Waffles I.I.I.</td>
<td>On-Premise</td>
</tr>
<tr>
<td>34</td>
<td>Chili's Grill &amp; Bar</td>
<td>On-Premise</td>
</tr>
<tr>
<td>35</td>
<td>Chipotle Mexican Grill</td>
<td>On-Premise</td>
</tr>
<tr>
<td>36</td>
<td>Clarke's (Feb 2014)</td>
<td>On-Premise</td>
</tr>
<tr>
<td>37</td>
<td>Coast Sushi Central</td>
<td>On-Premise</td>
</tr>
<tr>
<td>38</td>
<td>Company</td>
<td>On-Premise</td>
</tr>
<tr>
<td>39</td>
<td>Cosi</td>
<td>On-Premise</td>
</tr>
<tr>
<td>40</td>
<td>Creperie Saint Germain</td>
<td>On-Premise</td>
</tr>
<tr>
<td>41</td>
<td>Cross Rhodes Restaurant</td>
<td>On-Premise</td>
</tr>
<tr>
<td>42</td>
<td>Dave's Italian Kitchen</td>
<td>On-Premise</td>
</tr>
<tr>
<td>43</td>
<td>Davis Street Fishmarket</td>
<td>On-Premise</td>
</tr>
<tr>
<td>44</td>
<td>Dixie Kitchen &amp; Bait Shop</td>
<td>On-Premise</td>
</tr>
<tr>
<td>45</td>
<td>Dozika Pan-Asian Cooking</td>
<td>On-Premise</td>
</tr>
<tr>
<td>46</td>
<td>Evanston Post #42-American Legion</td>
<td>On-Premise</td>
</tr>
<tr>
<td>No.</td>
<td>Business Name</td>
<td>On-Premise/Off-Premise/Combo</td>
</tr>
<tr>
<td>-----</td>
<td>----------------------------------------</td>
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<tr>
<td>47</td>
<td>Farmhouse Tavern</td>
<td>On-Premise</td>
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<td>48</td>
<td>Fire House Grill</td>
<td>On-Premise</td>
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<td>49</td>
<td>Flat Top Grill</td>
<td>On-Premise</td>
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<tr>
<td>50</td>
<td>Found Restaurant</td>
<td>On-Premise</td>
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<tr>
<td>51</td>
<td>Giordano's Restaurant</td>
<td>On-Premise</td>
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<tr>
<td>52</td>
<td>Hilton Garden Inn</td>
<td>On-Premise</td>
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<td>53</td>
<td>Hilton Orrington</td>
<td>On-Premise</td>
</tr>
<tr>
<td>54</td>
<td>Jilly's Cafe</td>
<td>On-Premise</td>
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<tr>
<td>55</td>
<td>JT's Bar and Grill</td>
<td>On-Premise</td>
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<td>56</td>
<td>Kansaku Restaurant</td>
<td>On-Premise</td>
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<tr>
<td>57</td>
<td>Kingston Grill Restaurant</td>
<td>On-Premise</td>
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<td>58</td>
<td>Koi Chinese &amp; Sushi</td>
<td>On-Premise</td>
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<td>59</td>
<td>Kuni's Japanese Restaurant</td>
<td>On-Premise</td>
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<tr>
<td>60</td>
<td>La Macchina Cafe</td>
<td>On-Premise</td>
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<tr>
<td>61</td>
<td>Lao Sze Chuan (Mar. 4)</td>
<td>On-Premise</td>
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<tr>
<td>62</td>
<td>Las Palmas of Evanston</td>
<td>On-Premise</td>
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<tr>
<td>63</td>
<td>Little Wok</td>
<td>On-Premise</td>
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<td>64</td>
<td>Lou Malnati's Restaurant</td>
<td>On-Premise</td>
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<td>65</td>
<td>Lupita's Mexican Restaurant</td>
<td>On-Premise</td>
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<td>66</td>
<td>Lyfe Kitchen (May 21)</td>
<td>On-Premise</td>
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<tr>
<td>67</td>
<td>Mt. Everest Restaurant</td>
<td>On-Premise</td>
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<td>68</td>
<td>Mumbai Indian Grill</td>
<td>On-Premise</td>
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<tr>
<td>69</td>
<td>Noodles &amp; Company</td>
<td>On-Premise</td>
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<tr>
<td>70</td>
<td>Northwestern University - Norris Center</td>
<td>On-Premise</td>
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<tr>
<td>71</td>
<td>Northwestern University Allen Center</td>
<td>On-Premise</td>
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<tr>
<td>72</td>
<td>Now We're Cookin'</td>
<td>On-Premise</td>
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<tr>
<td>73</td>
<td>Noyes Street Cafe</td>
<td>On-Premise</td>
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<tr>
<td>74</td>
<td>Oceanique Restaurant</td>
<td>On-Premise</td>
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<td>75</td>
<td>Panino's Café and Bar</td>
<td>On-Premise</td>
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<td>76</td>
<td>Pete Miller Steak House</td>
<td>On-Premise</td>
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<td>77</td>
<td>Piccolo Theatre</td>
<td>On-Premise</td>
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<tr>
<td>78</td>
<td>Prairie Moon</td>
<td>On-Premise</td>
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<tr>
<td>79</td>
<td>Presbyterian Homes</td>
<td>On-Premise</td>
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<tr>
<td>80</td>
<td>Quince Restaurant</td>
<td>On-Premise</td>
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<tr>
<td>81</td>
<td>Royin Sushi Bar (surrendered)</td>
<td>On-Premise</td>
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<tr>
<td>82</td>
<td>Siam Pasta Thai Cuisine</td>
<td>On-Premise</td>
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<tr>
<td>83</td>
<td>Sodexo America</td>
<td>On-Premise</td>
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<tr>
<td>84</td>
<td>S-Paragon</td>
<td>On-Premise</td>
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<td>85</td>
<td>Starbucks Coffee #243</td>
<td>On-Premise</td>
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<tr>
<td>86</td>
<td>Symphony's on Central, Inc.</td>
<td>On-Premise</td>
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<tr>
<td>87</td>
<td>Tapas Barcelona</td>
<td>On-Premise</td>
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<tr>
<td>88</td>
<td>Terra An American Bistro</td>
<td>On-Premise</td>
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<tr>
<td>89</td>
<td>Thai Sookdee</td>
<td>On-Premise</td>
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<tr>
<td>90</td>
<td>That Little Mexican Café</td>
<td>On-Premise</td>
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<tr>
<td>91</td>
<td>The Alcove</td>
<td>On-Premise</td>
</tr>
<tr>
<td>92</td>
<td>The Blue Stone</td>
<td>On-Premise</td>
</tr>
<tr>
<td>No.</td>
<td>Business Name</td>
<td>On-Premise/Off-Premise/Combo</td>
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</tr>
<tr>
<td>93</td>
<td>The Celtic Knot</td>
<td>On-Premise</td>
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<tr>
<td>94</td>
<td>The Lucky Platter</td>
<td>On-Premise</td>
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<td>95</td>
<td>The Mather</td>
<td>On-Premise</td>
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<td>96</td>
<td>The Merion</td>
<td>On-Premise</td>
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<td>97</td>
<td>The Stained Glass</td>
<td>On-Premise</td>
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<tr>
<td>98</td>
<td>Three Crowns Park</td>
<td>On-Premise</td>
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<td>99</td>
<td>Todoroki</td>
<td>On-Premise</td>
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<tr>
<td>100</td>
<td>Tommy Nevin's Pub</td>
<td>On-Premise</td>
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<tr>
<td>101</td>
<td>Trattoria D.O.C.</td>
<td>On-Premise</td>
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<td>102</td>
<td>Trattoria Demi</td>
<td>On-Premise</td>
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<tr>
<td>103</td>
<td>Union Pizzeria</td>
<td>On-Premise</td>
</tr>
<tr>
<td>104</td>
<td>World of Beer</td>
<td>On-Premise</td>
</tr>
<tr>
<td>105</td>
<td>Few Spirits</td>
<td>Combo</td>
</tr>
<tr>
<td>106</td>
<td>Peckish Pig (Mar. 20)</td>
<td>Combo</td>
</tr>
<tr>
<td>107</td>
<td>Sketchbook</td>
<td>Combo</td>
</tr>
<tr>
<td>108</td>
<td>Smylie Bros Restaurant and Brewery</td>
<td>Combo</td>
</tr>
<tr>
<td>109</td>
<td>Temperance Beer Company</td>
<td>Combo</td>
</tr>
<tr>
<td>110</td>
<td>Ward Eight</td>
<td>Combo</td>
</tr>
</tbody>
</table>
PLANNING & DEVELOPMENT COMMITTEE MEETING

Monday, October 27, 2014
7:15 p.m.

Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Evanston
Council Chambers

AGENDA

I. CALL TO ORDER/DECLARATION OF QUORUM: ALDERMAN FISKE, CHAIR

II. APPROVAL OF REGULAR MEETING MINUTES OF OCTOBER 13, 2014

III. ITEMS FOR CONSIDERATION

(P1) Ordinance 129-O-14, Granting a Special Use for a Restaurant-Type 2, 800 Degrees Neapolitan Pizzeria, at 812 Church Street
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 129-O-14 granting a special use permit for a Type 2 Restaurant, 800 Degrees, in the D3 Downtown Core Development District. The applicant has complied with all zoning requirements, and meets all of the standards for a special use for this district.

For Introduction

(P2) Ordinance 130-O-14, Granting a Special Use for a Restaurant-Type 2 at 1814 Central Street, Beth’s Little Bake Shop
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 130-O-14 granting a special use permit for a Type 2 Restaurant, Beth’s Little Bake Shop, in the B1a Business District and the oCSC Central Street Overlay District. The applicant has complied with all zoning requirements, and meets all of the standards for a special use for this district.

For Introduction

(P3) Ordinance 131-O-14, Granting a Special Use for a Restaurant-Type 2, Patisserie Coralie, at 600 Davis Street
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 131-O-14 granting a special use permit for a Type 2 Restaurant, Patisserie Coralie, in the D2 Downtown Retail Core District. The applicant has complied with all zoning requirements, and meets all of the standards for a special use for this district.

Suspension of the Rules is requested for Introduction and Action by City Council on October 27, 2014.

For Introduction and Action

211 of 323
IV. ITEMS FOR DISCUSSION

V. COMMUNICATIONS

VI. ADJOURNMENT
I. DECLARATION OF QUORUM
A quorum being present, Chair Rainey called the meeting to order at 7:35 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES OF SEPTEMBER 22, 2014
Ald. Grover moved approval of the minutes of the September 22, 2014 meeting, seconded by Ald. Tendam.

The Committee voted unanimously 7-0 to approve the September 22, 2014 minutes.

III. ITEMS FOR CONSIDERATION

(P1) Ordinance 50-O-14 Amending Title 4, Chapter 14 of the City Code from “Site Plan and Appearance Review” (SPAARC) to Design and Project Review (DAPR)
City staff recommends the adoption of Ordinance 50-O-14 to institute a revised staff design and project review process. Staff has identified several revisions that are noted in the attached ordinance that will change this review process and lead to improved recommendations.

For Introduction
Ald. Grover moved to recommend introduction of Ordinance 50-O-14, seconded by Ald. Tendam.

Community Development Director Mark Muenzer explained that this change will provide more of an emphasis on a projects design and aesthetics in addition to the site plan. The change will also allow for a smaller quorum and identify staff members with subject matter expertise in each category. Director Muenzer will remain the Chair and Planning and Zoning Administrator Lorrie Pearson will be the Vice-Chair.

The types of approvals will primarily remain the same with the same exclusions for single and two-family homes. A form is being instituted for applicants to determine if projects meet the requirements to comply with City Code in order to move forward prior to any committee approval.

Ald. Grover thought the changes makes the process more under-friendly and predictable. She asked if the civilian member has always been a non-voting member.
Director Muenzer explained that this is a change where the committee is splitting between voting and non-voting members. The civilian member has not been active so they were retained as an advisory member.

At Ald. Grover’s inquiry, Director Muenzer explained that the removal of SPAARC review of sidewalk cafés will be the responsibility of Public Works and Health and Human Services.

Ald. Wynne is in support of the changes. At Ald. Wynne’s inquiry, Director Muenzer clarified that the final approval of a project takes place during the permit process. He also added that the acronym will be pronounced “dapper” of D-A-P-R.

Ald. Fiske would like to see the non-voting member reinstalled. She would also like the Chair of the Preservation Commission engaged in the discussion for issues with landmark properties and historic districts. She also suggested revisiting the Design Evanston model.

Ald. Rainey likes the efficiency of the new process. It is common sense to have those with direct connections to the project in the room.

The Committee voted unanimously 7-0 to recommend Ordinance 50-O-14 for action.

(P2) Ordinance 119-O-14, Granting a Special Use for a Restaurant-Type 2 at 1613 Sherman Avenue
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 119-O-14 granting a special use permit for a Type 2 Restaurant, Doc Popcorn, in the D2 Downtown Retail Core District. The applicant has complied with all other zoning requirements, and meets all of the standards for a special use for this district.

For Introduction
Ald. Tendam moved to recommend introduction of Ordinance 119-O-14, seconded by Ald. Grover.

The Committee voted unanimously 7-0 to introduce Ordinance 119-O-14.

(P3) Ordinance 110-O-14 Zoning Ordinance Text Amendment for Child and Adult Daycare Centers in C1 and C2 Districts
Staff recommends adoption of Ordinance 110-O-14 to allow “Daycare Center – Child” and “Daycare Center – Adult” as Special Uses in C1 and C2 Commercial Districts.

For Introduction
Ald. Holmes moved to recommend introduction and action of Ordinance 110-O-14, seconded by Ald. Tendam.

The Committee voted unanimously 7-0 for introduction of Ordinance 110-O-14.

(P4) Ordinance 120-O-14, Granting a Special Use for a Child Daycare Center at 1909-1911 Howard Street
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 120-O-14 granting a special use permit for a Child Daycare Center - in the C1 Commercial District. The applicant proposes to operate A Step By Step Learning Academy at 1909-1911 Howard Street, and has complied with all other zoning requirements, and meets all of the standards for a special use for this district.

**For Introduction**

Ald. Rainey explained that the applicant is unable to attend tonight’s meeting. There is no executed lease and not ready to move forward. This item will be held in committee.

Ald. Wilson moved to recommend holding this item in committee, seconded by Ald. Tendam.

The Committee voted unanimously to hold Ordinance 120-O-14 in committee.

IV. ITEMS FOR DISCUSSION

There were no items for discussion.

V. COMMUNICATIONS

There were no communications.

VI. ADJOURNMENT

The meeting was adjourned at 7:48 p.m.

Respectfully submitted,
Janella Hardin, PHR
Memorandum

To: Honorable Mayor and Members of the City Council
   Planning and Development Committee

From: Mark Muenzer, Director of Community Development
      Lorrie Pearson, Planning and Zoning Administrator
      Melissa Klotz, Zoning Planner
      Ellen Cholewa, Community Development Intern

Subject: Ordinance 129-O-14, Granting a Special Use for a Restaurant-Type 2, 800 Degrees Neapolitan Pizzeria, at 812 Church Street

Date: October 15, 2014

Recommended Action
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 129-O-14 granting a special use permit for a Type 2 Restaurant, 800 Degrees, in the D3 Downtown Core Development District. The applicant has complied with all zoning requirements, and meets all of the standards for a special use for this district.

Summary
812 Church Street is located on the on the south side of Church Street, midblock between Sherman Avenue and Benson Avenue in the D3 Downtown Core Development District, and is surrounded by similar commercial uses. 812 Church Street was previously Untitled, a retail store. The applicant proposes to operate 800 Degrees Neapolitan Pizzeria, a Type 2 Restaurant, featuring a “fast-fine dining” experience specializing in individually-sized, Neapolitan pizzas that are baked in a wood-burning brick oven for approximately 60 seconds. Customers place their order at the counter by picking out specific ingredients buffet-style, pay the cashier, and then take their food back to their table in one trip. The dining area will feature marble tables, linen table cloths, and reusable china and silverware. The applicant plans to serve beer and wine at this establishment. The restaurant will not offer delivery service.

800 Degrees intends to operate from 11 a.m. to 12 a.m., Sunday-Thursday, and 11 a.m. to 1 a.m., Friday-Saturday. The applicant anticipates hiring approximately 40 employees with 15-20 employees working at any given time. Parking will not be provided to employees by the restaurant, but the applicant anticipates most employees
will walk to work or utilize public transportation. Deliveries and garbage pick-up will occur via the rear of the building every other day. The applicant has agreed to follow the Litter Collection and Garbage Pickup Plans. City staff has not received objections to the use from any neighboring property owners.

**Neighborhood Benefit**
The neighborhood will benefit from having a small business that will enhance the downtown, utilize a vacant storefront, and encourage pedestrian activity and vibrancy in the area.

**Comprehensive Plan**
The Evanston Comprehensive General Plan encourages the utilization of vacant storefronts along existing commercial corridors that can add sales tax revenue and encourage a vibrant downtown. The Comprehensive Plan specifically includes:

- **Objective:** Promote the growth and redevelopment of business, commercial, and industrial areas.
- **Objective:** Retain and attract businesses in order to strengthen Evanston's economic base.

*800 Degrees* will further diversify the downtown area and will encourage pedestrian activity while supporting surrounding Evanston businesses.

**Legislative History**
October 7, 2014: The ZBA recommended unanimous approval of the special use permit for a Type 2 Restaurant with the following conditions:

1. Must comply with Litter Collection and Garbage Pick-Up Plans
2. Permissible hours of operation: Sunday-Thursday, 6 a.m. to midnight, Friday-Saturday, 6 a.m. to 1 a.m.
3. Employees shall not utilize on-street parking
4. The project must be in substantial compliance of the documents and testimony on record.

