



IN ACCORDANCE WITH THE APPLICABLE STATUTES OF THE STATE OF ILLINOIS AND ORDINANCES OF THE CITY OF PROSPECT HEIGHTS, NOTICE IS HEREBY GIVEN THAT

THE CITY COUNCIL MEETING
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS
WILL BE HELD ON MONDAY, JUNE 12, 2023 AT 6:30PM

**IN PERSON IN THE COUNCIL CHAMBERS, PROSPECT HEIGHTS CITY HALL
8 NORTH ELMHURST ROAD, PROSPECT HEIGHTS, ILLINOIS
MAYOR PATRICK LUDVIGSEN PRESIDING**

**THIS MEETING WILL BE BROADCAST LIVE ON CABLE CHANNELS:
COMCAST AND ASTOUND/RCN CHANNEL 17 AND AT&T U-VERSE CHANNEL 99.
IT WILL ALSO BE RECORDED AND TELEVISED ON COMCAST AND ASTOUND/RCN CHANNEL
17 AND AT&T U-VERSE CHANNEL 99.**

**ATTENDEES WHO WISH TO SPEAK ON AGENDA OR NON-AGENDA ITEMS WILL BE PROVIDED
AN OPPORTUNITY DURING THE MEETING.
THERE IS A FIVE MINUTE TIME LIMIT FOR SPEAKERS.**

1. CALL TO ORDER AND ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

- A.** May 22, 2023 City Council Regular Meeting Minutes
Action Requested: (Motion, Second, Roll Call Vote)

4. PRESENTATIONS

- A.** Presentation by Police Chief Bill Caponigro RE: Police Officer Lateral Transfers and Compensation

5. APPOINTMENTS, CONFIRMATIONS, AND PROCLAMATIONS

None

6. PUBLIC COMMENT ON AGENDA MATTERS (*Five Minute Time Limit*)

(Citizens are asked to identify the agenda item they would like to address and will be provided the opportunity to speak to the issue after its presentation and before City Council action)

7. **CONSENT AGENDA** - All items listed on the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the general order of business and considered as a separate Agenda item.
Action Requested: (Motion, Second, Roll Call Vote)

None

8. **OLD BUSINESS**

- A. **O-23-12** Staff Memo and Ordinance Authorizing Map Amendments Rezoning of Certain Territory from B-3 Commercial, Wholesale and General Services District to B-5 Commercial Industrial District. **(2nd Reading)**
Action Requested: (Motion, Second, Roll Call Vote)
- B. **O-23-13** Staff Memo and Ordinance Amending the City Code, Title 5 Chapter 7 of the City Code Deleting the O-1 Office Research Park District and Adding B-5 Commercial Industrial District. **(2nd Reading)**
Action Requested: (Motion, Second, Roll Call Vote)

9. **NEW BUSINESS**

- A. **R-23-12** Staff Recommendation of Bid Award and Resolution Authorizing a Demolition Contract with Arkana, Inc. for the Property Located at 214 S. Wheeling Road for a Price of \$25,950 and Allowance for a 10% Contingency for Unforeseen Conditions that May Arise During the Project
Action Requested: (Motion, Second, Roll Call Vote)
- B. **Request for 1st Read Waiver O-23-15** Staff Memo and Ordinance Granting Certain Variations for the Property at 1307 Williams Way, Prospect Heights, Illinois **(1st Reading)**
Action Requested: (Motion, Second, Roll Call Vote)
- C. **O-23-15** Staff Memo and Ordinance Granting Certain Variations for the Property at 1307 Williams Way, Prospect Heights, Illinois **(2nd Reading)**
Action Requested: (Motion, Second, Roll Call Vote)
- D. **O-23-16** Business Request and Ordinance Increasing the Number of C-3 Liquor Licenses for Wing Stop **(1st Reading)**
Action Requested: (Discussion/Informational)
- E. **O-23-17** Staff Memo and Ordinance Amending the City Code Chapter 2, Article 2, Section 7 – Hotel Operators’ Occupation Tax **(1st Reading)**
Action Requested: (Discussion/Informational)

10. **STAFF, ELECTED OFFICIALS, AND COMMISSION REPORTS**

11. **APPROVAL OF WARRANTS**

- A. Approval of Expenditures
Action Requested: (Motion, Second, Roll Call Vote)

This meeting will be recorded and made available on your local Cable Channel, Prospect Heights Television, and our PHTV YouTube Channel via a link on the City website