**Attachments**
Proposed Ordinance 129-O-14
October 7, 2014 ZBA Draft Meeting Minutes
ZBA Findings
October 7, 2014 ZBA Packet -
129-O-14

AN ORDINANCE

Granting a Special Use Permit for a Type 2 Restaurant Located at 812 Church Street in the D3 Downtown Retail Core District (“800 Degrees Neapolitan Pizzeria”)

WHEREAS, the Zoning Board of Appeals (“ZBA”) met on October 7, 2014, pursuant to proper notice, to consider case no. 14ZMJV-0113, an application filed by Christopher Lawson, architect of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 812 Church Street (the “Subject Property”) and located in the D3 Downtown Retail Core District, for a Special Use Permit to establish, pursuant to Subsection 6-11-4-3 of the Evanston City Code, 2012, as amended (“the Zoning Ordinance”), a Type 2 Restaurant, “800 Degrees Neapolitan Pizzeria,” on the Subject Property; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit for a Type 2 Restaurant met the standards for Special Uses in Section 6-3-5 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of October 27, 2014, the Planning and Development Committee of the City Council (“P&D Committee”) considered the ZBA’s record and findings and recommended the City Council accept the ZBA’s recommendation and approve the application in case no. 14ZMJV-0113; and
WHEREAS, at its meetings of October 27, 2014 and November 10, 2014, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and P&D Committee, as amended,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: The City Council hereby approves the Special Use Permit for a Type 2 Restaurant on the Subject Property as applied for in case no. 14ZMJV-0113.

SECTION 3: Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Applicant’s Special Use Permit, violation of any of which shall constitute grounds for penalties or revocation of said Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

A. Compliance with Applicable Requirements: The Applicant shall develop and use the Subject Property in substantial compliance with: all applicable legislation; the Applicant’s testimony and representations to the ZBA, the P&D Committee, and the City Council; and the approved plans and documents on file in this case.

B. Litter Collection Plan: The Applicant shall implement and adhere to a Litter Collection Plan that requires the policing of an area located within a radius of two hundred fifty feet (250’) of the Subject Property. The Applicant shall police this area at least once every three (3) hours during the hours the Special Use is in operation and shall keep it free of all litter, from any source. For the purpose of this ordinance, “litter” shall include, but is not limited to: food, food waste, and beverages; solid waste, including paper, wrappings, containers, cardboard, napkins, straws, utensils, plates, cans, glass, crockery, cigarette butts, ashes and similar materials; animal waste and dead animals; yard clippings and leaves; and all other waste materials which, if thrown or deposited as herein prohibited, may create a danger to public health, safety, or welfare.
C. **Hours of Operation:** The Applicant shall operate the Type 2 Restaurant authorized by this ordinance only between the hours of 6:00 a.m. and 12:00 midnight on Sunday through Thursday, and only between the hours of 6:00 a.m. and 1:00 a.m. on Friday and Saturday.

D. **Employee Parking:** Employees shall not park on the street during hours of operation.

E. **Recordation:** Before it may operate the Special Use authorized by the terms of this ordinance, the Applicant shall record, at its cost, a certified copy of this ordinance with the Cook County Recorder of Deeds.

   **SECTION 4:** When necessary to effectuate the terms, conditions, and purposes of this ordinance, “Applicant” shall be read as “Applicant’s agents, assigns, and successors in interest.”

   **SECTION 5:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

   **SECTION 6:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

   **SECTION 7:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

   **SECTION 8:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.
EXHIBIT A

LEGAL DESCRIPTION

LOT 2 IN THE AMENDED AND RESTATEd SHERMAN PLAZA SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH PLAT WAS RECORDED AUGUST 24, 2006 AS DOCUMENT NUMBER 0623632062.

PINS: 11-18-304-037-0000
       11-18-304-041-0000

COMMONLY KNOWN AS:  812 Church Street, Evanston, Illinois.
MEETING MINUTES
ZONING BOARD OF APPEALS
Tuesday, October 7, 2014
7:00 PM
Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Matt Rodgers, Violetta Cullen, Mary Beth Berns, Scott Gingold
Members Absent: Andrew Gallimore, Myrna Arevalo, Beth McLennan
Staff Present: Melissa Klotz, Lorrie Pearson, Mario Treto
Chair: Matt Rodgers

Declaration of Quorum
With a quorum present, Chair Rodgers called the meeting to order at 7:02pm.

Approval of Minutes
The minutes from the September 23, 2014 Zoning Board of Appeals meeting were motioned for approval. Ms. Cullen made the motion and it was seconded by Ms. McLennan. The motion was approved 3-0, 1 member abstained.

New Business

812 Church Street ZBA 14ZMJV-0113
Christopher Lawton, architect, applies for a special use permit for a Type 2 Restaurant, 800 Degrees Neapolitan Pizzeria, at 812 Church Street. 812 Church Street is located in the D3 Downtown Core Development District, which requires a special use permit for a Type 2 Restaurant to operate (Zoning Code Section 6-11-4-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record.

Christopher Lawton, architect, and Travis McDonald, 800 Degrees, explained the proposal:

• A fast-fine dining restaurant; straddles line between a Type 1 and Type 2
• Concept for restaurant started in California
• A high quality, “build your own pizza” assembly line
• Beer and wine will be available
• Will lease parking spaces if necessary
• Delivery service will not be provided. Most people will eat in anyway because they have to wait in line.
• Deliveries will occur via alley. There is no exact loading zone, so it will occur in the service corridor
• Hours of operation: 11 a.m. to 2 a.m. is preferred but they are willing to work with what the City prefers

Ms. Klotz noted that SPAARC recommended that the restaurant close at midnight on weekdays and 1 a.m. on weekends.

• Venting will go up through the roof via LA Fitness
• This would be the first location in Chicagoland. There are no plans for rapid expansion by any means

The ZBA entered into deliberations.

The Standards were addressed:
1. Yes
Mr. Gingold motioned to recommend approval of the proposal with the following conditions:

- Employees cannot park on the street.
- Hours of operation fall between 6 a.m. and midnight Sun-Thurs; 6 a.m. to 1 a.m. Fri & Sat
- The project must be in substantial compliance of the documents and testimony on record.

The motion was seconded by Ms. McLennan and approved 4-0.

1814 Central Street ZBA 14ZMJV-0115
Beth Welch, business owner, applies for a special use permit for a Type 2 Restaurant, *Beth’s Little Bake Shop*, at 1814 Central Street. 1814 Central Street is located in the B1a Business District and the oCSC Central Street Overlay District, which requires a special use permit for a Type 2 Restaurant to operate (Zoning Code Section 6-9-5-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record.

Beth Welch, owner and head pastry chef, explained the proposal:

- Ms. Welch is an Evanston native and resident with culinary education and training
- Proposes a European-inspired pastry shop with breakfast, desserts, breads, and coffee
- All items will be baked on premises
- Will include wholesale & retail, eat in, and carry out services.
- Hours of operation: 6 a.m. to 6 p.m. Monday- Friday; 7 a.m. to 5 p.m. Saturday; closed on Sunday for now
- Bar service, but no seating
- 3 full-time employees, 3 part-time employees, and seasonal employees; 3-4 employees per shift
- Only street parking is available. There are lots of meters and many Metra users are anticipated. One employee parking space will be supplied.
- Shop will pay meters for employees
- Deliveries will occur off Poplar Avenue, not the alley, between 6 a.m. to 8 a.m.
- Dumpsters behind building will be emptied twice a week
- Will follow Litter Collection Plan and use environmentally friendly, disposable dishware
- Phase 2 will open Type 1 café with expanded menu at a later date

Chair Rodgers asked if any issues were raised regarding deliveries off of Poplar Avenue during rush hour with train parking and kids going to school. Ms. Klotz stated that no concerns had been raised at SPAARC.

Ms. McLennan noted that it might be better for deliveries to occur between 10 a.m. and noon, which the applicant took under advisement.

Ms. Welch also noted that there is currently a city garbage can on the corner, and 2 more at the train station, and she will add another just outside the door of her restaurant.
Mr. Gingold stated that the use of meters by employees is not preferable, but he is not sure there are any other options.

The ZBA entered into deliberations.

Mr. Gingold stated that hours of operation should remain between 6 a.m. and midnight daily, similar to those bestowed upon adjacent restaurants since this is not a downtown area.

The Standards were addressed:
1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes

Mr. Gingold motioned to recommend approval of the proposal with the following conditions:
- Litter/Garbage Plan.
- Employees use non-metered parking to the extent allowed
- Hours of operation fall between 6 a.m. and midnight 7 days a week
- Deliveries must avoid hours of traffic congestion
- The project must be in substantial compliance of the documents and testimony on record

The motion was seconded by Ms. Cullen and approved 4-0.

2149 Sherman Avenue (case withdrawn) ZBA 14ZMJV-0125
P. Matt Lederer, property owner, applies for major zoning relief to allow a third dwelling unit on an existing lot. The applicant requests 2,348 square feet of lot size per dwelling unit where 2,500 square feet is required (Zoning Code Section 6-8-6-4-C). The Zoning Board of Appeals is the determining body for this case.

600 Davis Street ZBA 14ZMJV-0123
Pascal Berthomieux, lessee, applies for a special use permit for a Type 2 Restaurant, Patisserie Coralie, at 600 Davis Street. 600 Davis Street is located in the D2 Downtown Retail Core District, which requires a special use permit for a Type 2 Restaurant to operate (Zoning Code Section 6-11-3-4). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Pascal Berthomieux, owner, explained the proposal:
- Proposes a French boutique pastry shop with coffee
- Hours of operation: Monday-Friday 6 a.m. to 7 p.m., Saturday-Sunday 7 a.m. to 7 p.m.
- Deliveries will occur in the morning via front door access due to no rear access. The delivery truck will be around the same size as a UPS truck
- Most employees are local and will bike or take public transportation to work. Will provide parking permits for 2 management positions.
- Owns Bistro Bordeaux (618 Church Street) and Creperie St. Germain (1512 Sherman Avenue)
- Agrees to uphold Litter Collection/Garbage Plan
- Lounge and bistro seating will be provided, but is unsure as to how much

The ZBA entered into deliberations.
Chair Rodgers stated that deliveries through the front door are not ideal, but understands that it is the only option here. He does not condone using fire hydrant space as a loading zone.

The Standards were addressed:
1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes

Mr. Gingold motioned to recommend approval of the proposal with the following conditions:
- Employees cannot park on the street.
- Hours of operation: 6 a.m. to midnight
- Litter Collection/Garbage Plan
- Deliveries occur after rush hour to extent practical
- The project must be in substantial compliance of the documents and testimony on record

The motion was seconded by Ms. Cullen and approved 4-0.

Ms. Klotz thanked the ZBA members who attended the IL-APA conference board training.

Chair Rodgers noted that he was glad to have a functional board, full time staff, and access to legal staff and Ms. Cullen agreed.

Ms. Klotz reminded the board that proposed rules changes will be addressed at the next ZBA meeting.

The meeting adjourned at 8:15 p.m.
After conducting a public hearing on October 7, 2014, the Zoning Board of Appeals makes the following findings of fact, reflected in the audio-visual recording of the hearings, based upon the standards for special uses specified in Section 6-11-3-4 of the Zoning Ordinance:

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and, based upon these findings, and upon a vote

4 in favor & 0 against

Recommends to the City Council

approval without conditions

approval with conditions specifically:

1. Must comply with Litter/Garbage Pick-Up Plan
2. Employees cannot park on the street
3. Hours of operation: 6 a.m. to midnight, Sunday through Thursday, and 6 a.m. to 1 a.m. Friday and Saturday
4. Deliveries should avoid hours of traffic congestion to the extent possible
5. The project must be in substantial compliance of the documents and testimony on record.

denial of the proposed special use.

Matt Rodgers  
Zoning Board of Appeals Chair

Date: ____________________
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<td>Andrew Gallimore</td>
<td></td>
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Memorandum

To: Honorable Mayor and Members of the City Council
Planning and Development Committee

From: Mark Muenzer, Director of Community Development
Lorrie Pearson, Planning and Zoning Administrator
Melissa Klotz, Zoning Planner
Ellen Cholewa, Community Development Intern

Subject: Ordinance 130-O-14, Granting a Special Use for a Restaurant-Type 2 at 1814 Central Street, Beth’s Little Bake Shop

Date: October 15, 2014

Recommended Action
The Zoning Board of Appeals and City staff recommends adoption of Ordinance 130-O-14 granting a special use permit for a Type 2 Restaurant, Beth’s Little Bake Shop, in the B1a Business District and the oCSC Central Street Overlay District. The applicant has complied with all zoning requirements, and meets all of the standards for a special use for this district.

Summary
1814 Central Street is located on the on the southeast corner of Central Street and Poplar Avenue in the B1a Business District and the oCSC Central Street Overlay District, and is surrounded by similar commercial uses. 1814 Central Street was previously an art gallery but is currently vacant. The applicant proposes to operate Beth’s Little Bake Shop, a Type 2 Restaurant, featuring European-inspired breakfast pastries, desserts, breads, and coffee. The applicant intends to open Phase 1 immediately, which includes counter service but no seating, and then later expand into Phase 2, which will increase the restaurant into the neighboring space for additional seating and full café service. The applicant is an Evanston native with extensive culinary education and training.

Beth’s Little Bake Shop will operate from 6 a.m. to 7 p.m., Monday-Friday, and from 7 a.m. to 5 p.m. on Saturdays. The applicant anticipates hiring three full-time employees and three part-time employees, as well as additional seasonal employees during the holidays. One parking space is available on-site for employee use.
All deliveries will come through the back door to avoid and not contribute to the traffic on Central Street. Delivery trucks will park on Poplar Avenue since the alley is not wide enough to accommodate the turning radius necessary for trucks. Deliveries will occur daily and will be scheduled around peak traffic hours. Dumpsters are located behind the building and are emptied twice a week. Metered parking is available on Central Street and Poplar Avenue for customers.

The applicant has agreed to follow the Litter Collection and Garbage Pickup Plans. City staff has not received objections to the use from any neighboring property owners.

Neighborhood Benefit
The neighborhood will benefit from having a small business that will enhance the Central Street corridor, utilize a vacant storefront, and increase pedestrian activity in the area.

Comprehensive Plan
The Evanston Comprehensive General Plan encourages the utilization of vacant storefronts along existing commercial corridors that can add sales tax revenue and encourage a vibrant downtown. The Comprehensive Plan specifically includes:

Objective: Promote the growth and redevelopment of business, commercial, and industrial areas.

Objective: Retain and attract businesses in order to strengthen Evanston's economic base.

Beth's Little Bake Shop will further diversify the Central Street corridor and will encourage pedestrian activity which will in turn support surrounding Evanston businesses.

Legislative History
October 7, 2014: The ZBA recommended unanimous approval of the special use permit for a Type 2 Restaurant with the following conditions:

1. Must comply with Litter/Garbage Pick-Up Plans
2. Hours of operation: 6 a.m. to midnight, 7 days a week
3. Deliveries are to avoid hours of congestion
4. Employees are to use non-metered parking to the extent possible
5. The project must be in substantial compliance of the documents and testimony on record.

Attachments
Proposed Ordinance 130-O-14
October 7, 2014 ZBA Draft Meeting Minutes
ZBA Findings
October 7, 2014 ZBA Packet -
130-O-14

AN ORDINANCE

Granting a Special Use Permit for a Type 2 Restaurant Located at 1814 Central Street in the B1a Business District and the oCSC Central Street Overlay District (“Beth’s Little Bake Shop”)

WHEREAS, the Zoning Board of Appeals (“ZBA”) met on October 7, 2014, pursuant to proper notice, to consider case no. 14ZMJV-0115, an application filed by Beth Welch, business owner of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 1814 Central Street (the “Subject Property”) and located in the B1a Business District and the oCSC Central Street Overlay District, for a Special Use Permit to establish, pursuant to Subsection 6-9-5-3 of the Evanston City Code, 2012, as amended (“the Zoning Ordinance”), a Type 2 Restaurant, “Beth’s Little Bake Shop,” on the Subject Property; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit for a Type 2 Restaurant met the standards for Special Uses in Section 6-3-5 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of October 27, 2014, the Planning and Development Committee of the City Council (“P&D Committee”) considered the ZBA’s record and findings and recommended the City Council accept the ZBA’s recommendation and approve the application in case no. 14ZMJV-0115; and
WHEREAS, at its meetings of October 27, 2014 and November 10, 2014, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and P&D Committee, as amended,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: The City Council hereby approves the Special Use Permit for a Type 2 Restaurant on the Subject Property as applied for in case no. 14ZMJV-0115.

SECTION 3: Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Applicant’s Special Use Permit, violation of any of which shall constitute grounds for penalties or revocation of said Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

A. Compliance with Applicable Requirements: The Applicant shall develop and use the Subject Property in substantial compliance with: all applicable legislation; the Applicant’s testimony and representations to the ZBA, the P&D Committee, and the City Council; and the approved plans and documents on file in this case.

B. Litter Collection Plan: The Applicant shall implement and adhere to a Litter Collection Plan that requires the policing of an area located within a radius of two hundred fifty feet (250’) of the Subject Property. The Applicant shall police this area at least once every three (3) hours during the hours the Special Use is in operation and shall keep it free of all litter, from any source. For the purpose of this ordinance, “litter” shall include, but is not limited to: food, food waste, and beverages; solid waste, including paper, wrappings, containers, cardboard, napkins, straws, utensils, plates, cans, glass, crockery, cigarette butts, ashes and similar materials; animal waste and dead animals; yard clippings and leaves; and all other waste materials which, if thrown or deposited as herein prohibited, may create a danger to public health, safety, or welfare.
C. **Hours of Operation:** The Applicant shall operate the Type 2 Restaurant authorized by this ordinance only between the hours of 6:00 a.m. and 12:00 midnight on any given day.

D. **Employee Parking:** Employees shall use non-metered parking to the extent possible.

E. **Deliveries:** Deliveries occurring via Poplar Avenue shall not be scheduled during hours of highest traffic congestion in the vicinity.

F. **Recordation:** Before it may operate the Special Use authorized by the terms of this ordinance, the Applicant shall record, at its cost, a certified copy of this ordinance with the Cook County Recorder of Deeds.

**SECTION 4:** When necessary to effectuate the terms, conditions, and purposes of this ordinance, “Applicant” shall be read as “Applicant’s agents, assigns, and successors in interest.”

**SECTION 5:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

**SECTION 6:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 7:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 8:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.
Introduced: ________________, 2014
Adopted: ________________, 2014
Approved: ________________, 2014

_________________________________
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

_____________________________
Rodney Greene, City Clerk

_____________________________
W. Grant Farrar, Corporation Counsel
EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1: THE NORTH 75 FEET OF LOT 1 (EXCEPT THE EAST 24 FEET AND THE NORTH 7 FEET THEREOF) IN BLOCK 9 IN NORTH EVANSTON, IN SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE 3RD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS: AND PARCEL 2: THE SOUTH 73 FEET OF LOT 1 IN BLOCK 9 IN NORTH EVANSTON SUBDIVISION OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE 3RD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 10-12-201-001-0000

COMMONLY KNOWN AS: 1814 Central Street, Evanston, Illinois.
MEETING MINUTES
ZONING BOARD OF APPEALS
Tuesday, October 7, 2014
7:00 PM
Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Matt Rodgers, Violetta Cullen, Mary Beth Berns, Scott Gingold
Members Absent: Andrew Gallimore, Myrna Arevalo, Beth McLennan
Staff Present: Melissa Klotz, Lorrie Pearson, Mario Treto
Chair: Matt Rodgers

Declaration of Quorum
With a quorum present, Chair Rodgers called the meeting to order at 7:02pm.

Approval of Minutes
The minutes from the September 23, 2014 Zoning Board of Appeals meeting were motioned for approval. Ms. Cullen made the motion and it was seconded by Ms. McLennan. The motion was approved 3-0, 1 member abstained.

New Business

812 Church Street ZBA 14ZMJV-0113
Christopher Lawton, architect, applies for a special use permit for a Type 2 Restaurant, 800 Degrees Neapolitan Pizzeria, at 812 Church Street. 812 Church Street is located in the D3 Downtown Core Development District, which requires a special use permit for a Type 2 Restaurant to operate (Zoning Code Section 6-11-4-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record.

Christopher Lawton, architect, and Travis McDonald, 800 Degrees, explained the proposal:

- A fast-fine dining restaurant; straddles line between a Type 1 and Type 2
- Concept for restaurant started in California
- A high quality, “build your own pizza” assembly line
- Beer and wine will be available
- Will lease parking spaces if necessary
- Delivery service will not be provided. Most people will eat in anyway because they have to wait in line.
- Deliveries will occur via alley. There is no exact loading zone, so it will occur in the service corridor
- Hours of operation: 11 a.m. to 2 a.m. is preferred but they are willing to work with what the City prefers

Ms. Klotz noted that SPAARC recommended that the restaurant close at midnight on weekdays and 1 a.m. on weekends.

- Venting will go up through the roof via LA Fitness
- This would be the first location in Chicagoland. There are no plans for rapid expansion by any means

The ZBA entered into deliberations.

The Standards were addressed:
1. Yes
Mr. Gingold motioned to recommend approval of the proposal with the following conditions:

- Employees cannot park on the street.
- Hours of operation fall between 6 a.m. and midnight Sun-Thurs; 6 a.m. to 1 a.m. Fri & Sat
- The project must be in substantial compliance of the documents and testimony on record.

The motion was seconded by Ms. McLennan and approved 4-0.

1814 Central Street

Beth Welch, business owner, applies for a special use permit for a Type 2 Restaurant, Beth’s Little Bake Shop, at 1814 Central Street. 1814 Central Street is located in the B1a Business District and the oCSC Central Street Overlay District, which requires a special use permit for a Type 2 Restaurant to operate (Zoning Code Section 6-9-5-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record.

Beth Welch, owner and head pastry chef, explained the proposal:

- Ms. Welch is an Evanston native and resident with culinary education and training
- Proposes a European-inspired pastry shop with breakfast, desserts, breads, and coffee
- All items will be baked on premises
- Will include wholesale & retail, eat in, and carry out services.
- Hours of operation: 6 a.m. to 6 p.m. Monday- Friday; 7 a.m. to 5 p.m. Saturday; closed on Sunday for now
- Bar service, but no seating
- 3 full-time employees, 3 part-time employees, and seasonal employees; 3-4 employees per shift
- Only street parking is available. There are lots of meters and many Metra users are anticipated. One employee parking space will be supplied.
- Shop will pay meters for employees
- Deliveries will occur off Poplar Avenue, not the alley, between 6 a.m. to 8 a.m.
- Dumpsters behind building will be emptied twice a week
- Will follow Litter Collection Plan and use environmentally friendly, disposable dishware
- Phase 2 will open Type 1 café with expanded menu at a later date

Chair Rodgers asked if any issues were raised regarding deliveries off of Poplar Avenue during rush hour with train parking and kids going to school. Ms. Klotz stated that no concerns had been raised at SPAARC.

Ms. McLennan noted that it might be better for deliveries to occur between 10 a.m. and noon, which the applicant took under advisement.

Ms. Welch also noted that there is currently a city garbage can on the corner, and 2 more at the train station, and she will add another just outside the door of her restaurant.
Mr. Gingold stated that the use of meters by employees is not preferable, but he is not sure there are any other options.

The ZBA entered into deliberations.

Mr. Gingold stated that hours of operation should remain between 6 a.m. and midnight daily, similar to those bestowed upon adjacent restaurants since this is not a downtown area.

The Standards were addressed:

1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes

Mr. Gingold motioned to recommend approval of the proposal with the following conditions:

- Litter/Garbage Plan.
- Employees use non-metered parking to the extent allowed
- Hours of operation fall between 6 a.m. and midnight 7 days a week
- Deliveries must avoid hours of traffic congestion
- The project must be in substantial compliance of the documents and testimony on record

The motion was seconded by Ms. Cullen and approved 4-0.

**2149 Sherman Avenue (case withdrawn)**  
ZBA 14ZMJV-0125

P. Matt Lederer, property owner, applies for major zoning relief to allow a third dwelling unit on an existing lot. The applicant requests 2,348 square feet of lot size per dwelling unit where 2,500 square feet is required (Zoning Code Section 6-8-6-4-C). The Zoning Board of Appeals is the determining body for this case.

**600 Davis Street**  
ZBA 14ZMJV-0123

Pascal Berthomieux, lessee, applies for a special use permit for a Type 2 Restaurant, *Patisserie Coralie*, at 600 Davis Street. 600 Davis Street is located in the D2 Downtown Retail Core District, which requires a special use permit for a Type 2 Restaurant to operate (Zoning Code Section 6-11-3-4). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Pascal Berthomieux, owner, explained the proposal:

- Proposes a French boutique pastry shop with coffee
- Hours of operation: Monday-Friday 6 a.m. to 7 p.m., Saturday-Sunday 7 a.m. to 7 p.m.
- Deliveries will occur in the morning via front door access due to no rear access. The delivery truck will be around the same size as a UPS truck
- Most employees are local and will bike or take public transportation to work. Will provide parking permits for 2 management positions.
- Owns Bistro Bordeaux (618 Church Street) and Creperie St. Germain (1512 Sherman Avenue)
- Agrees to uphold Litter Collection/Garbage Plan
- Lounge and bistro seating will be provided, but is unsure as to how much

The ZBA entered into deliberations.
Chair Rodgers stated that deliveries through the front door are not ideal, but understands that it is the only option here. He does not condone using fire hydrant space as a loading zone.

The Standards were addressed:
1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes

Mr. Gingold motioned to recommend approval of the proposal with the following conditions:
- Employees cannot park on the street.
- Hours of operation: 6 a.m. to midnight
- Litter Collection/Garbage Plan
- Deliveries occur after rush hour to extent practical
- The project must be in substantial compliance of the documents and testimony on record

The motion was seconded by Ms. Cullen and approved 4-0.

Ms. Klotz thanked the ZBA members who attended the IL-APA conference board training.

Chair Rodgers noted that he was glad to have a functional board, full time staff, and access to legal staff and Ms. Cullen agreed.

Ms. Klotz reminded the board that proposed rules changes will be addressed at the next ZBA meeting.

The meeting adjourned at 8:15 p.m.
In the case of

Case Number: 14ZMJV-0115
Address or Location: 1814 Central Street
Applicant: Beth Welch
Proposed Special Use: Restaurant-Type 2, *Beth’s Little Bake Shop*, in B1a Business District and the oCSC Central Street Overlay District

After conducting a public hearing on October 7, 2014, the Zoning Board of Appeals makes the following findings of fact, reflected in the audio-visual recording of the hearings, based upon the standards for special uses specified in Section 6-9-5-3 of the Zoning Ordinance:

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and, based upon these findings, and upon a vote

4 in favor & 0 against

Recommends to the City Council

_____ approval without conditions
___X___ approval with conditions specifically:

1. Must comply with Litter/Garbage Pick-Up Plan
2. Hours of operation: 6 a.m. to midnight, 7 days a week
3. Deliveries are to avoid hours of congestion
4. The project must be in substantial compliance of the documents and testimony on record.
5. Employees are to use non-metered parking to the extent allowed

_____ denial of the proposed special use.

__________________________________________     Date: ______________
Matt Rodgers                                 
Zoning Board of Appeals Chair

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<td>X Violetta Cullen</td>
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<td>Andrew Gallimore</td>
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Memorandum

To: Honorable Mayor and Members of the City Council
Planning and Development Committee

From: Mark Muenzer, Director of Community Development
Lorrie Pearson, Planning and Zoning Administrator
Melissa Klotz, Zoning Planner
Ellen Cholewa, Community Development Intern

Subject: Ordinance 131-O-14, Granting a Special Use for a Restaurant-Type 2, Patisserie Coralie, at 600 Davis Street

Date: October 15, 2014

Recommended Action
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 131-O-14 granting a special use permit for a Type 2 Restaurant, Patisserie Coralie, in the D2 Downtown Retail Core District. The applicant has complied with all zoning requirements, and meets all of the standards for a special use for this district. Suspension of the Rules is requested for Introduction and Action by City Council on October 27, 2014.

Summary
600 Davis Street is located on the on the southwest corner of Davis Street and Chicago Avenue in the D2 Downtown Retail Core District, and is surrounded by similar commercial uses. 600 Davis Street was previously Café Mozart, a Type 1 Restaurant that had begun operating as a Type 2 Restaurant but did not seek the required Special Use Permit. The applicant proposes to correct the past oversight by previous business owners and seek a Special Use Permit to operate Patisserie Coralie as a Type 2 Restaurant. The restaurant is currently approved to operate as a Type 1 Restaurant while the special use for the Type 2 Restaurant is in process. Patisserie Coralie features French pastries and café items including specialty coffee, éclairs, tarts, Napoleons, and macaroons. The applicant currently owns Bistro Bordeaux and Creperie Saint Germain, two long-time Evanston eateries.

Patisserie Coralie intends to operate Monday through Saturday from 6 a.m. to 7 p.m., and Sunday from 7 a.m. to 7 p.m. The applicant anticipates four employees will work per shift. No on-site parking is available, so employees will utilize public transportation.
or park in public parking structures. Deliveries to the restaurant will occur once per day around 10 a.m. Deliveries will be made through the front door since there is rear delivery access. The restaurant will not offer delivery service. No exterior changes to the building are proposed other than signage.

The applicant has agreed to implement the Litter Collection and Garbage Pickup Plans. City staff has not received objections to the use from any neighboring property owners.

**Neighborhood Benefit**
The neighborhood will benefit from having a locally-owned and operated small business that will enhance the downtown area, utilize a vacant space, and increase pedestrian activity in the area.

**Comprehensive Plan**
The Evanston Comprehensive General Plan encourages the utilization of vacant storefronts along existing commercial corridors that can add sales tax revenue and encourage a vibrant downtown. The Comprehensive Plan specifically includes:

- **Objective:** Promote the growth and redevelopment of business, commercial, and industrial areas.

- **Objective:** Retain and attract businesses in order to strengthen Evanston's economic base.

*Patisserie Coralie* will utilize vacant restaurant space in the downtown area and continue to encourage a vibrant and walkable downtown with a distinctive, locally owned and operated specialty café/pastry shop.

**Legislative History**
October 7, 2014: The ZBA recommended unanimous approval of the special use permit for a Type 2 Restaurant with the following conditions:

1. Hours of operation: 6 a.m. to midnight, 7 days a week
2. Employees shall not utilize on-street parking
3. Must comply with Litter Collection and Garbage Pick-Up Plans
4. Deliveries are to avoid hours of traffic congestion to the extent possible
5. The project must be in substantial compliance of the documents and testimony on record.

**Attachments**
Proposed Ordinance 131-O-14
October 7, 2014 ZBA Draft Meeting Minutes
ZBA Findings
October 7, 2014 ZBA Packet -
AN ORDINANCE

Granting a Special Use Permit for a Type 2 Restaurant Located at 600 Davis Street in the D2 Downtown Retail Core District ("Patisserie Coralie")

WHEREAS, the Zoning Board of Appeals ("ZBA") met on October 7, 2014, pursuant to proper notice, to consider case no. 14ZMJV-0123, an application filed by Pascal Berthomieux, lessee of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 600 Davis Street (the "Subject Property") and located in the D2 Downtown Retail Core District, for a Special Use Permit to establish, pursuant to Subsection 6-11-3-4 of the Evanston City Code, 2012, as amended ("the Zoning Ordinance"), a Type 2 Restaurant, "Patisserie Coralie," on the Subject Property; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit for a Type 2 Restaurant met the standards for Special Uses in Section 6-3-5 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of October 27, 2014, the Planning and Development Committee of the City Council ("P&D Committee") considered the ZBA’s record and findings and recommended the City Council accept the ZBA’s recommendation and approve the application in case no. 14ZMJV-0123; and
WHEREAS, at its meetings of October 27, 2014 and November 10, 2014, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and P&D Committee, as amended,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: The City Council hereby approves the Special Use Permit for a Type 2 Restaurant on the Subject Property as applied for in case no. 14ZMJV-0123.

SECTION 3: Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Applicant’s Special Use Permit, violation of any of which shall constitute grounds for penalties or revocation of said Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

A. Compliance with Applicable Requirements: The Applicant shall develop and use the Subject Property in substantial compliance with: all applicable legislation; the Applicant’s testimony and representations to the ZBA, the P&D Committee, and the City Council; and the approved plans and documents on file in this case.

B. Litter Collection Plan: The Applicant shall implement and adhere to a Litter Collection Plan that requires the policing of an area located within a radius of two hundred fifty feet (250’) of the Subject Property. The Applicant shall police this area at least once every three (3) hours during the hours the Special Use is in operation and shall keep it free of all litter, from any source. For the purpose of this ordinance, “litter” shall include, but is not limited to: food, food waste, and beverages; solid waste, including paper, wrappings, containers, cardboard, napkins, straws, utensils, plates, cans, glass, crockery, cigarette butts, ashes and similar materials; animal waste and dead animals; yard clippings and leaves; and all other waste materials which, if thrown or deposited as herein prohibited, may create a danger to public health, safety, or welfare.
C. **Hours of Operation:** The Applicant shall operate the Type 2 Restaurant authorized by this ordinance only between the hours of 6:00 a.m. and 12:00 midnight on any given day.

D. **Employee Parking:** Employees shall not park on the street.

E. **Deliveries:** Deliveries shall not be scheduled during hours of highest traffic congestion in the vicinity.

F. **Recordation:** Before it may operate the Special Use authorized by the terms of this ordinance, the Applicant shall record, at its cost, a certified copy of this ordinance with the Cook County Recorder of Deeds.

**SECTION 4:** When necessary to effectuate the terms, conditions, and purposes of this ordinance, “Applicant” shall be read as “Applicant’s agents, assigns, and successors in interest.”

**SECTION 5:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

**SECTION 6:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 7:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 8:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.
EXHIBIT A

LEGAL DESCRIPTION

The West 21.5 feet of Lot 6 and all of Lot 7 in Cosgrove’s Subdivision of Lots 1 and 2 in Block 27 in the Original Village “Now City” of Evanston, in Section 18, Township 41 North, Range 14, East of the 3rd Principal Meridian, in Cook County, Illinois.

PIN: 11-18-312-006-0000

Commonly Known As: 600 Davis Street, Evanston, Illinois.
Members Present: Matt Rodgers, Violetta Cullen, Mary Beth Berns, Scott Gingold
Members Absent: Andrew Gallimore, Myrna Arevalo, Beth McLennan
Staff Present: Melissa Klotz, Lorrie Pearson, Mario Treto
Chair: Matt Rodgers

Declaration of Quorum

With a quorum present, Chair Rodgers called the meeting to order at 7:02pm.

Approval of Minutes

The minutes from the September 23, 2014 Zoning Board of Appeals meeting were motioned for approval. Ms. Cullen made the motion and it was seconded by Ms. McLennan. The motion was approved 3-0, 1 member abstained.

New Business

812 Church Street ZBA 14ZMJV-0113
Christopher Lawton, architect, applies for a special use permit for a Type 2 Restaurant, 800 Degrees Neapolitan Pizzeria, at 812 Church Street. 812 Church Street is located in the D3 Downtown Core Development District, which requires a special use permit for a Type 2 Restaurant to operate (Zoning Code Section 6-11-4-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record.

Christopher Lawton, architect, and Travis McDonald, 800 Degrees, explained the proposal:

- A fast-fine dining restaurant; straddles line between a Type 1 and Type 2
- Concept for restaurant started in California
- A high quality, “build your own pizza” assembly line
- Beer and wine will be available
- Will lease parking spaces if necessary
- Delivery service will not be provided. Most people will eat in anyway because they have to wait in line.
- Deliveries will occur via alley. There is no exact loading zone, so it will occur in the service corridor
- Hours of operation: 11 a.m. to 2 a.m. is preferred but they are willing to work with what the City prefers

Ms. Klotz noted that SPAARC recommended that the restaurant close at midnight on weekdays and 1 a.m. on weekends.

- Venting will go up through the roof via LA Fitness
- This would be the first location in Chicagoland. There are no plans for rapid expansion by any means

The ZBA entered into deliberations.

The Standards were addressed:

1. Yes
Mr. Gingold motioned to recommend approval of the proposal with the following conditions:

- Employees cannot park on the street.
- Hours of operation fall between 6 a.m. and midnight Sun-Thurs; 6 a.m. to 1 a.m. Fri & Sat
- The project must be in substantial compliance of the documents and testimony on record.

The motion was seconded by Ms. McLennan and approved 4-0.

1814 Central Street
Beth Welch, business owner, applies for a special use permit for a Type 2 Restaurant, *Beth's Little Bake Shop*, at 1814 Central Street. 1814 Central Street is located in the B1a Business District and the oCSC Central Street Overlay District, which requires a special use permit for a Type 2 Restaurant to operate (Zoning Code Section 6-9-5-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record.