General Fund	\$144,104.07
Motor Fuel Tax Fund	\$0.00
Palatine/Milwaukee Tax Increment Financing District	\$0.00
Tourism District	\$14,369.94
Solid Waste Fund	\$0.00
Drug Enforcement Agency Fund	\$1,445.18
Palatine Road Tax Increment Financing	\$595.18
Special Service Area #1	\$0.00
Special Service Area #2	\$0.00
Special Service Area #3	\$0.00
Special Service Area #4	\$0.00
Special Service Area #5	\$99.42
Special Service Area - Constr #6 (Water Main)	\$0.00
Special Service Area - #8 Levee Wall #37	\$127.05
Capital Improvements	\$15,478.88
Special Service Area - Debt #6	\$19,366.25
Road Construction Debt	\$0.00
Water Fund	\$107,536.14
Parking Fund	\$195.55
Sanitary Sewer Fund	\$11,909.29
Road/Building Bond Escrow	\$2,934.59
Police Pension	\$0.00
TOTAL	\$318,161.54
<u>Wire Payments</u>	
06/02/2023 PAYROLL	\$181,051.55
TOTAL WARRANT	\$499,213.09

This meeting will be recorded and made available on your local Cable Channel, Prospect Heights Television, and our PHTV YouTube Channel via a link on the City website

12. **PUBLIC COMMENT ON NON-AGENDA MATTERS (*Five Minute Time Limit*)**
13. **EXECUTIVE SESSION** (No Items)
14. **ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED**
15. **ADJOURNMENT**
Action Requested: (Motion, Second, Voice Vote)

Posted by 5:00 PM, June 8, 2023



City of Prospect Heights

Department of Building & Zoning
 8 North Elmhurst Road, Prospect Heights Illinois, 60070-6070
 Office: 847/398-6070 x 211-FAX: 847/590-1854
www.prospect-heights.il.us

MEMORANDUM

Date: May 10, 2023

To: Mayor Ludvigsen and Aldermen

Cc: Joe Wade, City Administrator

From: Daniel A. Peterson, Director of Building & Development

Subject: PZBA Case #23-04 Map Amendment
 Rezoning Certain Territory from B-3 Commercial, Wholesale and General Service District to B-5 Commercial Industrial District and deleting the O-1 Office Research Park District

PZBA Case 23-05 Text Amendment
 Amending Title 5 Chapter 7 - Deleting Section 1: Office Research Park District in entirety
 Amending Title 5 Chapter 7 –Adding Section 7: B-5 Commercial Industrial District

BACKGROUND:

At the January 19, 2023 City Council meeting, I made a presentation to the Council identifying the need for the City to amend the zoning map and zoning code text. In 2022, the City disconnected approximately 32 acres of territory as part of the IGA with the Village of Glenview over development of the Allstate property. The disconnected territory was located in the O-1 Office/Research Park District. A result of the disconnection was the loss of the only O-1 zoning district within the City and all the uses that were either permitted uses or permitted special uses allowed in the District. The O-1 zoning district text contained the requirements for the adult sexually oriented uses within the city. City Council directed staff to move forward with the appropriate applications.

The Plan Zoning Board of Appeals held a public hearing on both cases on March 16, 2023. Director Peterson provided testimony supporting the requested actions. PZBA members requested a comparison of the neighboring municipalities zoning codes address Adult Sexually Oriented uses. Members asked questions related to the limiting of content and lot size/area for specific uses. A request to have the City attorney present. As these requests needed additional research and legal involvement, the PZBA voted to table the public hearing until the April 27, 2023 regular meeting.

The PZBA reconvened the public hearings on April 27, 2023. Director Peterson testified to the requested information. Attorney Frenzer provided legal opinion to questions raised regarding limitations regarding content, location and potential risk of a first amendment lawsuit.

Upon completion of the public hearing and deliberation, the PZBA made the following recommendations:

1. PZBA Case #23-04 Map Amendment: Rezoning certain territory from B-3 Commercial, Wholesale and General Service District to B-5 Commercial Industrial District.

Vote: 5 yes – 1 no; to recommend the requested map amendments to City Council for approval.

2. PZBA Case #23-05 Text Amendments: Delete Title 5 Chapter 7 Section 1 in its entirety and to add Title 5 Chapter 7 Section 7 creating the B-5 Commercial Industrial District.

Vote: 6 yes – 0 no; to recommend the requested text amendments to the City Council for approval.