Beth Welch, owner and head pastry chef, explained the proposal:

- Ms. Welch is an Evanston native and resident with culinary education and training
- Proposes a European-inspired pastry shop with breakfast, desserts, breads, and coffee
- All items will be baked on premises
- Will include wholesale & retail, eat in, and carry out services.
- Hours of operation: 6 a.m. to 6 p.m. Monday- Friday; 7 a.m. to 5 p.m. Saturday; closed on Sunday for now
- Bar service, but no seating
- 3 full-time employees, 3 part-time employees, and seasonal employees; 3-4 employees per shift
- Only street parking is available. There are lots of meters and many Metra users are anticipated. One employee parking space will be supplied.
- Shop will pay meters for employees
- Deliveries will occur off Poplar Avenue, not the alley, between 6 a.m. to 8 a.m.
- Dumpsters behind building will be emptied twice a week
- Will follow Litter Collection Plan and use environmentally friendly, disposable dishware
- Phase 2 will open Type 1 café with expanded menu at a later date

Chair Rodgers asked if any issues were raised regarding deliveries off of Poplar Avenue during rush hour with train parking and kids going to school. Ms. Klotz stated that no concerns had been raised at SPAARC.

Ms. McLennan noted that it might be better for deliveries to occur between 10 a.m. and noon, which the applicant took under advisement.

Ms. Welch also noted that there is currently a city garbage can on the corner, and 2 more at the train station, and she will add another just outside the door of her restaurant.
Mr. Gingold stated that the use of meters by employees is not preferable, but he is not sure there are any other options.

The ZBA entered into deliberations.

Mr. Gingold stated that hours of operation should remain between 6 a.m. and midnight daily, similar to those bestowed upon adjacent restaurants since this is not a downtown area.

The Standards were addressed:
1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes

Mr. Gingold motioned to recommend approval of the proposal with the following conditions:
- Litter/Garbage Plan.
- Employees use non-metered parking to the extent allowed
- Hours of operation fall between 6 a.m. and midnight 7 days a week
- Deliveries must avoid hours of traffic congestion
- The project must be in substantial compliance of the documents and testimony on record

The motion was seconded by Ms. Cullen and approved 4-0.

2149 Sherman Avenue (case withdrawn) ZBA 14ZMJV-0125
P. Matt Lederer, property owner, applies for major zoning relief to allow a third dwelling unit on an existing lot. The applicant requests 2,348 square feet of lot size per dwelling unit where 2,500 square feet is required (Zoning Code Section 6-8-6-4-C). The Zoning Board of Appeals is the determining body for this case.

600 Davis Street ZBA 14ZMJV-0123
Pascal Berthomieux, lessee, applies for a special use permit for a Type 2 Restaurant, Patisserie Coralie, at 600 Davis Street. 600 Davis Street is located in the D2 Downtown Retail Core District, which requires a special use permit for a Type 2 Restaurant to operate (Zoning Code Section 6-11-3-4). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Pascal Berthomieux, owner, explained the proposal:
- Proposes a French boutique pastry shop with coffee
- Hours of operation: Monday-Friday 6 a.m. to 7 p.m., Saturday-Sunday 7 a.m. to 7 p.m.
- Deliveries will occur in the morning via front door access due to no rear access. The delivery truck will be around the same size as a UPS truck
- Most employees are local and will bike or take public transportation to work. Will provide parking permits for 2 management positions.
- Owns Bistro Bordeaux (618 Church Street) and Creperie St. Germain (1512 Sherman Avenue)
- Agrees to uphold Litter Collection/Garbage Plan
- Lounge and bistro seating will be provided, but is unsure as to how much

The ZBA entered into deliberations.
Chair Rodgers stated that deliveries through the front door are not ideal, but understands that it is the only option here. He does not condone using fire hydrant space as a loading zone.

The Standards were addressed:

1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes

Mr. Gingold motioned to recommend approval of the proposal with the following conditions:

- Employees cannot park on the street.
- Hours of operation: 6 a.m. to midnight
- Litter Collection/Garbage Plan
- Deliveries occur after rush hour to extent practical
- The project must be in substantial compliance of the documents and testimony on record

The motion was seconded by Ms. Cullen and approved 4-0.

Ms. Klotz thanked the ZBA members who attended the IL-APA conference board training.

Chair Rodgers noted that he was glad to have a functional board, full time staff, and access to legal staff and Ms. Cullen agreed.

Ms. Klotz reminded the board that proposed rules changes will be addressed at the next ZBA meeting.

The meeting adjourned at 8:15 p.m.
In the case of

Case Number: 14ZMJV-0123
Address or Location: 600 Davis Street
Applicant: Pascal Berthoumieux
Proposed Special Use: Restaurant-Type 2, *Patisserie Coralie*, in D2 Downtown Retail Core District

After conducting a public hearing on October 7, 2014, the Zoning Board of Appeals makes the following findings of fact, reflected in the audio-visual recording of the hearings, based upon the standards for special uses specified in Section 6-11-3-4 of the Zoning Ordinance:

<table>
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<th>Standard</th>
<th>Finding</th>
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<td>(A) It is one of the special uses specifically listed in the zoning ordinance;</td>
<td>☑ Met ☐ Not Met &lt;br&gt;Vote 4-0</td>
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<td>(B) It is in keeping with purposes and policies of the adopted comprehensive general plan and the zoning ordinance as amended from time to time;</td>
<td>☑ Met ☐ Not Met &lt;br&gt;Vote 4-0</td>
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<td>(C) It will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special uses of all types on the immediate neighborhood and the effect of the proposed type of special use upon the city as a whole;</td>
<td>☑ Met ☐ Not Met &lt;br&gt;Vote 4-0</td>
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<td>(D) It does not interfere with or diminish the value of property in the neighborhood;</td>
<td>☑ Met ☐ Not Met &lt;br&gt;Vote 4-0</td>
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<td>(E) It can be adequately served by public facilities and services</td>
<td>_<strong>X</strong> Met     _____Not Met</td>
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<td>(F) It does not cause undue traffic congestion;</td>
<td>_<strong>X</strong> Met     _____Not Met</td>
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<td>(G) It preserves significant historical and architectural resources;</td>
<td>_<strong>X</strong> Met     _____Not Met</td>
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<tr>
<td>(H) It preserves significant natural and environmental features; and</td>
<td>_<strong>X</strong> Met     _____Not Met</td>
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<td>(I) It complies with all other applicable regulations of the district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the grant of a variation.</td>
<td>_<strong>X</strong> Met     _____Not Met</td>
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and, based upon these findings, and upon a vote

_4_ in favor & _0_ against

Recommends to the City Council

_____ approval without conditions
   ___X__ approval with conditions specifically:

1. Must comply with Litter/Garbage Pick-Up Plan
2. Employees cannot park on the street
3. Hours of operation: 6 a.m. to midnight, daily
4. Deliveries occur after rush hour to extent practical
5. The project must be in substantial compliance of the documents and testimony on record.

_____ denial of the proposed special use.

________________________________________     Date: ____________

Matt Rodgers
Zoning Board of Appeals Chair

PLANNING AND ZONING DIVISION  ☏ 847-866-2930  ☉ zoning@cityofevanston.org
Community Development Department  ☏ 847-448-8126  ☔ www.cityofevanston.org/zoning
2100 Ridge Ave., Rm. 3700  Evanston, IL 60201

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<th>Attending:</th>
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<td>X    Mary Beth Berns</td>
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<td>Myrna Arevalo</td>
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<td>X    Scott Gingold</td>
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<td>Beth McLennan</td>
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<td>X    Matt Rodgers</td>
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<td>X    Violetta Cullen</td>
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<td>Andrew Gallimore</td>
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Memorandum

To: Honorable Mayor and Members of the City Council
   Planning and Development Committee
From: Mark Muenzer, Director of Community Development
      Lorrie Pearson, Planning and Zoning Administrator
      Damir Latinovic, Neighborhood and Land Use Planner
Subject: Ordinance 50-O-14 Amending Title 4, Chapter 14 of the City Code
        “Site Plan and Appearance Review” (SPAARC) to Design and Project Review (DAPR)
Date: October 13, 2014

Recommended Action:
City staff recommends the adoption of Ordinance 50-O-14 to institute a revised staff
design and project review process. This ordinance was introduced at the October 13,
2014 City Council meeting.

Summary:
The Site Plan and Appearance Review Committee (SPAARC) is the staff committee
that reviews projects and provides recommendations to various City legislative and
quasi-judicial commissions and boards (i.e. ZBA, Plan Commission etc.), as well as to
the City Council. Staff has identified several revisions that are noted in the proposed
ordinance that will change this review process and lead to improved recommendations.
It will also include a name change to Design and Project Review (DAPR) to more
accurately reflect the importance of design and aesthetics during the approval process.

Membership on DAPR has now been classified into voting and advisory members.
Voting members are entitled to vote on all matters before the committee and advisory
members will provide insight related to their area of expertise on an as needed basis.
Specific member titles have been updated to reflect changes in positions since the
previous SPAARC ordinance was adopted and additional members, primarily advisory,
were added to allow for more recently created staff positions such as the Sustainable
Programs and Cultural Arts Coordinators to provide input.

The Director of Community Development will be the Committee Chair as most matters
that are reviewed by DAPR are under the purview of the Community Development Dept.
The Planning and Zoning Administrator will serve as the Vice-Chair and the Neighborhood and Land use Planner will serve as Secretary.

A quorum will consist of two Community Development representatives, one from Public Works and two other voting members. Prior to the distribution of the weekly DAPR agenda, Community Development staff will review the agenda and determine which voting and advisory members should be present for each item. In many cases, a simple quorum will only be needed, thereby decreasing the amount of overall staff time devoted to DAPR. The new process will also allow for specific staff members to provide input on matters specifically related to their staff position and address any concerns related to staff input on projects not related to their present staff roles.

The types of developments requiring DAPR approval will continue to include the construction of new buildings or structures as well as significant exterior modifications to existing buildings. Sidewalk Cafes will no longer be reviewed by DAPR and will proceed directly to the Health and Public Works Departments for approval. Single-family and two-family homes, permitted temporary uses and any use in the U3 District 100’ from any public right-of-way will continue to not require DAPR approval.

DAPR submission requirements from applicants will remain primarily unchanged and will typically reflect the type of approval of being sought from the City. For example, Planned Development applications will continue to be reviewed by DAPR utilizing the information required in that application process. The evaluation criteria for approval also remain largely the same as SPAARC.

A final new requirement for all DAPR projects will be the utilization of staff comment forms. At each DAPR hearing, staff will submit written comments to the secretary that will include requirements that must be met prior to the project proceeding to the next approval phase. This step will ensure that projects are meeting all City requirements prior to board/commission and City Council review. These comments will be shared with the DAPR applicants so there is written documentation between the City and applicant. Staff will digitally save these forms/comments and the applicant’s response as part of the project’s official file.

Attachments:
Ordinance 50-O-14
DAPR Comment Form
AN ORDINANCE

Amending Title 4, Chapter 14 of the City Code, “Site Plan and Appearance Review”

SECTION 1: Title 4, Chapter 14 of the Evanston City Code of 2012, as amended (the “City Code”), is hereby further amended to read as follows:

CHAPTER 4 – SITE PLAN AND APPEARANCE REVIEW DESIGN AND PROJECT REVIEW (DAPR)

4-14-1: STATEMENT OF PURPOSE:

(A) Objective. Site plan and appearance review Design and Project Review is a procedure for the review of proposed developments or redevelopments to ensure they are compatible with adjacent development by taking into account the relationship of the new development to its surroundings with review and discussion by members of city staff and community members from various disciplines.

(B) Address Details Not Covered. The purpose of site plan and appearance review Design and Project Review is to go beyond the basic zoning requirements and to deal with the site details on which zoning and other codes are silent. Site plan and appearance review Design and Project Review is not a substitute for zoning.

(C) Elements Examined. In carrying out the purpose of site plan and appearance review Design and Project Review, the following are examples of elements which are examined:

1. Parking arrangement.
2. Circulation.
3. Traffic access.
4. Building location on the site.
5. Landscaping.
7. Drainage/storm water control.

8. Exterior building design and materials.

(D) Authority Limited. Site plan and appearance review Design and Project Review does not have any authority to determine land use and in certain circumstances acts as a recommending body to the Zoning Board of Appeals and/or the Plan Commission.

(E) Result Of Review Process. In addition to upgrading site development planning, the city hopes to create a process which will expedite the review of development proposals through providing a coordinated staff review.

4-14-1-1: SITE PLAN AND APPEARANCE REVIEW DESIGN AND PROJECT REVIEW COMMITTEE:

(A) Membership. The membership of the site plan and appearance review Design and Project Review committee is composed of two groups: (1) Voting Members; and (2) Advisory Members. Voting Members shall be the only class of members entitled to vote on any matter put before the Design and Project Review committee. Advisory Members shall provide the Design and Project Review committee with insight related to their area of expertise as the committee as a whole discusses each matter. In the following, or, in the case of city staff, the named member may designate a department member to attend in his/her stead. The following are the list of members:

Voting Members

1. Representative from City Manager’s Office/Economic Development Division;

2. Director of Community and Economic Development;

3. Director of Public Works;

4. Superintendent of Parks, Recreation and Community Services;

5. City Engineer;

6. Representative from the Fire Prevention Bureau Department;

97. Representative from the Crime Prevention Bureau Police Department;

108. Assistant Director of Zoning and Planning Planning and Zoning Administrator;
449. Zoning Planner or Zoning Officer;

4210. Manager of Building and Inspection Services;

4311. Assistant Director of Public Works/Forestry;

12. Neighborhood and Land Use Planner; and

13. Representative from the Utilities Department.

Advisory Members

1. Traffic Engineer;

2. Director of the arts council—Cultural Arts Coordinator;

3. Sustainable Programs Coordinator;

4. Historic Preservation Coordinator;

5. Plan Reviewer;

6. Representative from Administrative Services;

7. Housing and Grants Administrator;

8. Representative from the Health Department; and

9. AnOne or more architect or urban designer who are is employed in Evanston or are is a resident of Evanston as and appointed by the Mayor with the advice and consent of the City Council. Said Mayoral appointment shall be for terms of no longer than three (3) two (2) years.

(B) Officers.

1. The officers of the Committee shall consist of the Chair, Vice-Chair and Secretary.

2. The Director of Community Development shall preside as the Chair of the Committee.

3. The Planning and Zoning Administrator shall serve as the Vice-Chair of the Committee.
4. The Neighborhood and Land Use Planner shall serve as the Secretary of the Committee.

5. The Chair, or his/her designee, shall supervise the Committee and shall preside at all Committee meetings.

6. The Vice-Chair, in the absence of the Chair, shall perform all duties and exercise all powers of the Chair.

7. The Secretary shall:
   
   a. Be custodian of the active files of the Committee and keep all of the records.
   
   b. Conduct the correspondence of the Committee.
   
   c. Promptly prepare and distribute a meeting agenda in consultation with the Chair. The rules shall be reviewed regularly and monitored to ensure consistency with the policies and priorities of the City Council.
   
   d. Record the names and addresses of all persons appearing before the Committee.
   
   e. Keep records of the Committee’s official actions and prepare meetings.
   
   f. Record each member’s vote for every question, whether or not each member was present for the vote, and if a member abstained from voting for a particular question.
   
   g. Perform such additional duties as may be requested by the Chair or Committee.

(D)(C) Voting. Voting privileges are extended to the above Voting Members listed under 14-4-1-1(A). Advisory Members shall abstain from voting. The advice of the Preservation Commission may be requested by the Site Plan and Appearance Review Committee.

(C)(D) Quorum. A quorum shall consist of the Assistant Director for Zoning the Director of Community Development or his/her designee, one other representative from the Department of Community and Economic Development, and a representative from the Department of Public Works, and two additional Voting Members as listed under Section 14-4-1-1(A) from the Department of Parks, Recreation and Community Services, and shall be required in order to conduct any official Committee business.
Objective. Such a review will bring together staff from various departments to meet with developers to help resolve any site or appearance problems and more directly communicate the City’s requirements. By identifying the applicable codes and ordinances through this process, costly delays from oversights or incomplete applications may be avoided. In such joint meetings, there is opportunity for exchange between all affected parties which should improve communications and also provide the developer with professional expertise in site and building design. The resulting design should also promote efficiency and economy in providing any necessary City services. Beyond the specific improvements to the site itself, site plan and appearance review Design and Project Review should help reduce adverse impact, promote harmony of development with its surroundings and maintain property values.

4-14-2: DEVELOPMENTS REQUIRING SITE PLAN AND APPEARANCE REVIEW DESIGN AND PROJECT REVIEW APPROVAL PRIOR TO ISSUANCE OF BUILDING PERMIT:

(A) The following are developments requiring site plan and appearance review Design and Project Review approval prior to issuance of building permits for the development or in the case of Type II Restaurant sidewalk cafes, prior to City Council consideration of a sidewalk cafe permit:

1. Construction of a new building or structure, or modifications to the exterior of an existing structure (including additions) for any land use requiring a building permit except single-family homes, located in the business, commercial, downtown, university, office, industrial or transitional manufacturing districts.

2. Construction of a new building or structure or modifications to the exterior of an existing building or structure (including additions) for all nonresidential uses in residential districts.

3. Construction of a new building or structure, or modifications to the exterior of an existing building or structure (including additions) for all multi-family uses in any zoning district.

4. Developments requiring special use approval.

5. Developments requiring a zoning variation.

6. Developments requiring a zoning ordinance text or Map amendment.

7. All planned developments.

8. All Municipal or other public developments.
9.7. Any proposed developments for which parking is to be located off-site.

10.8. All development proposals for which public and/or quasi-public financial assistance has been requested.

11.9. All subdivisions and plats of consolidation.

12.10. Sidewalk cafes for Type II Restaurants. Any other use or development as determined by the Director of Community Development.

(B) Exceptions. No site plan and appearance review Design and Project Review shall be required for the following uses:

1. Permitted single-family and two family residential uses.

2. Permitted temporary uses.

3. Any use in a U3 University District that is greater than one hundred feet (100') from any publicly dedicated right of way that abuts the U3 District.

4-14-3: PRELIMINARY AND FINAL SITE PLAN AND APPEARANCE REVIEW DESIGN AND PROJECT REVIEW REQUIRED:

For the types of developments defined in subsection 2(A)Section 4-14-2(A) of this Chapter, a site plan, prepared in accordance with the provisions of this Section, shall be required for a concept, preliminary, or final Design Project Review and appearance review conference and for final approval by the Site Plan and Appearance Review Committee. Additional submittal materials may be required as determined by the Director of Community Development.

(A) Concept Design and Project Review.

1. Concept Design and Project Review is optional and intended for large and/or complex construction projects in which applicants seek input from City staff during the initial design stage. Concept Design and Project Review is for projects that have not yet applied for zoning review or a building permit for said project.

2. The Design and Project Review Committee does not provide a vote or official recommendation at concept review.

3. Concept review is scheduled directly through the Zoning Office upon request of the applicant.

(B) Preliminary Site Plan And Appearance Review Design and Project Review.
1. A preliminary site plan and appearance review Design and Project Review conference is required. The purpose of the preliminary site plan and appearance review Design and Project Review is to acquaint all pertinent City staff with the proposal and the views and concerns of those participating. The site plan and appearance review conference occurs at the conceptual stage of a development assist the applicant in bringing the site and building plans into conformity with applicable regulations and seek input from City staff at the stage of development when designs are flexible and adjustments are possible. Preliminary review may occur only upon the completion of a Zoning Analysis by City staff.

2. The preliminary site plan and appearance review conference is also intended to assist the applicant in bringing the site and building plan into conformity with the requirements of these and other applicable regulations Design and Project Review Committee provides an official vote or recommendation at preliminary reviews.

3. Specific submission requirements for final site and appearance review as set forth in Section 4 of this Chapter will be reviewed as part of the preliminary site plan and appearance review conference. Preliminary review occurs in conjunction with final review unless otherwise specified by the applicant through the Zoning Office.

(B)(C) Final Site Plan And Appearance Design and Project Review.

1. A final site plan and appearance review Design and Project Review conference shall also be is required. The purpose of the final site plan and appearance review Design and Project Review conference is to verify that the final site plan complies with all the applicable requirements regulations and meets the design goals of the City, of this Chapter. The final site plan and appearance review approval shall be granted or denied in accordance with Section 5 of this Chapter, following the completion of a zoning analysis on the proposed development, following the final site plan and appearance review conference and shall precede the granting of a building permit, provided, however, that no zoning analysis shall be required for Type II Restaurant sidewalk cafes. Final review may occur only upon the completion of a Zoning Analysis by City staff that is in conjunction with a building permit application.

2. The Design and Project Review committee provides an official vote or recommendation at reviews.

3. Final Design and Project Review is required prior to the issuance of a building permit.
Committee Action Recorded And Transmitted. Official actions recommendation to City boards and/or Commissions of the Design and Project Review of the Site Plan and Appearance Review Committee shall be recorded and transmitted to the City Council.

4-14-4: SUBMISSION REQUIREMENTS AND PROCEDURES:

(A) Submission Requirements And Procedures. Applications for site plan and appearance review approval for uses other than sidewalk cafes in connection with Type II Restaurants shall be submitted to the City Manager, or his/her designee, as follows: The following documents are required for proper submission (Note: Director of Community Development or his/her designee may require digital documentation):

1. Preliminary Site Plan And Appearance Design and Project Review Application: Three (3) copies of a preliminary site plan, current plat of survey which accurately reflects the premises at the time of submission, and preliminary elevation drawings.

2. Final Site Plan And Appearance Design and Project Review Application: A zoning analysis of the proposed development is required prior to final site plan and appearance review Design and Project Review. Four (4) copies of the following exhibits shall be prepared by design professionals such as architects or engineers. The submitted and include a final site and building plan shall contain the following:

   a. Existing and proposed development on the site and adjacent sites.

   b. Elevation drawings of all proposed buildings. A color rendering of the primary façade may also be required.

   c. Actual building material samples and manufacturer’s product information representing accurate color, texture, pattern, finish and range of variations of all exterior building materials proposed.

   d. Parking plans and access drives including dimensions, stall markings, required screening, landscaping and surfacing.

   e. Lighting plan identifying the location, height and type of all site, sign and exterior building illumination proposed.

   f. Landscape development plan including plant names, quantities, locations and sizes of major plant masses, and locations of all existing trees with a trunk diameter in excess of four inches (4”).
g. Signage plan identifying the location, height, type, size, color and proposed message of all exterior signage proposed, consistent with all other signage regulations.

h. Sidewalks and any other elements of pedestrian circulation.

i. Major accessory elements including, but not limited to, signage, outdoor furniture, bike racks, outdoor art, etc.

j. Any proposed improvements on the public right of way which the developer may be required to make as part of the site improvements, such as parkway trees, public sidewalks, adjacent alley surfacing, driveway removal and curb and gutter replacement.

k. A current plat of survey which accurately reflects the premises at the time of submission.

l. A completed zoning analysis on the proposed project.

m. Other materials and data which may be required of the applicant for an adequate plan review (such as, but not limited to: traffic studies, a sustainability plan, preliminary engineering and drainage/storm water control plans, preliminary utility locations, floor plans, etc.).

n. All site plans submitted for final approval shall be accompanied by a plat of survey showing that the property for the proposed development consists of, and is coterminous with, a single lot described in a recorded plat of subdivision, or a preliminary proposed resubdivision or consolidation to create such a single lot.

(B) Type II Restaurant Sidewalk Cafe Submission Requirements. In the case of Type II Restaurant sidewalk cafes, the applicant shall submit the information set forth in subsection 7-2-6(D)3 of this Code.

(C) Review Conference. The developer or his/her representative shall be present at the final site plan and appearance review Design and Project Review conference to explain the project and to answer any questions thereon.

4-14-5: PRELIMINARY AND FINAL SITE PLAN AND APPEARANCE DESIGN AND PROJECT REVIEW APPROVAL:

(A) Within fifteen (15) working days following the receipt of the completed application for preliminary or final site plan and appearance approval, the City Manager, the Director of Community Development, or his/her designee, shall then schedule and conduct the preliminary or final site plan and appearance review Design and Project Review conference. At the preliminary or final site plan and
appearance review Design and Project Review conference, the Manager, Director of Community Development or his/her designee, will either:

1. Approve the site and building plan;

2. On the basis of written findings as to how the proposed development does not meet the evaluation criteria standards set forth below, approve the site and building plan subject to specific modifications; or

3. On the basis of such written findings as to how the proposed development does not meet the evaluation criteria standards, decline to approve the site plan.

(B) The City Manager, or his/her designee, shall determine if analysis or review of the building plans by appropriate staff is necessary prior to granting of final approval.

(C) At the conclusion of the review, the City Manager Director of Community Development or his/her designee shall return to the applicant one copy of the submitted plans permanently marked to indicate one of the following options: show either approval, approval subject to further specified approvals, lack of approval, or approval subject to modifications. Upon approval of a final site and building plan, the applicant may seek and the City may issue building permits.

4-14-6: EVALUATION CRITERIA:

The goals and objectives of the Comprehensive General Plan or other applicable Evanston planning and design documents shall be utilized in the review of proposed site and building plans. In addition, the following criteria shall also be used to determine whether a proposed site and building plan fulfills the objectives of this Chapter.

(A) Building And and Structure Location. The arrangement of the structures on the site shall allow for the effective use of the proposed development. Furthermore, such arrangement shall be compatible with development on adjacent properties. Also, the arrangement of structures on the site shall be evaluated for their potential impact on the ability to deliver provision of the Municipal services, such as access for emergency equipment.

(B) Building Design And and Appearance. The appearance of buildings shall be designed to respect the attributes of adjacent and surrounding development (and any existing on site buildings proposed to remain), and to reduce any adverse impacts caused by differing architectural styles, while maintaining and promoting the city’s diverse architectural fabric. Architectural style, massing, scale, proportion, window fenestration, rhythm of design elements, color palette and building materials shall be considered in determining compliance with this objective. Fulfillment of this objective shall be nonbinding on the applicant.
(C) Landscaping. Landscape design shall create a logical transition to adjoining development, screen incompatible uses, and minimize the visual impact of parking lots on adjacent sites and roadways. Plant materials shall be selected so as to withstand Evanston’s climate and the microclimate on the property. Plant materials shall be selected with the advice of city staff.

(D) Graphics And Signage. Signs shall be minimized in number and size, and integrated with architectural and site landscape features. Placement of signs shall not unduly obscure or interfere with sight lines to other properties.

(E) Circulation. All circulation systems shall provide adequate and safe access to the site and be compatible with the public circulation systems to minimize dangerous traffic movements. Pedestrian and auto circulation shall be separated, insofar as is practicable. Curb cuts on the site shall be minimized.

(F) Parking Areas And Lots. Proposed parking areas or lots shall be designed, located, and screened to minimize adverse visual impact on adjacent properties. Perimeter parking lot screening/landscaping shall be provided. Interior parking lot landscaping is also required where practicable to break up large areas of parking with plant material. Parking lot drainage shall not adversely affect surrounding properties.

(G) Open Space. Where practicable, open space on the site shall create a desirable and functional environment for patrons, pedestrians and occupants.

(H) Site Illumination. Site illumination shall be designed, located and installed so as to minimize adverse impact on adjacent properties. A site lighting plan may be required by City staff.

(I) Preservation. Preservation of unique architectural resources is encouraged. Development and development designs that respect desirable historical architectural resources on surrounding sites are also encouraged should be provided.

(J) Completeness. The application for site plan and appearance review Design and Project Review must contain all the information required in section 4 of this chapter.

(K) Compliance With All Other Applicable Codes. These may include, but are not limited to, the following:

1. The Evanston zoning ordinance.
2. The adopted building codes.
3. This code.

4-14-7: EVALUATION CRITERIA FOR TYPE 2 RESTAURANT SIDEWALK CAFES:

(A) In the case of a type 2 restaurant sidewalk cafe, the following criteria, and not those in section 6 of this chapter, shall be used to evaluate the proposed use:

1. The proposed sidewalk cafe will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of other sidewalk cafes in the immediate neighborhood.

2. The proposed sidewalk cafe will not cause undue pedestrian or vehicular traffic congestion.

3. The sidewalk cafe will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties.

4. The proposed sidewalk cafe will comply with all the rules and regulations contained herein except that the city council may modify or waive the requirements in subsection 7-2-6(D) of this code.

5. The proposed sidewalk cafe is not likely to have an adverse effect upon the public health, welfare, or safety.

6. The proposed sidewalk cafe meets the requirements of subsections 7-2-6(D)4 and (D)5 of this code.

(B) The site plan and appearance review committee will make written findings as to whether the proposed use meets the criteria set forth in subsection (A) of this section, and shall, within fifteen (15) working days after receipt of the completed permit application, report its findings to the city manager or his/her designee with a recommendation to the city council as to whether the permit should or should not be granted.

4-14-87: AMENDMENTS:

Amendments to an approved site and building plan shall require approval in the same manner required for the original site plan.

4-14-98: TIME LIMIT ON APPROVAL:

(A) No site and building plan approval shall be valid for a period longer than one year from the date of approval unless a building permit is issued and construction is actually begun within that period.
(B) Time extensions may be authorized by the city manager Director of Community Development or his/her designee provided the applicant demonstrates that there are circumstances, difficulties or practical hardships which make compliance with the original one year approval period unreasonable.

4-14-109: APPEALS:

Any final site plan and appearance review Design and Project Review decision by the city manager, or his/her designee, may be appealed to the site plan and appearance review Design and Project Review committee for additional consideration, modified modification, reversed reversal or affirmed affirmation by the committee of the whole upon appeal by the applicant. Such appeal shall be filed with the committee of the whole within fifteen (15) business days of the decision by the city manager Director of Community Development, or his/her designee, and the committee shall consider and decide said appeal within fifteen (15) business days thereafter.

SECTION 2: That Subsection 6-3-1-3 of the City Code, is hereby further amended to read as follows:

6-3-1-3: SITE PLAN AND APPEARANCE REVIEW COMMITTEE (SPARC)DESIGN AND PROJECT REVIEW (DAPR) COMMITTEE:

The Site Plan and Appearance Review Design and Project Review Committee is responsible for all site plan reviews authorized pursuant to the provisions of the separate Site Plan and Appearance Review Design and Project Review Ordinance, Ordinance No. 31-0-9350-O-14, as amended. (A copy of Ordinance No. 31-0-9350-O-14 is included in Appendix E of this Ordinance.) Aspects which the SPARDAPR addresses in site plan review in specified zoning districts include, but are not limited to:

(A) Building and structure location.

(B) Building design and appearance.

(C) Landscaping.

(D) Graphics and signage.

(E) Circulation.

(F) Parking areas and lots.

(G) Open space.

(H) Site illumination.
(I) Preservation.

(J) Completeness.

(K) Compliance with all other applicable codes.

SPARCDA PR decisions may be appealed pursuant to Section 4-14-9 of this Code to the Planning and Development Committee of the City Council.

SECTION 3: That Subsection 6-3-1-6 of the City Code is hereby further amended to read as follows:

6-3-1-6: CITY COUNCIL:

The City Council:

(A) Approves or disapproves any application for an amendment to the Zoning Ordinance, major variation pertaining to off-street parking and loading, special use (including a planned development), and unique use.

(B) Approves or disapproves any combined application for a special use and variation(s) and any application for a major variation and a major variation pertaining to off-street parking and loading.

(C) Hears and decides, through its Planning and Development Committee, any appeal from a decision of the Zoning Administrator regarding an application for a substitution for an existing special use and an application for a temporary use.

(D) Hears and decides, through its Planning and Development Committee, any appeal from a decision of the Site Plan and Appearance Review Committee.

(E) Take such other actions not delegated to other bodies that may be desirable and necessary to implement the provisions of this Ordinance.

SECTION 4: That Subsection 6-3-5-7(A) of the City Code is hereby further amended to read as follows:

(A) Review Procedure: After determining that the special use application is complete pursuant to Section 6-3-3-1, the Zoning Administrator shall prepare and forward his written recommendation accompanied by the Site Plan and Appearance Design and Project Review Committee’s written report to the Plan Commission, in the case of planned developments, and to the Zoning Board of Appeals for all other categories of special uses. At the same time, the Zoning
Administrator shall, in the case of a planned development, cause notice of a public hearing before the Plan Commission to be published pursuant to Section 6-3-6-8. In the case of all other special uses, the Zoning Administrator shall cause notice of a public hearing before the Zoning Board of Appeals to be published not more than thirty (30) days nor less than fifteen (15) days before the date of the hearing. In addition, a sign shall be posted on the property for a minimum of ten (10) working days prior to the public hearing indicating the place, time and date of the hearing.

SECTION 5: That Subsection 6-3-6-7(A) of the City Code is hereby further amended to read as follows:

(A) Pre-Application Conference: Prior to submitting a planned development application for approval, an applicant shall meet with the Zoning Administrator or his or her designee, the chairman of the Plan Commission and the Alderman of the ward in which the proposed planned development is located, or their designees in conjunction with the Site Plan and Appearance Design and Project Review Committee (SPARCDAPR). Where applicable, a representative of the Preservation Commission shall be present. The purpose of the conference is to enable the applicant to present the concept of the proposed planned development and to discuss the procedures and standards for planned development approval. The pre-application conference is intended to facilitate the filing and consideration of a complete application and no representation made by the Zoning Administrator, the SPARCDAPR or the representative of the Preservation Commission or Plan Commission during such conference or at any other time shall be binding upon the City with respect to the application subsequently submitted. The Zoning Administrator shall schedule the pre-application conference with the Site Plan and Appearance Design and Project Review Committee within fifteen (15) calendar days after receiving the applicant's request.

SECTION 6: That Subsection 6-3-6-7(C) of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

(C) Results of Pre-Application Conference: Following the pre-application conference, the Zoning Administrator and the Site Plan and Appearance Design and Project Review Committee shall be available to suggest modifications to the site plan as discussed during the pre-application conference. Within seven (7) calendar days, minutes of the pre-application conference shall be sent to the applicant and the Plan Commission and shall be made available upon request to interested parties by the Zoning Administrator.
SECTION 7: That Subsection 6-7-3(B) of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

(B) Landscaping, screening and setbacks for the uses, equipment and accessories described in this Section shall be determined by the Site Plan and Appearance Design and Project Review Committee. However, buildings and structures that cover a ground area of less than nine (9) square feet shall be exempt from the landscaping, screening and yard requirements.

SECTION 8: That Subsection 6-7-4 of the City Code is hereby further amended to read as follows:

6-7-4: MUNICIPAL USE EXEMPTION:

Any governmental or proprietary function owned or operated by the City shall be a permitted use in any district. The City Council may approve buildings and structures owned and operated by the City that do not comply with all of the requirements of the underlying district, if they are necessary for the provision of desired City services and if the adverse impact on surrounding properties resulting from such noncompliance is minimized. Adverse impacts may be minimized by design, architectural treatment, screening, landscaping and/or placement on the lot. Such plan for reduction of adverse impact shall be subject to review by the Site Plan and Appearance Design and Project Review Committee.

SECTION 9: That Subsection 6-9-1-4 of the City Code hereby further amended to read as follows:

6-9-1-4: SITE PLAN REVIEW:

Applications for development approval for properties located within the business districts shall be subject to site plan review in accordance with the provisions of Chapter 3, "Implementation and Administration," of this Title and Title 4, Chapter 14, "Design and Project Review," of this code, as amended.

SECTION 10: That Subsection 6-9-1-9(B) of the City Code is hereby further amended to read as follows:

(B) Site Controls And Standards: The following site controls and standards are established to provide a regulatory framework that will promote excellence in site design. It is not intended to restrict or inhibit the Site Plan and Appearance Design and Project Review Committee or the applicant from applying other site design principles and standards that may be applicable to the planned
development being proposed and that may be found in the City's "Manual Of
Design Guidelines" or in common use by design professionals.

1. The minimum area for a planned development established in a business
district shall be as follows:

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<tr>
<td>(a) B1</td>
<td>Ten thousand (10,000) square feet.</td>
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<td>(b) B1a</td>
<td>Ten thousand (10,000) square feet.</td>
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<td>(c) B2</td>
<td>Ten thousand (10,000) square feet.</td>
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<td>(d) B3</td>
<td>None.</td>
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2. For all boundaries of the planned development abutting a residential
property, there shall be provided a transition landscaped strip of at least
ten (10) feet consisting of vegetative screening, fencing, or decorative
walls in accordance with the "Manual Of Design Guidelines" and Chapter
17, "Landscaping And Screening," of this Title. The transition landscaped
strip and its treatment shall be depicted on the required landscape plan
submitted as part of the planned development application.

3. Walkways developed for a planned development shall form a logical, safe
and convenient system for pedestrian access to all project facilities as well
as any off site destination likely to attract substantial pedestrian traffic.
Pedestrian ways shall not be used by other automotive traffic.

4. The location, construction, and operation of parking, loading areas, and
service areas, shall be designed to avoid adverse effects on residential
uses within or adjoining the development and, where possible, provide
additional parking beyond that required for the planned development to
service the business district in which it is located.

5. Principal vehicular access points shall be designed to permit smooth traffic
flow with controlled turning movements and minimum hazards to vehicular
and pedestrian traffic.