Staff has prepared the following ordinances for Council consideration:

1. ***ORDINANCE NO. 23-12 - AN ORDINANCE AUTHORIZING A MAP AMENDMENT REZONING CERTAIN TERRITORY FROM B-3 COMMERCIAL, WHOLESALE AND GENERAL SERVICE DISTRICT TO B-5 COMMERCIAL INDUSTRIAL DISTRICT***
2. ***ORDINANCE NO. 23-13 - AN ORDINANCE AMENDING THE CITY CODE, TITLE 5 CHAPTER 7 OF THE CITY CODE REGARDING BUSINESS DISTRICTS***

Recommendation: **Staff recommends approval of both the Map Amendment and the Text Amendment as presented.**

ORDINANCE NO. O-23-12

AN ORDINANCE AUTHORIZING A MAP AMENDMENT REZONING CERTAIN TERRITORY FROM B-3 COMMERCIAL, WHOLESALE AND GENERAL SERVICE DISTRICT TO B-5 COMMERCIAL INDUSTRIAL DISTRICT

WHEREAS, the City of Prospect Heights, Illinois, (the “City”) has enacted City Code regulations for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and

WHEREAS, Daniel Peterson, the Director of Building & Development for the City of Prospect Heights, (hereinafter referred to as “the Petitioner”), on behalf of the City, is requesting the amendment with respect to 79 E. Palatine Rd. & 81 E. Palatine Rd., Prospect Heights, IL 60070 (hereinafter referred to as the “Subject Properties”) legally described and depicted in Exhibit A; and

WHEREAS, the Petitioner has applied pursuant to the provisions of the Prospect Heights, Illinois Municipal Code for a map amendment rezoning certain territory from B-3 Commercial, Wholesale and General Service District to B-5 Commercial Industrial District; and

WHEREAS, the Planning and Zoning Commission of the City of Prospect Heights, Illinois conducted a public hearing on March 16, 2023 and April 27, 2023 for the rezoning request and voted to recommend approval of the rezoning; and

WHEREAS, a notice of the aforesaid public hearing was made in the manner provided by law and was published in the *Journal & Topics*, a newspaper of general circulation within the City; and

WHEREAS, the Mayor and City Council of the City of Prospect Heights have reviewed the matter herein and have determined that the zoning map amendment is in the best interest of the City of Prospect Heights, and hereby adopts the finding of facts as set forth in Exhibit B.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Prospect Heights as follows:

SECTION 1: The recitals set forth above are incorporated herein.

SECTION 2: That the Subject Property described in Exhibit A is hereby rezoned from its current B-3 Commercial, Wholesale and General Service District to B-5 Commercial Industrial District. The zoning map of the City of Prospect Heights is hereby amended in accordance with the provisions of this Ordinance.

SECTION 3: That the City Clerk of the City of Prospect Heights be and is directed hereby to publish this Ordinance in pamphlet form, pursuant to the Statutes of the State of Illinois, made and provided.

DRAFT

SECTION 4: If any provision of this Ordinance or application thereof to any person or circumstances 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 upon its passage and approval as required by law.

PASSED and APPROVED this ____ day of _____, 2023.

Patrick Ludvigsen, Mayor

ATTEST:

City Clerk

AYES:

NAYS:

ABSENT:

Published in pamphlet form:

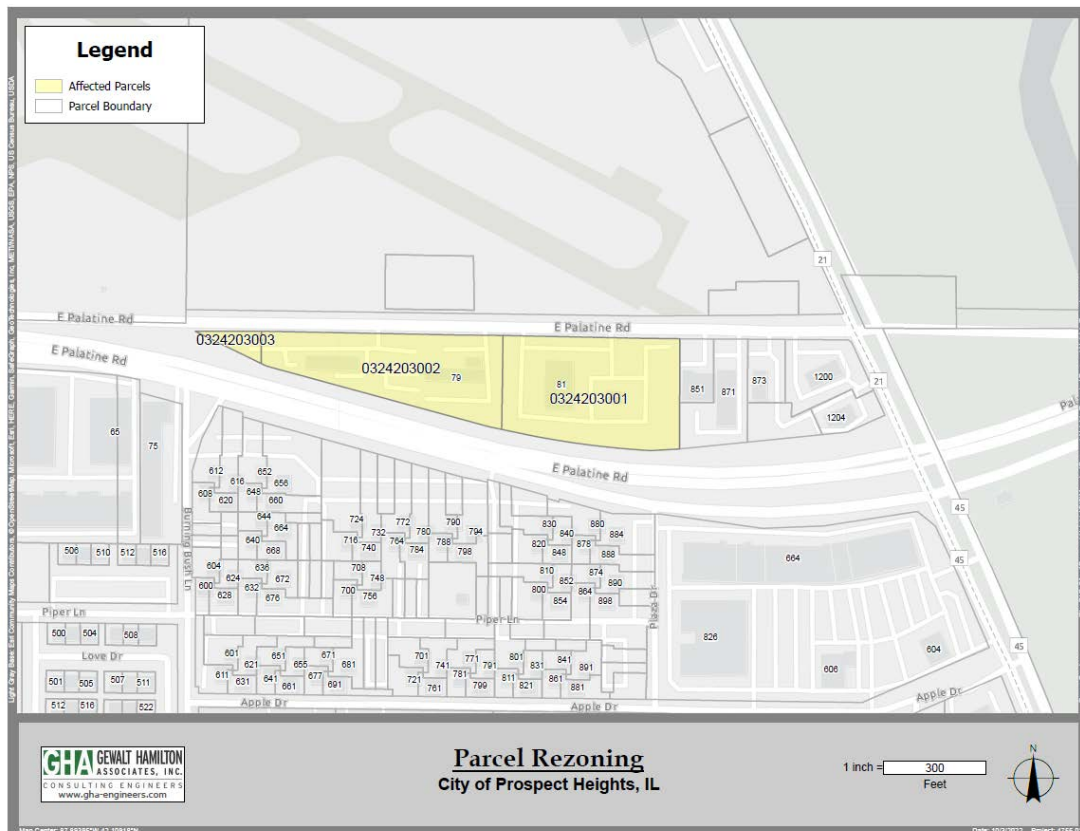
DRAFT

EXHIBT A
LEGAL DESCRIPTION

Lots 1, 2, and 3 in Peaster Subdivision, being a subdivision in the Northeast 1/4 of Section 24, Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof registered in the Office of the Registrar of Titles of Cook County, on October 30, 1987 as document 3663937, in Cook County, Illinois.

PIN #'s: 03-24-203-003-0000; 03-24-203-002-0000; 03-24-203-001-0000

Parcel map prepared by GEWALT HAMILTON ASSOCIATES, INC. dated 10/3/2022



DRAFT

EXHIBIT B

PZBA FINDINGS AND RECOMMENDATIONS

Memorandum

To: Mayor Ludvigsen and City Council

From: Maciej Kempa – Chairman
Plan / Zoning Board of Appeals

Date: May 9, 2023

Subject: Recommendation for Map Amendment & Text Amendments

- A. Case No. PZBA -23-04 Map Amendment**
Applicant: City of Prospect Heights, Daniel A. Peterson, Director of Building & Development
Property Address: 79 & 81 E. Palatine Rd.
Hearing Dates: March 16, 2023 and April 27, 2023
- B. Case No. PZBA -23-05 Text Amendment**
Applicant: City of Prospect Heights, Daniel A. Peterson, Director of Building & Development
Property Address: 8 N. Elmhurst Rd.
Hearing Dates: March 16, 2023 and April 27, 2023

I. Purpose

Conduct public hearings to consider map amendment/rezoning of properties to the official Zoning Map, and Text Amendments to Title 5 Chapter 7 of the City's Zoning Code.

1. Delete in entirety the O-1 Office Research Park District
2. Rezoning of 79 & 81 E. Palatine Rd. from B-3 Commercial, Wholesale and General Service District to B-5 Commercial Industrial District
3. Delete entirety Title 5 Chapter 7 Section 1 Office Research Park District text
4. Add new Title 5 Chapter 7 Section 7 creating the text for the new B-5 Commercial Industrial District.

II. Comments and Testimonies

Director Peterson asked that the PZBA open both cases at the same time, as the testimony will support both cases. The PZBA will deliberate and act on each case separately. The PZBA opened both public hearings.

Director Peterson, applicant, testified that in June of 2022, the City Council approved Ordinance #O-22-18 disconnecting approximately 32 acres of City territory. The disconnected territory was the only territory within the City's O-1 Office Research Park District. Therefore, the zoning map amendment is necessary to depict the new City boundaries. He also stated that the regulations for Adult Sexually Oriented uses were contained in the O-1 District. Without the proper zoning map or text for Adult Sexually Oriented businesses, the City is exposed to a first amendment free speech challenge potential lawsuit.

Director Peterson presented an exhibit that identified 79 & 81 E. Palatine Rd. as the recommended location for the proposed new B-5 Commercial Industrial District. This location was identified after months of research of other possible locations within the city for rezoning. The proposed location is

bordered by the Chicago Executive Airport (CEA), Milwaukee Ave. to the east, Palatine Rd./Willow Rd. to the south. There are R-2 multi-family rental properties south of the highway. Palatine Rd. exits to the highway to the west and Milwaukee Ave. to the east limiting access to other areas of the City.

Director Peterson and Administrator Wade met with the CEA Executive Director Miller and Economic Development Director Sakas regarding the proposed location and both indicated no objections. Notification was sent to the apartment owners. Director Peterson testified that he met with the property owners of the properties proposed for rezoning who had no objection as long as it did not negatively impact their current operations. Only two of the multi-family building owners called and stated that there was no impact to their properties.

Director Peterson stated that he reviewed the current zoning map and major business corridors locate other potential areas. These areas zoned either B-1 Retail Business District, B-2 General Commercial and B-2A General Commercial Districts. These districts are located in close proximities to single-family residential properties, churches and schools. Not preferred locations for Adult Sexually Oriented businesses.

Director Peterson testified that the proposed map and text amendments were initiated by the City and not any property owner or applicant and was for the purpose to protect the City from potential risk of being forced to accept the use in any district and a potential federal lawsuit.