6. The planned development shall provide, if possible, for underground
installation of utilities (including electricity and telephone) both in public
ways and private extensions thereof. Provisions shall be made for
acceptable design and construction of storm water control facilities,
including grading, gutter, piping and treatment of turf and maintenance of
facilities.

7. For every planned development there shall be provided a market
feasibility statement that shall indicate the consumer market areas for all
uses proposed in the development, the population potential of the area or
areas to be served by the uses proposed and other pertinent information
concerning the need or demand for such uses of land.
8. For every planned development involving structures exceeding a gross floor area of twenty thousand (20,000) square feet there shall be provided a traffic circulation impact study that shall show the effect of all proposed uses upon adjacent and nearby roads and highways. The study also shall show the amount and direction of anticipated traffic flow and clearly describe what road improvements and traffic control improvements might become necessary as a result of the construction of the proposed development.

9. The Zoning Administrator may, at his discretion, require of the applicant additional studies or impact analyses when he determines that a reasonable need for such investigation is indicated.

SECTION 11: That Subsection 6-12-1-3 of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

6-12-1-3: SITE PLAN DESIGN AND PROJECT REVIEW:

Applications for development approval for properties located within the Research Park District shall be subject to site plan review Design and Project Review in accordance with the provisions of Chapter 3, "Implementation and Administration" of this Ordinance, and the separate Site Plan and Appearance Design and Project Review Ordinance, Ordinance No. 31-O-9350-O-14, as amended.

SECTION 12: That Subsection 6-12-1-7(B) of the City Code is hereby further amended to read as follows:

(B) Site Controls and Standards: The following site controls and standards are established to provide a regulatory framework that will promote excellence in site design. Their establishment is not intended to restrict or inhibit the Site Plan and Appearance Design and Project Review Committee or the applicant from applying other site design principles and standards that may be applicable to the planned development being proposed and that may be found in the research park master plan, the City's Manual of Design Guidelines, or in common use by design professionals.

1. The minimum area for a planned development established in the research park districts shall be nineteen thousand five hundred (19,500) square feet.

2. For each planned development there shall be submitted a tree preservation statement evaluating each building site as to whether desirable tree stands or other natural features exist and can be preserved.
The preservation statement shall be made part of the required landscape plan submitted as part of the planned development application.

3. Walkways developed for a planned development shall form a logical, safe, and convenient system for pedestrian access to all dwelling units, all project facilities, as well as any off-site destination likely to attract substantial pedestrian traffic. Walkways, when used by substantial numbers of children as play areas, routes to school or other principal destinations, shall be so located and safeguarded as to minimize contacts with normal automobile traffic. Street crossings shall be located, designed, and marked to promote the utmost safety. If substantial bicycle traffic is anticipated, bicycle paths shall be incorporated into the walkway system. Pedestrian ways shall not be used by other automotive traffic.

4. The location, construction and operation of parking, loading areas and service areas, shall be designed to avoid adverse effects on residential uses within or adjoining the development.

5. Principal vehicular access points shall be designed to permit smooth traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic.

6. The planned development shall provide, if possible, for underground installation of utilities (including electricity and telephone) both in public ways and private extensions thereof. Provisions shall be made for acceptable design and construction of storm water facilities including grading, gutter, piping, and treatment of turf and maintenance of facilities.

7. The Zoning Administrator may, at his discretion, require of the applicant additional studies or impact analyses when he determines that a reasonable need for such investigation is indicated.

SECTION 13: That Subsection 6-13-1-3 of the City Code is hereby further amended to read as follows:

6-13-1-3: SITE PLAN REVIEW:

Applications for development approval for properties within the transitional manufacturing districts shall be subject to site plan review in accordance with the provisions of Chapter 3, "Implementation And Administration," of this Title, and Title 4, Chapter 14, "Design and Project Review," and Title 17, "Site Plan And Appearance Review," of this code, as amended.
SECTION 14: That Subsection 6-13-1-10(B) of the City Code is hereby further amended to read as follows:

(B) Site Controls and Standards: The following site controls and standards are established to provide a regulatory framework that will promote excellence in site design. Their establishment is not intended to restrict or inhibit the Site Plan and Appearance Design and Project Review Committee or the applicant from applying other site design principles and standards that may be applicable to the planned development being proposed and that may be found in the City's Manual of Design Guidelines or in common use by design professionals.

1. For planned developments incorporating residential uses a minimum of forty-five percent (45%) of the total gross area of the planned development shall be devoted to usable open space. Said open space and its proposed treatment shall be depicted on the required landscape plan submitted as part of the planned development application.

2. For planned developments incorporating manufacturing uses said uses shall be conducted entirely within an enclosed building. Outdoor storage of merchandise or production material may be permitted, provided the storage area consists of no more than ten percent (10%) of the subject site and further provided that the storage area is completely enclosed by screened fences, walls or landscaping designed to a height and density to shield the storage area from view when viewed from off the site.

3. For all boundaries of the planned development not immediately abutting a dedicated and improved public street, there shall be provided a transition landscaped strip of at least five percent (5%) of the average depth of the lot or twenty-five (25) feet, whichever is greater, consisting of vegetative screening, fencing, or decorative walls in accordance with the Manual of Design Guidelines and Chapter 17, "Landscaping and Screening." The transition landscaped strip and its treatment shall be depicted on the required landscape plan and submitted as part of the planned development application.

4. Walkways developed for a planned development shall form a logical, safe and convenient system for pedestrian access to all project facilities as well as any off-site designation likely to attract substantial pedestrian traffic. Walkways designed to be used by substantial numbers of children as play areas, routes to school or other principal destinations shall be located and safeguarded to minimize contacts with normal automobile traffic. Street crossings shall be located, designed, and marked to promote the utmost safety. Pedestrian-ways shall not be used by other automotive traffic.
5. The location, construction and operation of parking, loading areas, and service areas, shall be designed to avoid adverse effects on residential uses within or adjoining the development and, where possible, provide additional parking beyond that required for the planned development to service the manufacturing district in which it is located.

6. Principal vehicular access points shall be designed to permit smooth traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. If the planned development employs local streets within the development, said streets shall not be connected to streets outside the development in such a way as to encourage their use by through traffic.

7. The planned development shall provide, if possible, for underground installation of utilities (including electricity and telephone) both in public ways and private extensions thereof. Provisions shall be made for acceptable design and construction of storm water control facilities including grading, gutter, piping, treatment of turf, and maintenance of facilities.

8. For every planned development involving twenty (20) dwelling units or more there shall be provided a market feasibility statement that shall indicate the consumer market areas for all uses proposed in the development, the population potential of the area or areas to be served by the uses proposed and other pertinent information concerning the need or demand for such uses of land.

9. For every planned development there shall be provided a traffic circulation impact study that shall show the effect of all proposed uses upon adjacent and nearby roads and highways. The study shall also show the amount and direction of anticipated traffic flow and clearly describe what road and traffic control improvements might become necessary as a result of the construction of the proposed development.

10. The Zoning Administrator may, at his discretion, require of the applicant additional studies or impact analyses when he determines that a reasonable need for such investigation is indicated.

SECTION 15: That Subsection 6-14-1-3 of the City Code is hereby further amended to read as follows:

6-14-1-3: SITE PLAN DESIGN AND PROJECT REVIEW:

Applications for development approval for properties located within the industrial districts shall be subject to site plan review Design and Project Review in accordance
with the provisions of Chapter 3, "Implementation and Administration" of this Ordinance, and the separate Site Plan and Appearances Design and Project Review Ordinance, Ordinance No. 31-0-9350-O-14, as amended.

SECTION 16: That Subsection 6-14-1-10(B) of the City Code is hereby further amended to read as follows:

(B) Site Controls and Standards: The following site controls and standards are established to provide a regulatory framework that will promote excellence in site design. Their establishment is not intended to restrict or inhibit the Site Plan and Appearance Design and Project Review Committee or the applicant from applying other site design principles and standards that may be applicable to the planned development being proposed and that may be found in the City’s Manual of Design Guidelines or in common use by design professionals.

1. For all boundaries of the planned development immediately abutting a residential property there shall be provided a transition landscaped strip of at least five percent (5%) of the average depth of the lot or twenty (20) feet, whichever is greater, consisting of vegetative screening, fencing, or decorative walls in accordance with the Manual of Design Guidelines and Chapter 17, "Landscaping and Screening." The transition landscaped strip and its treatment shall be depicted on the required landscape plan submitted as part of the planned development application.

2. Walkways developed for a planned development shall form a logical, safe and convenient system for pedestrian access to all project facilities as well as any off-site designation likely to attract substantial pedestrian traffic. Pedestrian-ways shall not be used by other automotive traffic.

3. The location, construction and operation of parking, loading areas, and service areas, shall be designed to avoid adverse effects on residential uses within or adjoining the development and, where possible, provide additional parking beyond that required for the planned development to service the industrial district in which it is located.

4. Principal vehicular access points shall be designed to permit smooth traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. If the planned development employs local streets within the development, said streets shall not be connected to streets outside the development in such a way as to encourage their use by through traffic.

5. The planned development shall provide, if possible, for underground installation of utilities (including electricity and telephone) both in public ways and private extensions thereof. Provisions shall be made for
acceptable design and construction of storm water control facilities including grading, gutter, piping, treatment of turf, and maintenance of facilities.

6. For every planned development there shall be provided a market feasibility statement that shall indicate the consumer market areas for all uses proposed in the development, the population potential of the area or areas to be served by the uses proposed, and other pertinent information concerning the need or demand for such uses of land.

7. For every planned development there shall be provided a traffic circulation impact study that shall show the effect of all proposed uses upon adjacent and nearby roads and highways. The study also shall show the amount and direction of anticipated traffic flow and clearly describe what road improvements and traffic control improvements might become necessary as result of the construction of the proposed development.

8. The Zoning Administrator may, at his discretion, require of the applicant additional studies or impact analyses when he determines that a reasonable need for such investigation is indicated.

SECTION 17: That Subsection 6-17-2-1 of the City Code is hereby further amended to read as follows:

6-17-2-1: SITE PLAN AND APPEARANCE DESIGN AND PROJECT REVIEW COMMITTEE:

(A) The landscape guidelines set forth in this Chapter 17, "Landscaping and Screening," shall be implemented by the Site Plan and Appearance Design and Project Review Committee through the site plan review process described in Chapter 3, "Implementation and Administration" and set forth in the separate Site Plan and Appearance Design and Project Review Ordinance, Ordinance No. 34-0-9350-O-14, as amended, a copy of which is included as Appendix E to this document.

(B) The Site Plan and Appearance Design and Project Review Committee's interpretation of the landscape guidelines shall be consistent with the landscape standards contained in the Manual of Design Guidelines, described in Section 6-17-2-2 below.

SECTION 18: That Subsection 6-17-2-2 of the City Code is hereby further amended to read as follows:

6-17-2-2: MANUAL OF DESIGN GUIDELINES:
The Plan Commission shall prepare a Manual of Design Guidelines for review and approval by the City Council that shall be a separate document from this Ordinance. The Manual shall include detailed landscape design guidelines to assist developers in the preparation of landscape plans and the Site Plan and Appearance Design and Project Review Committee in its review of landscape plans. The detailed design guidelines contained in the Manual shall guide the Site Plan and Appearance Design and Project Review Committee in its implementation of the general landscape guidelines set forth in this Chapter 17, "Landscaping and Screening."

The scope of landscaping guidelines that shall be contained in the Manual of Design Guidelines is set forth in Section 6-17-2-3 below.

SECTION 19: That Subsection 6-17-3 of the City Code is hereby further amended to read as follows:

6-17-3: LANDSCAPE PLAN:

All landscape plans shall be prepared, and plant material installed and maintained, in accordance with the Manual of Design Guidelines. Upon application by the owner of the property to the Site Plan and Appearance Design and Project Review Committee through the Zoning Administrator, the Site Plan and Appearance Design and Project Review Committee may waive or modify any landscape requirements upon making a written finding that the strict application of such standard is not practicable in light of the dimensions of the site and the approved plan of development.

SECTION 20: That Subsection 6-17-9 of the City Code is hereby further amended to read as follows:

6-17-9: APPEAL:

An appeal of any decision of the Site Plan and Appearance Design and Project Review Committee in connection with its implementation of the landscape requirements of this Chapter 17, "Landscaping and Screening," may be made pursuant to Section 4-14-9 of this Code to the Planning and Development Committee of the City Council within thirty (30) days of the Site Plan and Appearance Review Committee's final decision on the landscape requirements for the site.

SECTION 21: That Section 6-18-3 of the City Code is hereby further amended to read as follows:
**REVIEW COMMITTEE (SPARCDAPR):**

whose major purpose is to review submitted site development plans pursuant to the provisions of this Title. (Ord. 43-0-93)

**SECTION 22:** That Appendix E of Title 6 - Zoning of the City Code, is hereby further amended to read as follows:

**APPENDIX E SITE PLAN AND APPEARANCE DESIGN AND PROJECT REVIEW ORDINANCE**

See Title 4, Chapter 14 of this Code.

**SECTION 23:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 24:** If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 25:** This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

**SECTION 26:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.
<table>
<thead>
<tr>
<th>VOTING MEMBERS</th>
<th>STAFF</th>
<th>COMMENTS</th>
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<tbody>
<tr>
<td>Director of Community Development *</td>
<td>Mark Muenzer</td>
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<td>P&amp;Z Administrator</td>
<td>Lorrie Pearson</td>
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<td>CMO/Economic Development</td>
<td>Megan Jones</td>
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<td>Parks, Rec. &amp; Community Services</td>
<td>Jim Ferrera</td>
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<tr>
<td>City Engineer</td>
<td>Sat Nagar</td>
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<td>Fire Dept.</td>
<td>Mario Tristan</td>
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<td>Police Dept.</td>
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<td>Director of Public Works</td>
<td>Suzette Robinson</td>
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<tr>
<td>Zoning Planner/Officer</td>
<td>Melissa Klotz</td>
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<tr>
<td>Building Division Manager</td>
<td>N/A</td>
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<tr>
<td>Forestry</td>
<td>Paul D’Agostino</td>
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<tr>
<td>Neighborhood and Land Use Planner</td>
<td>Damir Latinovic</td>
<td></td>
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<td>Utilities Dept.</td>
<td>Jim Nelson</td>
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### Quorum

A quorum shall consist of Director of Community Development or his/her designee, one other representative from the Department of Community Development, a representative from the Department of Public Works, and a representative from the Department of Parks, Recreation and Community Services, and shall be required in order to conduct any official Committee business.
For City Council meeting of October 27, 2014
Item P5
Ordinance 119-O-14: Special Use for a Type 2 Restaurant, Doc Popcorn, at 1613 Sherman Avenue
For Action

Memorandum

To: Honorable Mayor and Members of the City Council
Planning and Development Committee

From: Mark Muenzer, Director of Community Development
Lorrie Pearson, Planning and Zoning Administrator
Melissa Klotz, Zoning Planner
Ellen Cholewa, Community Development Intern

Subject: Ordinance 119-O-14, Granting a Special Use for a Restaurant-Type 2 at 1613 Sherman Avenue

Date: October 2, 2014

Recommended Action
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 119-O-14 granting a special use permit for a Type 2 Restaurant, Doc Popcorn, in the D2 Downtown Retail Core District. The applicant has complied with all other zoning requirements, and meets all of the standards for a special use for this district. This ordinance was introduced at the October 13, 2014 City Council meeting.

Summary
1613 Sherman Avenue is located on the east side of Sherman Avenue, between Davis and Church Street, in the D2 Downtown Retail Core District, and is surrounded by similar commercial uses. 1613 Sherman Avenue was previously Solay Wellness, a retail store. The applicant proposes to operate Doc Popcorn, a Type 2 Restaurant, featuring freshly popped popcorn, fountain soda drinks, and possibly Dippin’ Dots ice cream. The applicant currently operates a Doc Popcorn within Gurnee Mills Mall.

Doc Popcorn intends to operate from 11 a.m. to 9 p.m., seven days a week. The applicant foresees having 1-3 employees present during the weekday hours and 3-5 employees during weekend hours. Employees will likely walk to work or use public transportation. The applicant proposes renting 1-2 parking spaces in Sherman Garage for the owner and possibly one other employee.

Doc Popcorn will be equipped with a handicap accessible entrance and washroom. The applicant proposes approximately 10 seats to be available to patrons within the
restaurant. No exterior changes to the building are proposed, except signage on the awning. The building is a historic landmark but does not require review by the Preservation Commission since no exterior modifications are proposed. The applicant has agreed to follow the Litter Collection and Garbage Pickup Plans. City staff has not received objections to the use from any neighboring property owners.

**Neighborhood Benefit**

This use should not cause a negative cumulative effect on the surrounding neighborhood. The neighborhood will benefit from having a small business that will enhance the downtown, utilize a vacant storefront, and increase pedestrian activity in the area.

**Comprehensive Plan**

The Evanston Comprehensive General Plan encourages the utilization of vacant storefronts along existing commercial corridors that can add sales tax revenue and encourage a vibrant downtown. The Comprehensive Plan specifically includes:

- **Objective:** Promote the growth and redevelopment of business, commercial, and industrial areas.

- **Objective:** Retain and attract businesses in order to strengthen Evanston’s economic base.

*Doc Popcorn* will provide a distinctive restaurant concept in the downtown area that will encourage pedestrian activity and encourage a vibrant downtown.

**Legislative History**

September 23, 2014: The ZBA recommended unanimous approval of the special use permit for a Type 2 Restaurant with the following conditions:

1. Must comply with Litter/Garbage Pick-Up Plan
2. Hours of operation: 6 a.m. to midnight, 7 days a week
3. No employees may park on the street

**Attachments**

- Proposed Ordinance 119-O-14
- September 23, 2014 ZBA Draft Meeting Minutes
- ZBA Findings
AN ORDINANCE

Granting a Special Use Permit for a Type 2 Restaurant Located at 1613 Sherman Avenue in the D2 Downtown Retail Core District ("Doc Popcorn")

WHEREAS, the Zoning Board of Appeals ("ZBA") met on September 23, 2014, pursuant to proper notice, to consider case no. 14ZMJV-0109, an application filed by Paul Chen, lessee of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 1613 Sherman Avenue (the "Subject Property") and located in the D2 Downtown Retail Core District, for a Special Use Permit to establish, pursuant to Subsection 6-11-3-4 of the Evanston City Code, 2012, as amended ("the Zoning Ordinance"), a Type 2 Restaurant, "Doc Popcorn," on the Subject Property; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit for a Type 2 Restaurant met the standards for Special Uses in Section 6-3-5 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of October 13, 2014, the Planning and Development Committee of the City Council ("P&D Committee") considered the ZBA’s record and findings and recommended the City Council accept the ZBA’s recommendation and approve the application in case no. 14ZMJV-0109; and
WHEREAS, at its meetings of October 13, 2014 and October 27, 2014, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and P&D Committee, as amended,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: The City Council hereby approves the Special Use Permit for a Type 2 Restaurant on the Subject Property as applied for in case no. 14ZMJV-0109.

SECTION 3: Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Applicant’s Special Use Permit, violation of any of which shall constitute grounds for penalties or revocation of said Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

A. Compliance with Applicable Requirements: The Applicant shall develop and use the Subject Property in substantial compliance with: all applicable legislation; the Applicant’s testimony and representations to the ZBA, the P&D Committee, and the City Council; and the approved plans and documents on file in this case.

B. Litter Collection Plan: The Applicant shall implement and adhere to a Litter Collection Plan that requires the policing of an area located within a radius of two hundred fifty feet (250’) of the Subject Property. The Applicant shall police this area at least once every three (3) hours during the hours the Special Use is in operation and shall keep it free of all litter, from any source. For the purpose of this ordinance, “litter” shall include, but is not limited to: food, food waste, and beverages; solid waste, including paper, wrappings, containers, cardboard, napkins, straws, utensils, plates, cans, glass, crockery, cigarette butts, ashes and similar materials; animal waste and dead animals; yard clippings and leaves; and all other waste materials which, if thrown or deposited as herein prohibited, may create a danger to public health, safety, or welfare.
C. **Hours of Operation:** The Applicant shall operate the Type 2 Restaurant authorized by this ordinance only between the hours of 6:00 a.m. and 12:00 midnight on any given day.

D. **Employee Parking:** Employees shall not park on the street during hours of operation.

E. **Recordation:** Before it may operate the Special Use authorized by the terms of this ordinance, the Applicant shall record, at its cost, a certified copy of this ordinance with the Cook County Recorder of Deeds.

**SECTION 4:** When necessary to effectuate the terms, conditions, and purposes of this ordinance, “Applicant” shall be read as “Applicant's agents, assigns, and successors in interest.”

**SECTION 5:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

**SECTION 6:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 7:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 8:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.
EXHIBIT A

LEGAL DESCRIPTION

Lots 5, 6, 7 and 11 in Block 28 in the Village (now City) of Evanston, in Section 18, Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

PINS: 11-18-305-002-0000

Commonly Known As: 1613 Sherman Avenue, Evanston, Illinois.
ZONING BOARD OF APPEALS
Tuesday, September 23, 2014
7:00 PM
Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Matt Rodgers, Violetta Cullen, Myrna Arevalo, Beth McLennan, Mary Beth Berns
Members Absent: Andrew Gallimore, Scott Gingold
Staff Present: Melissa Klotz, Lorrie Pearson, Mario Treto
Chair: Matt Rodgers

Declaration of Quorum
With a quorum present, Chair Rodgers called the meeting to order at 7:05pm.

Approval of Minutes
The minutes from the September 9, 2014 Zoning Board of Appeals meeting were motioned for approval with one correction. Ms. Cullen made the motion and it was seconded by Ms. McLennan. The motion was approved 4-0, 1 member abstained.

New Business
1840 Oak Street        ZBA 14ZMJV-0112
Amy Joffe, property owner, applies for major zoning relief for off-street parking. The applicant requests a parking variance to allow 34 parking spaces where 106 parking spaces are required (Zoning Code Section 6-16-3-5-Table 16-B). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record.

Ms. McLennan motioned to continue this case to the November 4, 2014 Zoning Board of Appeals meeting. Ms. Cullen seconded the motion and it was approved 5-0.

1613 Sherman Avenue       ZBA 14ZMJV-0109
Paul Chen, lessee, applies for a special use permit for a Type 2 Restaurant, Doc Popcorn, at 1613 Sherman Avenue. 1613 Sherman Avenue is located in the D2 Downtown Retail Core District, which requires a special use permit for a Type 2 Restaurant to operate (Zoning Code Section 6-11-3-4). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record.

Paul Chen, lessee, explained the proposal:
- Intend to produce and sell popcorn as a retail establishment
- Provide seating for 8-10 customers
- Hours of operation: Mon-Fri 10 a.m. to 10 p.m., Weekends 10 a.m. to midnight
- 1-2 employees present on weekdays, 3-5 employees present on weekends
- Parking in city garage available, if necessary
- Agrees to Litter Plan
- Currently operates store in Gurnee Mills (~2 years)
Ms. Cullen and Ms. Arevalo inquired about deliveries. Mr. Chen explained that deliveries would occur once a week by UPS or FedEx and the dumpster would be emptied twice a week.

The ZBA entered into deliberations.

The Standards were addressed:

1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes

Ms. McLennan motioned to recommend approval of the proposal with the following conditions:

- Litter/Garbage Plan.
- Employees cannot park on the street.
- Hours of operation fall between 6 a.m. and midnight 7 days a week

The motion was seconded by Ms. Cullen and approved 5-0.

1118 Colfax Street ZBA 14ZMJV-0110

Corrie Kasprzycki, property owner, applies for major zoning relief to convert a screen porch into habitable space. The applicant requests a 15’ front yard setback where 27’ is required (Zoning Code Section 6-8-2-8-A-1). The Zoning Board of Appeals is the determining body for this case.

Ms. Klotz read the case into the record.

Corrie Kasprzycki, property owner, explained the proposal:

- The house was built in 1922
- House purchased in 2008
- Need more habitable space since family has expanded
- Replace screens with windows and add heat
- Building footprint will remain the same

Chair Rodgers asked how the applicant enters her home. Ms. Kasprzycki said that she enters her house at the side entrance. She then submitted a letter of support from her neighbors with ~18 signatures.

Chair Rodgers then inquired as to what was the average setback on the block. The applicant said that the neighbor to the west of her house has the same setback with an open porch and the house on the other side is setback a bit more.

The ZBA entered into deliberations.

Chair Rodgers expressed concerns about when cases like this are granted, the property owner may come back to ask to add a new porch.

Ms. McLenann noted that this is a very deep lot.

Ms. Berns stated that most of the block is in line with the 27’ setback. The approval of this project will change the character of this block. She went on to say that it was only a matter of time before they want to build a front porch even closer to the front lot line and want to add a second story addition above this habitable space.
The Standards were addressed:

1. Yes
   No- Ms. Berns
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes

Ms. McLennan motioned to recommend approval of the proposal with the following conditions:

- The project must be in substantial compliance of the documents and testimony on record.

The motion was seconded by Ms. Arevalo and approved 4-1.

1909 – 1911 Howard Street ZBA 14ZMJV-0111

Joy Shumate, lessee, applies for a special use permit for a Daycare Center – Child, A Step By Step Learning Academy, Inc., at 1909-1911 Howard Street. 1909-1911 Howard Street is located in the C1, Commercial District, which requires a special use permit for a Daycare Center – Child to operate (Zoning Code Section 6-10-2-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Joy Shumate, lessee, explained the proposal:

- Caters to 6 weeks old to 3 year old children
- Applicant currently operates home daycare at 2122 Dobson Street
- There will be 28 children total (currently have 10 in home daycare)

Chair Rodgers noted that there were other adjoining businesses on the property and asked what the proposed space was currently being purposed as. Ms. Shumate responded that it takes up two spaces and is currently vacant. She anticipates hiring 5 employees and hours of operation will take place between 6:30 a.m. and 6:30 p.m.

Chair Rodgers then asked about the parking situation. Ms. Shumate said that most employees will be using public transit, but she will also lease 7-8 spaces behind the building as well. Public parking is also available down the street.

Ms. Shumate clarified that hours of operation will never exceed 7 p.m. because any child left that late would require a DCFS contact.

Ms. McLennan asked how many families had multiple children being cared for at the daycare. Ms. Shumate said there were three families with multiple children in her care, so 28 vehicles would not be trying to drop off their children at the daycare.

Chair Rodgers asked if city staff had any concerns about vehicles turning out of the alley. Ms. Klotz said that Public Works did not note any concerns at the SPAARC meeting.

Ms. Arevalo inquired as to where drop-offs would be taking place. Ms. Shumate said that drop-offs would occur in the back parking lot; adjacent to the alley.

Ms. McLennan asked if drop-offs would be staggered time-wise. Ms. Shumate said she anticipates a lot of the drop-offs occurring on the earlier side, but there should be a decent amount of drop-offs later in the morning as well.
Ms. McLennan asked when the other businesses in the vicinity closed. Ms. Shumate responded that the Vet center usually closes at 4 p.m. Ms. McLennan then asked how long the applicant had been operating her business, to which Ms. Shumate replied, 3 years.

The ZBA entered into deliberations.

The Standards were addressed:

1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes

Ms. Klotz noted that Standards 1 & 9 will be found compliant per the proposed text amendment that is currently in process.

Ms. Cullen motioned to recommend approval of the proposal with the following conditions:

- Employees cannot park on the street.
- Hours of operation: 6 a.m. to 9 p.m.

The motion was seconded by Ms. McLennan and approved 5-0.

Ms. Klotz noted that the ZBA rule changes will be proposed in October.

The meeting adjourned at 8:00 p.m.
In the case of

Case Number: 14ZMJV-0109
Address or Location: 1613 Sherman Avenue
Applicant: Paul Chen
Proposed Special Use: Restaurant-Type 2, Doc Popcorn, in D2 District

After conducting a public hearing on September 23, 2014, the Zoning Board of Appeals makes the following findings of fact, reflected in the audio-visual recording of the hearings, based upon the standards for special uses specified in Section 6-11-3-4 of the Zoning Ordinance:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Finding</th>
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<tbody>
<tr>
<td>(A) It is one of the special uses specifically listed in the zoning ordinance;</td>
<td>X Met</td>
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<td>_____Not Met</td>
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<td>Vote 5-0</td>
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<td>(B) It is in keeping with purposes and policies of the adopted comprehensive general plan and the zoning ordinance as amended from time to time;</td>
<td>X Met</td>
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<td>_____Not Met</td>
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<td>Vote 5-0</td>
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<tr>
<td>(C) It will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special uses of all types on the immediate neighborhood and the effect of the proposed type of special use upon the city as a whole;</td>
<td>X Met</td>
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<td>_____Not Met</td>
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<td>Vote 5-0</td>
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<td>(D) It does not interfere with or diminish the value of property in the neighborhood;</td>
<td>X Met</td>
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<td></td>
<td>_____Not Met</td>
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<td>Vote 5-0</td>
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<td>(E) It can be adequately served by public facilities and services</td>
<td>X Met  Not Met</td>
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<td>---------------------------------------------------------------</td>
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<td>Vote 5-0</td>
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<th>(F) It does not cause undue traffic congestion;</th>
<th>X Met  Not Met</th>
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<td>Vote 5-0</td>
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<tr>
<th>(G) It preserves significant historical and architectural resources;</th>
<th>X Met  Not Met</th>
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<td>Vote 5-0</td>
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<th>(H) It preserves significant natural and environmental features; and</th>
<th>X Met  Not Met</th>
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<td>Vote 5-0</td>
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<tr>
<th>(I) It complies with all other applicable regulations of the district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the grant of a variation.</th>
<th>X Met  Not Met</th>
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<tr>
<td>Vote 5-0</td>
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and, based upon these findings, and upon a vote

5 in favor & 0 against

Recommends to the City Council

approval without conditions
approval with conditions specifically:

1. The restaurant must abide by Litter Collection and Pick-Up Plan
2. Employees are not to park on the street
3. Hours of operation fall between 6 a.m. and 7 p.m., 7 days a week

denial of the proposed special use.

Matt Rodgers
Zoning Board of Appeals Chair

Date: ______________
### Attending:

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<tr>
<td>Mary Beth Berns</td>
<td>X</td>
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<td>Myrna Arevalo</td>
<td>X</td>
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<td>Scott Gingold</td>
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<td>Beth McLennan</td>
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<td>Matt Rodgers</td>
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<td>Violetta Cullen</td>
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<td>Andrew Gallimore</td>
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### Vote:

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<td>Mary Beth Berns</td>
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<td>Myrna Arevalo</td>
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<td>Scott Gingold</td>
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<td>Violetta Cullen</td>
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<td>Andrew Gallimore</td>
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Memorandum

To: Honorable Mayor and Members of the City Council
   Planning and Development Committee

From: Mark Muenzer, Director of Community Development Department
   Lorrie Pearson, Planning and Zoning Administrator
   Damir Latinovic, Neighborhood and Land Use Planner

Subject: Ordinance 110-O-14 Zoning Ordinance Text Amendment Daycare Centers – Child & Daycare Centers – Adult in C1 and C2 Districts

Date: September 30, 2014

Recommended Action:
Staff recommends adoption of Ordinance 110-O-14 to allow Daycare Center – Child and Daycare Center – Adult as Special Uses in C1 and C2 Commercial Districts. This ordinance was introduced at the October 13, 2014 City Council meeting.

Summary
On June 23, 2014 staff received an application for a daycare center for children to be located at 1909-1911 Howard Street, which is zoned C1-Commercial. Daycare centers for children are not currently allowed as Permitted or Special Uses in the C1 District.

Daycare Center – Child is allowed as a Special Use in all residential, business and downtown areas including the C1a District but is not allowed in C1 and C2 Districts. Daycare Center – Adult is allowed in similar fashion including as a Special Use in the C1a District but not in C1 and C2 Districts. Both C1 and C2 districts allow Daycare center – Domestic animal (such as doggy daycare facilities) as a Special Use, but do not allow daycare centers for children or adults.

The C1-Commercial District is intended to provide appropriate locations for contemporary shopping areas. Shopping centers and commercial strips are characterized by large parking areas and multiple tenants are encouraged. The Dempster/Dodge shopping area and Target/Best Buy shopping center on Howard Street are typical examples of C1 districts, but smaller C1 districts are found throughout the City.

The C2-Commercial District is intended to provide suitable locations for general business and commercial activities including automobile vehicle sales and services and other similar establishments that due to their nature may have larger impacts on
surrounding properties. As a result, C2 areas are concentrated along railroad lines or heavily travelled commercial arterial roadways such as Green Bay Road.

Based on the typical layout and operation of daycare centers (child or adult), C1 and C2 districts are equally suitable, if not more appropriate, to accommodate daycare centers when compared to the C1a district which is located along Chicago Avenue between South Boulevard and Lee Street. Adequate parking and pick-up/drop-off areas are necessary for daycare centers, and properties in C1 and C2 Districts typically have large parking areas where drop-off areas can be designed or parking spaces can be devoted to short term pick-up/drop-off use. Those properties also tend to be larger and may accommodate outside play areas for children.

Allowing daycare centers for children or adults in all commercial districts will increase the amount of commercial space eligible for such uses. This is particularly important considering that Evanston is a popular destination for young families and the need for adult daycare centers will increase with the aging baby boomer population.

The proposed zoning regulations for Daycare Center -- Child and Daycare Center – Adult are summarized in the table below:

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<th>Daycare Center – Child</th>
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<td>Add as a Special Use: in C1 and C2</td>
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Both uses are not permitted in all M, all I, U2, U3 and T1 districts. Daycare Center – Adult is not allowed in the D2 District.

Additionally, all Daycare Centers – Child are subject to the general requirements of Section 6-4-2 “Child Day Care Homes”, while all Daycare Centers – Adult are subject to the general requirements of Section 6-4-3. Both sections require that all daycare centers apply for and obtain a license from the City Department of Health and Human Services. Staff’s proposal will also include the same requirement that the uses must continue to comply with Sections 6-4-2 or 6-4-3 respectively.

Legislative History
September 10, 2014 – The Plan Commission unanimously forwarded a positive recommendation to the City Council.

Attachments
Proposed Ordinance 110-O-14
Plan Commission Minutes 09/10/2014 – DRAFT
Plan Commission Packet 09/10/2014
110-O-14

AN ORDINANCE

Amending Portions of the Zoning Ordinance to Include “Daycare Center–Child” and “Daycare Center–Adult” as Special Uses in the C1 and C2 Commercial Districts

WHEREAS, on September 10, 2014, the Plan Commission held a public hearing, pursuant to proper notice, regarding case no. 14PLND-0106 to consider various amendments to the text of Title 6 of the Evanston City Code of 2012, as amended (the “Zoning Ordinance”), relating to the addition of the Special Uses known as “Daycare Center–Child” and “Daycare Center–Adult” to the C1 and C2 Commercial Districts; and

WHEREAS, the Plan Commission received testimony and made written findings pursuant to Section 6-3-4-5 of the Zoning Ordinance that the proposed amendments met the standards for text amendments, and recommended City Council approval thereof; and

WHEREAS, at its meeting of October 13, 2014, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission in case no. 14PLND-0106 and recommended City Council approval thereof; and

WHEREAS, at its meetings of October 13, 2014 and October 27, 2014, the City Council considered and adopted the records and recommendations of the Plan Commission and the Planning and Development Committee,
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: Subsection 6-10-2-3 of the Zoning Ordinance, “Special Uses” in the C1 District, is hereby amended to include “Daycare Center–Child (subject to the general requirements of Section 6-4-2 of this Title)” and “Daycare Center–Adult (subject to the general requirements of Section 6-4-3 of this Title).”

SECTION 3: Subsection 6-10-4-3 of the Zoning Ordinance, “Special Uses” in the C2 District, is hereby amended to include “Daycare Center–Child (subject to the general requirements of Section 6-4-2 of this Title)” and “Daycare Center–Adult (subject to the general requirements of Section 6-4-3 of this Title).”

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.
SECTION 7: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: _________________, 2014
Adopted: _________________, 2014

_______________________________
Elizabeth B. Tisdahl, Mayor

Attest:

_______________________________
Rodney Greene, City Clerk

Approved:

_______________________________
_______________________________, 2014

Approved as to form:

_______________________________
W. Grant Farrar, Corporation Counsel
MEETING MINUTES
PLAN COMMISSION
Wednesday, September 10, 2014
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, Room 2404

Members Present: Scott Peters (Chair), Jim Ford, Terri Dubin, Carol Goddard, Lenny Asaro, Richard Shure, Colby Lewis, Andrew Pigozzi

Members Absent: Kwesi Steele,

Associate Members Present: None

Associate Members Absent: David Galloway, Seth Freeman, Stuart Opdycke,

Staff Present: Damir Latinovic, Neighborhood and Land Use Planner
Lorrie Pearson, Planning and Zoning Administrator
Mario Treto, Assistant City Attorney

Presiding Member: Scott Peters, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

Chairman Peters called the meeting to order at 7:00 P.M. and explained the general meeting procedure, schedule, agenda items, time limits on public testimony and opportunities for cross examination of witnesses. Chairman Peters concluded the opening statement by saying that the Plan Commission forwards a recommendation to the City Council which makes the final determination on any matters discussed by the Plan Commission.