III. Board and Staff Comments

During the March 16, 2023 public hearing, Commissioner Saewert raised a number of concerns and asked for additional information. She also had a number of questions for the City attorney. Director Peterson indicated that information and the attorney would be available for the next regular meeting. The PZBA voted to table the hearings to the April 27, 2023 regular meeting date.

The PZBA reopened the public hearings on April 27, 2023. Director Peterson summarized the events of the March 16, 2023 hearing. He presented a survey of the neighboring communities and how they address the Adult Sexually Oriented uses in their municipalities.

Commissioner Saewert requested the attorney address the following items: Minimum lot sizes, Can there be a limit on the types of Adult Sexually Oriented businesses, risk if the City doesn't zone for these types of uses. Attorney Frenzer provided the legal opinion that the City can control the location of the uses. The City can not limit or restrict content and the ordinance can not be so restrictive as to effectively zone the use out. The risk would be a first amendment constitutional challenge.

Commissioner Patel asked if the existing business would continue to operate and potentially redevelop as currently zoned. Director Peterson stated yes.

Commissioner Patel stated that the location isolated the use from more sensitive area within the City. They commented on the restrictions about the proximity to other similar uses is provided in the text of the proposed amendment.

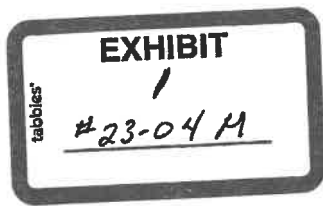
IV. Decisions and Findings

Chairman Kempa asked for a motion to accept into the record that the application, staff reports and testimony as finding of fact of compliance with the standards for Map and Text Amendments. Unanimously approved by 6-0 vote.

PZBA Case #23-04 MA: Chairman Kempa asked for a motion recommend approval of a Map Amendment deleting the O-1 Office Research Park in its entirety; and rezone the properties located at 79 & 81 E. Palatine Rd. from B-3 Commercial, Wholesale, and General Service District to B-5 Commercial Industrial District. The motion was made, seconded and approved by a 5-1 vote.

PZBA Case #23-05 TA: Chairman Kempa asked for a motion to recommend approval of a Text Amendment to Title 5 Chapter 7 deleting Section 1 deleting the O-1 Office Research Park in its entirety; and add Section 7: B-5 Commercial Industrial District. The motion was made, seconded and approved by a 6-0 vote.

Respectfully Submitted



FOR OFFICE USE ONLY:

FEE PAID _____

DATE _____

RECV'D BY _____

CASE # _____

MEETING DATE _____

23-04 MA
3-16-23PLAN/ZONING BOARD OF APPEALS
APPLICATIONSpecial use (\$400)
Variation (\$150)
Text Amendment (\$300)Map Amendment (Refer to Ord. 0-03-18)
Subdivision/PUD (Refer to Ord. 0-03-18)
Lot Consolidation (Refer to Ord. 0-03-18)
Appearance Review

In addition to the application fee a refundable deposit not <\$500 nor >\$5,000 shall be required for all zoning applications to offset the direct costs of the application incurred by the City. If costs exceed the available escrow balance applicant will be required to replenish account. If balance remains the money will be refunded or applied to any building permit cost. (Refer to Ord. O-18-06: 5-10-7(D))

APPLICANT: City of Prospect Heights, Daniel A. Peterson, Director of Building & DevelopmentADDRESS: 8 N. Elmhurst Rd
Prospect Heights, IL 60070PHONE: 847-398-6070 Ext. 208E-MAIL: dpeterson@prospect-heights.orgADDRESS OF SUBJECT PROPERTY: 79 E. Palatine Rd. & 81 E. Palatine Rd., Prospect Heights, IL 60070PROPERTY IS LOCATED IN THE B-3 ZONING DISTRICT.APPLICABLE SECTION OF ORDINANCE: 5-10-10: AmendmentsDESCRIPTION OF REQUEST: Map Amendment Rezoning Certain Territory from the B-3: Commercial, Wholesale, and General Service District to B-5: Commercial Industrial District.

Are there any covenants, conditions, restrictions or floodplain issues concerning type of improvements, setbacks, area or height requirements, occupancy or use limitations, etc. placed on the property and now of record: YES _____ NO X
If yes, please describe: _____

Has the property been the subject of previous or pending administrative legislative or court action:

YES _____ NO X If yes, give details: _____

The follow items MUST be submitted at time of filing:

1. Application (12 copies)
2. Plat of Survey (12 copies) – must be drawn to scale and indicate the location of the proposed addition or construction and must contain the legal description of the property, along with additional information to support the application. (12 copies) *Note - please include one copy for file no longer than 11x17.
3. Proof of Ownership (1 copy)
4. Letter indicating Hardship (for variations only 12 copies)
5. Application Fee (cash or check made payable to: City of Prospect Heights)
6. Notice to Property Owners (1 copy) – will be supplied to you by the City of Prospect Heights.
7. List of Property Owners (1 copy) for Notice to Property Owners mailing - will be supplied to you by the City of Prospect Heights.

February 16, 2023

Date: _____

Signature of Applicant

Director



Prospect Heights GIS Web Application

Developed by Gewalt Hamilton Associates, Inc. ▾

EXHIBIT

tables

MA 423-CH

+

-



Old Palatine Rd

B3

79

873

851 B3

B3

65

75

512 514 516

612 616 652 656

608 620 648 660

644 640 668 684

604 624 636 672

600 628 632 676

724 732 772 790

716 740 764 788

708 748 756 794

700 756 784 798

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841

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864

874

884

898

901

926

1,104,862,473 1,982,277,967 Feet 151

507 509 511 100

200ft



 Affected Parcels

 Parcel Boundary

Tables

34

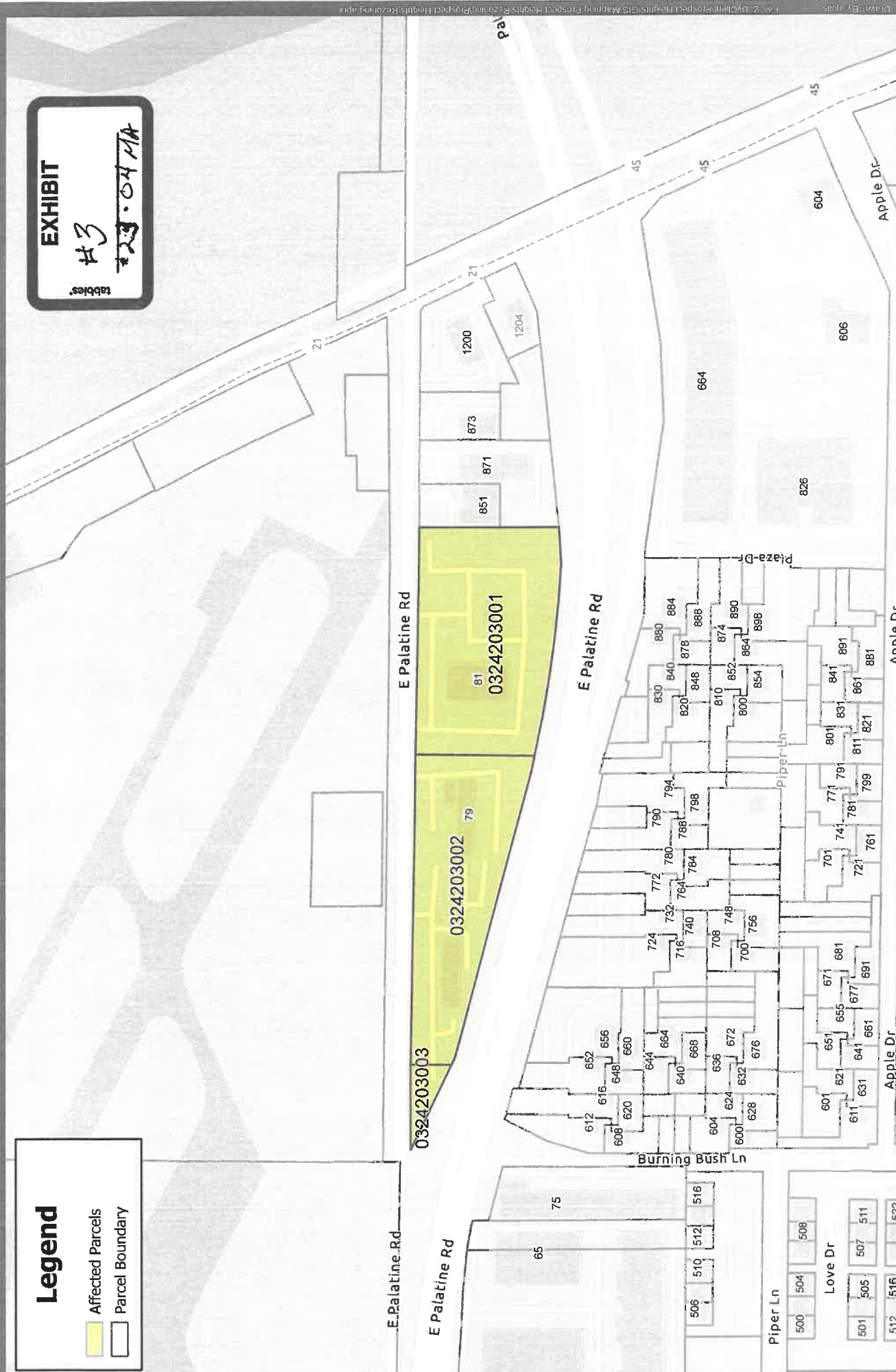
#23.04 MA



1 inch = Feet

Parcel Rezoning City of Prospect Heights, IL

GHA GEVALT HAMILTON
ASSOCIATES, INC.
CONSULTING ENGINEERS
www.gha-engineers.com



Zoning Review



Date: March 10, 2023
Reviewer: Daniel A. Peterson, Director of Building & Development
Applicant: City of Prospect Heights
Subject Property: 79 and 81 E. Palatine Roads
Application: PZBA Case #23-05 MA - Map Amendment to Re-zone property from B-3 to B-5
PZBA Case #23-05 TA – Text Amendment Amending Title 5 Chapter 7 of the Zoning Code

Documents Reviewed:

- A. Plat of Annexation, prepared by Dietz Surveying, Inc. dated April 27, 2019
- B. Final Plat of Consolidation, Prepared by Dietz Surveying, Inc., dated May 16, 2019

Applicable Zoning Code Sections: Amendments: 5-10-10

Current Zoning: 79 E. Palatine Rd. B-3
81 E. Palatine Rd. B-3
Proposed: B-3
Current Use: Commercial, Wholesale and General Service District
Proposed: Commercial Industrial District
Lot Area ±: 6.95 acres ±

5-10-10: AMENDMENTS:

- B. Initiation Of Map And Text Amendments: Text amendments may be proposed in writing by the city council, the plan/zoning board of appeals, by any person having proprietary interest in the property in the city, or by any interested citizen of the city.

Map amendments may be proposed by the owner of the property involved, by the city council, by the plan/zoning board of appeals, or by other city officials.

Response: The City of Prospect Heights is the applicant.

- C. Standards For Map And Text Amendments: No map or text amendments shall be recommended by the plan/zoning board of appeals unless said board shall find: (Ord. 0-77-27, 7-18-1977; amd. Ord. 0-03-35, 9-15-2003)

1. That the net impact of the proposed amendment, if granted, will be beneficial to the entire community and will not be harmful to the local area in particular.

Response: The proposed amendments will not be harmful to the local area. The amendments provide locations for sexually oriented business that will not impact the residential uses within the community.

2. That a need exists for the general type of use proposed and that the specific proposal will indeed satisfy it more closely than the other possible uses.

Response: The rezoning will provide the correct zoning for the uses being provided on the property.