A. TEXT AMENDMENT TO THE ZONING ORDINANCE

Daycare Center-Child and Daycare Center-Adult in C1 and C2 Districts
Specifically consider a text amendment, pursuant to City Code Title 6 – Zoning, regarding § 6-10-2-3 Special Uses in C1 Commercial District and § 6-10-4-3, Special Uses in C2 Commercial District, to add Daycare Center – Adult (subject to the general requirements of Section 6-4-3 of this Title) and Daycare Center – Child (subject to the general requirements of Section 6-4-2 of this Title).

Mr. Latinovic summarized the staff report. Staff believes the proposal meets the standards of approval and recommends that Daycare Centers for children and adults be added as a special use to C1 and C2 commercial districts.
Commissioner Shure asked about the notice requirement for shopping centers. Mr. Latinovic stated that only the owner of the shopping center (tax payer of record) is notified by mail, but a sign is also installed on the property in question.

Upon a question, Chairman Peters stated that the Rules Committee can review notice requirements and see if it would be feasible to notify tenants/renters and not only tax payers of record. Mr. Latinovic stated that staff also notifies merchant associations via email.

Commissioner Asaro asked about a clarification regarding day care centers in Research Park district to which Mr. Latinovic stated that the proposal is only for C1 and C2 districts.

Upon a question by Commissioner Pigozzi about the outdoor space, Mr. Latinovic stated State of Illinois regulates and license such facilities and there are requirements for outdoor play areas.

Discussion followed on specific space needs for daycare centers and why they are allowed by right in the Research Park district and different regulations that affect the D2 district.

Commissioner Ford stated this proposal makes him a little uneasy because there are no specific requirements for outdoor space. Commissioner Dubin stated that daycare centers are often a necessity and not a luxury and requiring all of them to have outdoor space may not be possible.

Discussion followed on what requirements could be added during the Special Use review process.

With no further discussion Commissioner Asaro made a motion to approve the proposed text amendment.

Commissioner Shure seconded the motion.

The motion was approved by a voice call 8-0.

Mr. Latinovic reminded everyone there will be a Zoning Committee meeting next week on September 17, 2014. He also reminded the commissioners about the APA-IL Conference to be held in Evanston Oct 1-3 and asked any member of the Commission interested in attending to let him know. He would register the Commissioners with cost of attendance for the Oct. 2 Plan Commission track covered by the City.

2. ADJOURNMENT

There being no further discussion, Commissioner Godard made a motion to adjourn the meeting. Commissioner Asaro seconded the motion.

A voice vote was taken and the motion was approved by voice call 8-0.
The meeting was adjourned at 7:26 pm.
Respectfully Submitted,
Damir Latinovic
Neighborhood and Land Use Planner
Community Development Department
Plan Commission

CASE # 14PLND-0106

Zoning Ordinance Text Amendment

Daycare Center - Child and Daycare Center - Adult in C1and C2 Districts
Memorandum

To: Chair and Members of the Plan Commission

From: Mark Muenzer, Community Development Director
Lorrie Pearson, Planning and Zoning Administrator
Damir Latinovic, Neighborhood and Land Use Planner

Subject: Zoning Ordinance Text Amendment
Daycare Center – Child & Daycare Center – Adult in C1 and C2 Districts
14PLND-0106

Date: September 4, 2014

Request
Staff recommends adding Daycare Center – Child and Daycare Center – Adult as Special Use in C1- and C2- Commercial Districts.

Notice
The Application has been filed in conformance with applicable procedural and public notice requirements.

Analysis
On June 23, 2014 staff received an application for a daycare center for children to be located at 1909-1911 Howard Street. The property, commonly known as 1909-1911 Howard Street, is zoned C1-Commercial. Daycare centers for children are not currently allowed as Permitted or Special Uses in the C1 District.

Upon further investigation, staff found that a Daycare Center – Child is allowed as a Special Use in the C1a District but not in C1 and C2 Districts. The same is the case for Daycare Center – Adult, which is allowed as a Special Use in the C1a District but not in C1 and C2 Districts. In fact, Daycare Center – Child and Daycare Center – Adult are allowed in the same manner either as Permitted Use or Special Use across all zoning districts, except in the D2-Downtown Transition District where the Daycare Center – Child is allowed as a Special Use but Daycare Center – Adult is not permitted at all.

The table below summarizes the existing and proposed zoning regulations for Daycare Centers- Child and Daycare Center - Adult:
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Both uses are not permitted in all M, all I, U2, U3 and T1 districts. Daycare Center – Adult is not allowed in the D2 District.

Additionally, all Daycare Centers – Child are subject to the general requirements of Section 6-4-2 “Child Day Care Homes”, while all Daycare Centers – Adult are subject to the general requirements of Section 6-4-3. Both sections require that all daycare centers apply for and obtain a license from the City Department of Health and Human Services. Staff’s proposal to allow Daycare Centers – Child and Daycare Centers – Adult as Special Use in C1 and C2 Districts will also include the same requirement that the uses must comply with Sections 6-4-2 or 6-4-3 respectively.

Per the Zoning Ordinance, the C1-Commercial District is intended to provide appropriate locations for contemporary shopping developments. Uses such as commercial strips and shopping centers characterized by large parking areas and multiple tenants are encouraged. Dempster/Dodge shopping area and Target/Best Buy shopping center on Howard Street are typical examples of C1 districts, but smaller C1 districts are found throughout the City.

The C2-Commercial District is intended to provide suitable locations for general business and commercial activities including automobile vehicle sales and services and other similar establishments that due to their nature may have larger impacts on surrounding properties. As a result, C2 areas are concentrated along railroad lines or heavily travelled commercial arterial roadways such as Green Bay Road north of Central Street.

There is only one C1a-Commercial District in the City located along Chicago Avenue between South Boulevard and Lee Street. The intent of the C1a district is to allow development of multiple family residential buildings or mixed use buildings consisting of retail and office uses on the ground level and office uses and/or residential dwellings located above. Higher FAR and height allowances are permitted within the C1a district.

Based on the locations of the commercial districts and the typical layout and operation of daycare centers (child or adult), staff believes C1 and C2 districts are equally suitable if not more appropriate to accommodate daycare centers when compared to the C1a district. Due to the nature of the business operation, adequate parking and pick-up/drop-off areas are very important for daycare centers. Properties and shopping centers in C1 and C2 Districts along busy arterials typically do have large parking areas where drop-
off areas can be designed or parking spaces can be devoted to short term pick-up/drop-off use. Those properties also tend to be larger and may accommodate outside play areas for children.

Allowing daycare centers for children or adults in all commercial districts will increase the amount of commercial space eligible for such uses. This is particularly important considering that Evanston is a popular destination for young families and millennials. It is also important to recognize the need for adult daycare centers will increase with the aging baby boomer population.

It is worth noting that both C1 and C2 districts allow Daycare center – Domestic animal (such as doggy daycare facilities) as a Special Use, but do not allow daycare centers for children or adults. It is fair to assume that a daycare center for children or adults would likely cause less negative impact to the surrounding uses than a use such as doggy daycare.

Standards of Approval
The proposed Zoning Ordinance Text Amendment to allow Daycare Centers – Child and Daycare Centers – Adult as Special Uses in C1 and C2 Districts meets the standards for approval of amendments outlined in Section 6-3-4-5 of the City Code. The proposal is consistent with the Comprehensive General Plan. The proposal will increase the number of potential commercial properties where daycare centers for children or adults could locate which is consistent with the goal of the Plan to maintain a diverse range of businesses and commercial areas. Daycare centers for children or adults are compatible with other uses and businesses typically found within shopping centers along busy arterials where C1 and C2 districts are located.

The proposal will not have a negative effect on property values in C1 and C2 districts. In fact, the proposed text amendment increases the number of potential businesses that could locate in C1 and C2 areas which may result in lower vacancy rates and have a positive effect on property values in their immediate vicinities. By allowing the uses as Special Use, any application for a daycare center must be reviewed by the Plan Commission and is approved by the City Council whereby staff assures adequate public facilities and services exist for the proposed use.

Recommendation
Based on the analysis above, staff believes the proposed text amendment to allow Daycare Center – Child and Daycare Center – Adult as Special Uses in C1 and C2 districts is appropriate and meets the standards of approval. Staff recommends the Plan Commission make a positive recommendation to the City Council regarding the proposed Zoning Ordinance Text Amendment.

Attachments
Ordinance 110-O-14
Map of C1, C1a and C2 Commercial Districts
Section 6-4-2 Child Daycare Homes
Section 6-4-3 Adult Daycare Homes
6-4-2. CHILD DAYCARE HOMES.

6-4-2-1. DISTRICTS AUTHORIZED.

A child daycare home shall be a permitted use in all residential districts.

(Ord. 43-0-83)

6-4-2-2. ACCESSORY USE STATUS.

Such child daycare homes shall be accessory uses to dwelling structures, churches, and schools.

(Ord. 43-0-83)

6-4-2-3. LICENSE APPLICATION.

Applications for a license to operate a child daycare home shall be made to, and permits issued by, the City department of health and human services.

(Ord. 43-0-83)

6-4-2-4. APPEALS.

Appeals from a decision made by the department of health and human services to suspend, revoke, or refuse to issue a permit for a child daycare home shall be made to the City Manager or his designee. The decision of the City Manager shall be final.

(Ord. 43-0-83)
6-4-3. ADULT DAYCARE HOMES.

6-4-3-1. DISTRICTS AUTHORIZED: An adult daycare home shall be a permitted use in all residential districts.

(Ord. 43-0-53)

6-4-3-2.

ACCESSORY USE STATUS. Such adult daycare homes shall be accessory uses to dwelling structures and churches.

(Ord. 43-0-53)

6-4-3-3. LICENSE APPLICATION.

Applications for a license to operate an adult daycare home shall be made to, and permits issued by, the City department of health and human services.

(Ord. 43-0-53)

6-4-3-4. APPEALS.

Appeals from a decision made by the department of health and human services to suspend, revoke, or refuse to issue a permit for an adult daycare home shall be made to the City Manager or his designee. The decision of the City Manager shall be final.

(Ord. 43-0-53)
Memorandum

To: Honorable Mayor and Members of the City Council  
   Human Services Committee

From: Evonda Thomas-Smith, Director, Department Health and Human Services

Subject: Amending the City Code Subsection 3-14-6, to increase the age of sale and purchase of Tobacco or Liquid Nicotine products from eighteen (18) years of age to twenty-one (21) years of age

Date: October 15, 2014

Recommended Action:
Human Services Committee and staff recommend City Council adoption of Ordinance 111-O-14 amending City Code subsection 3-14-6, to increase the age of sale and purchase of Tobacco or Liquid Nicotine products from eighteen (18) years of age to twenty-one (21) years of age. This ordinance was introduced with amendments at the October 13, 2014 City Council meeting.

Funding Source:
N/A.

Summary:
Tobacco use remains a leading cause of preventable premature death in the United States, killing nearly half a million Americans and costing the nation almost $200 billion in healthcare expenses and lost productivity each year. Tobacco use also increases the risks of lung cancer, heart disease, stroke, asthma, emphysema, pre-term delivery, low birth weight, and many other types of cancers.

Most smokers start using tobacco products as youth or young adults. Ninety-five percent of all adult smokers started smoking before they turned twenty-one years old. There is strong evidence that people who begin smoking at an early age are more likely to develop a severe addiction to nicotine. The transition from experimental to regular smoking typically occurs around twenty years old. Raising the legal sales age for cigarettes and tobacco products will reduce access to both products in stores among young adults, between eighteen and twenty years old, and among youth who are younger than eighteen.

City staff recommends amending City Code subsection 3-14-6 to increase the age of sale and purchase of Tobacco or Liquid Nicotine products from eighteen (18) years of age to twenty-one (21) years of age.
Legislative History:
On October 13, 2014, Council requested amendments to the original proposed Ordinance 111-O-14 to continue to permit the use or possession of tobacco for individuals between the ages of eighteen (18) and twenty-one (21). The Ordinance reflects this amendment.

Attachments:
Ordinance 111-0-14: Amending City Code Subsection 3-14-6
AN ORDINANCE

Amending City Code Subsection 3-14-6, to Increase the Age of Sale and Purchase of Tobacco or Liquid Nicotine Products from Eighteen (18) Years of Age to Twenty-One (21) Years of Age

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: Legislative Statement.

At the time of passage of this Ordinance, tobacco use remains a leading cause of preventable premature death in the United States, killing nearly half a million Americans and costing the nation almost $200 billion in healthcare expenses and lost productivity each year. Tobacco use also increases the risks of lung cancer, heart disease, stroke, asthma, emphysema, pre-term delivery, low birth weight, and many other types of cancer. Furthermore, cigarettes are the only consumer products that, when used exactly as intended, kill up to one-third of regular users.

Most smokers start using tobacco as youth or young adults. Ninety-five percent of all adult smokers started smoking before they turned twenty-one years old. Additionally, there is strong evidence that people who begin smoking at an early age are more likely to develop a severe addiction to nicotine than those who start at a later age. The transition from experimental to regular smoking typically occurs around twenty years old. Most people who are not smokers by twenty-one years of age do not start smoking later in their lives.

Raising the legal sales age for cigarettes and tobacco products will reduce access to both products in stores among young adults, between eighteen and twenty
years old, and among youth who are younger than eighteen. Raising the sales age will reduce access to cigarettes and tobacco products by youth because youth often acquire such products from older friends: 90 percent of people purchasing cigarettes for minors are between eighteen and twenty years old.

Other jurisdictions that have increased the minimum sales age for cigarettes and tobacco products have seen decreases in tobacco use among youth. In 2005, Needham, Massachusetts increased the legal sales age from eighteen to twenty-one years. Between 2006 and 2012, the percentage of high school students in Needham who reported smoking declined from 12.9 percent to 5.5 percent, a decrease of over fifty percent. In 2007, England increased the minimum sales age from sixteen to eighteen years. By 2009, there was a thirty percent decline in smoking among youth between the ages of sixteen and seventeen, and younger students between the ages of eleven and fifteen were one-third less likely to be regular smokers than they had been previously.

The City of Evanston has continuously been a public health leader in various aspects. In 2005, the City of Evanston was one of the first communities to ban smoking in public places. This step contributed to the City of Chicago and the State of Illinois eventually becoming smoke-free. Recently, Evanston led the way in Illinois by restricting the sale and use of e-cigarettes in the same fashion as traditional tobacco products in 2013.

Article VII, Section (6)a of the Illinois Constitution of 1970, which states that the “powers and functions of home rule units shall be construed liberally,” was written “with the intention that home rule units be given the broadest powers possible” (Scadron v.
Pursuant to 65 ILCS 5/1-2-1, the City may make all rules and regulations to carry into effect the powers granted to the City, such broad and general grant of authority complementing the City’s home rule powers. At meetings held in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 et seq.), the City Council considered this Ordinance, heard public comment, and made findings. It is well-settled law in Illinois that the legislative judgment of the City Council must be considered presumptively valid (see Glenview State Bank v. Village of Deerfield, 213 Ill.App.3d 747(1991)) and is not subject to courtroom fact-finding (see National Paint & Coating Ass’n v. City of Chicago, 45 F.3d 1124 (1995)).

The City Council therefore finds that establishing a minimum sales age of twenty-one for cigarettes, tobacco products, and electronic cigarettes will reduce smoking, tobacco, and electronic cigarette use among youth and young adults, and decrease the likelihood that members of this cohort will become smokers or electronic cigarette users later in life. This increase in the minimum sales age will also reduce high school students' opportunities to access tobacco or electronic cigarettes from legal buyers. Finally, raising the minimum sales age will augment existing tobacco prevention and control programs and improve the general health of Evanston residents.

SECTION 2: That Subsection 3-14-6 of the Evanston City Code of 2012, “Prohibitions Regarding Minors,” as amended, is hereby further amended to read as follows:

3-14-6: Prohibitions Regarding Minors

It shall be unlawful:

(A) Sales To. For any person, including any licensee, to sell, offer for sale, give away or deliver tobacco or liquid nicotine products to any person under the age of
eighteen (18) twenty-one (21) years.

Signs informing the public of the age restrictions provided for herein shall be posted by every licensee at or near every display of tobacco or liquid nicotine products and on or upon every vending machine which offers tobacco products for sale. Each such sign shall be plainly visible and shall state:

THE SALE OF TOBACCO PRODUCTS OR LIQUID NICOTINE PRODUCTS TO PERSONS UNDER EIGHTEEN TWENTY-ONE YEARS OF AGE IS PROHIBITED BY LAW

The text of such signs shall be in red letters on a white background; said letters to be at least one (1) inch high.

(B) Sale By. For any licensee or any officer, associate, member, representative, agent or employee of such licensee, to engage, employ or permit any person under eighteen (18) twenty-one (21) years of age to sell tobacco products in any licensed premises.

(C) Purchase. For any person under the age of eighteen (18) twenty-one (21) years to purchase tobacco or liquid nicotine products or to misrepresent his/her identity or age or to use any false or altered identification for the purpose of purchasing tobacco or liquid nicotine products.

(D) Possession. For any person under the age of eighteen (18) years to possess any tobacco or liquid nicotine products; provided, that the possession by a person under the age of eighteen (18) years under the direct supervision of the parent or guardian of such person in the privacy of the parent's or guardian's home shall not be prohibited.

(E) Penalties Generally. Any person violating Subsection (A) or (B) of this Section shall be fined not less than two hundred dollars ($200.00) nor more than five hundred dollars ($500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. In addition to any other penalty, a licensee convicted of violating any provision of this Section may be subject to having his/her license revoked, suspended or not renewed by the Health Director.

SECTION 3: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby
repealed.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 6: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

Introduced: _____________, 2014

Adopted: __________________, 2014

Approved: ____________________________ , 2014

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Elizabeth B. Tisdahl, Mayor

Attest:

____________________________
Rodney Greene, City Clerk

Approved as to form:

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W. Grant Farrar, Corporation Counsel