3. That the use proposed is compatible with the current comprehensive land use plan of the city of Prospect Heights, in effect on the date of the application.

Response: The proposed use is compatible with the comprehensive land use plan and provides regulation of location for sexually oriented businesses so as to prevent the deleterious location and concentration of sexually oriented businesses within the City.

4. That the proposed use is compatible and harmonious with uses in the surrounding general area. (Ord. 0-77-27, 7-18-1977)

Response: The use is compatible and harmonious. The existing use remains.

5. That the area described in the petition does not lie wholly or partly in the floodplain as defined by the Illinois department of transportation, division of water resources, or, if it does lie wholly or partly within the floodplain, that adequate provisions for storage, runoff control and floodwater retention, as appropriate, have been made or can be made. (Ord. 0-89-25, 6-5-1989)

Response: The subject property is within the flood plain and the property has been designed to meet storm water demands.

- D. Notice Of Hearing: Public notice of such hearing shall be published at least once, not less than fifteen (15) days nor more than thirty (30) days before such hearing, in a newspaper published within the city of Prospect Heights. Such notice shall contain the date, time and place of the hearing, the street address or common description of the property involved, legal description of the property involved, and a brief description of the proposed amendment. The board may give such additional notice as it may, from time to time, by rule provide. Any party in interest may appear and be heard at the hearing in person, by agent, or by attorney. (Ord. 0-77-27, 7-18-1977)

Response: Notice has been published and has met the notice requirements

- E. Notice To Property Owners: The petitioner for a map amendment shall notify all property owners within three hundred fifty feet (350'), excluding public land and rights of way, but in no event more than four hundred fifty feet (450'), in each direction of the petitioner's property lines, by certified mail or individual notice executed by said property owners, of the date, hour and location of the public hearing and the map amendment requested. Such notice shall be in the same form as the published public notice and shall be mailed or delivered and executed not less than fifteen (15) and not more than thirty (30) days prior to the date of the public hearing. The owners to be notified are such persons or entities which appear in the authentic tax records of Cook County. Proof of notification shall be submitted by the petitioner to the plan/zoning board of appeals no later than the day of the public hearing. (Ord. 0-06-35, 8-21-2006)

Response: Notice has been mailed to property owners within three hundred fifty feet (350') of the subject property as required.



City of Prospect Heights

Department of Building & Zoning
8 North Elmhurst Road, Prospect Heights Illinois, 60070-6070
Office: 847/398-6070 x 211-FAX: 847/590-1854
www.prospect-heights.il.us

MEMORANDUM

Date: March 10, 2023

To: Chairman Kempa and PZBA Members

Cc: Joe Wade, City Administrator

From: Daniel A. Peterson, Director of Building & Development

Subject: Proposed Map – PZBA #23-04 MA
Text Amendments – PZBA #23-05 TA

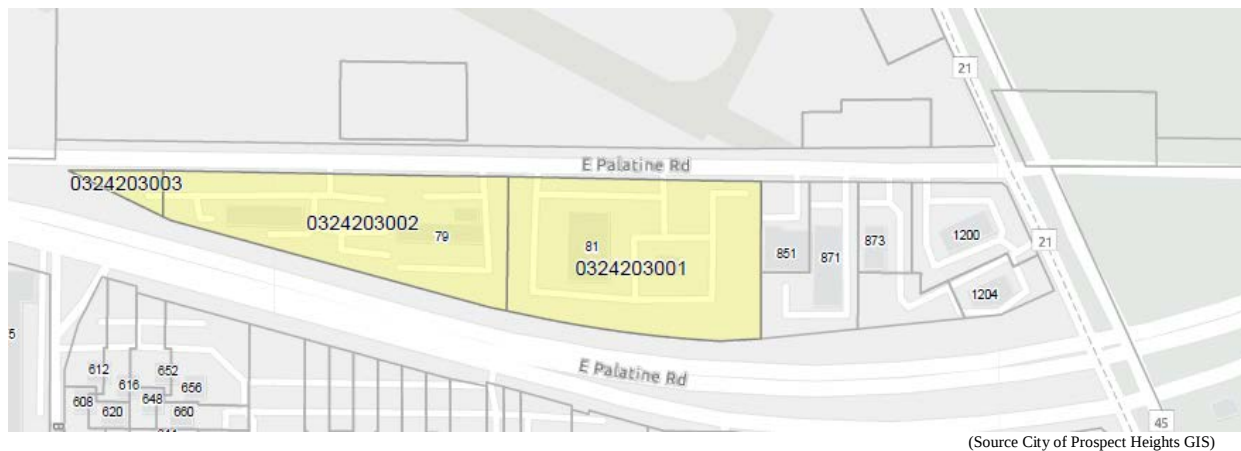
Please be advised that a public hearing is scheduled for the next regular meeting of the PZBA on Thursday March 16, 2023 at 7:00 pm to consider a map amendment for rezoning and text amendments.

BACKGROUND:

In 2022, the City disconnected approximately 32 acres of territory as part of the IGA with the Village of Glenview over development of the Allstate property. The disconnected territory was located in the O-1 Office/Research Park District. A result of the disconnection was the loss of the only O-1 zoning district within the City and all the uses that were either permitted uses or permitted special uses allowed in the District.

Municipalities, whether home rule or non-home rule may regulate the location of adult businesses in their respective communities.¹ The City's zoning code provided a location for adult use businesses in the O-1 District, due to the elimination of the district a map and text amendment is necessary. The staff has prepared the required applications for both the map and text amendments for public hearing at the regular meeting of the PZBA on March 16, 2023.

Staff has identified properties along Palatine road frontage near the airport for the rezoning. The proposed zoning district buffered by the Chicago Executive Airport and Palatine Road, a state of Illinois highway and the B-2 district. The closest residential properties south of Palatine Road and not readily accessible.



Staff met with the owners of the proposed properties as well as Jeff Miller and George Sakas, of the CEA to discuss the proposed amendments. Discussions were positive and all parties understood the issue. The concern was that rezoning was not going to impact current business operations. All current uses are included with in the proposed text amendments in addition to the text for the sexually oriented businesses. Staff provided copies of the proposed ordinances for review in advance of the public hearing.

Staff worked closely with the City attorney in the development of the proposed amendments.

There will be two public hearings. The first will be for the map amendment for rezoning. Followed by the public hearing on the proposed text amendments.



City of Prospect Heights

Department of Building & Zoning
 8 North Elmhurst Road, Prospect Heights Illinois, 60070-6070
 Office: 847/398-6070 x 211-FAX: 847/590-1854
www.prospect-heights.il.us

MEMORANDUM

Date: May 10, 2023

To: Mayor Ludvigsen and Aldermen

Cc: Joe Wade, City Administrator

From: Daniel A. Peterson, Director of Building & Development

Subject: PZBA Case #23-04 Map Amendment
 Rezoning Certain Territory from B-3 Commercial, Wholesale and General Service District to B-5 Commercial Industrial District and deleting the O-1 Office Research Park District

PZBA Case 23-05 Text Amendment
 Amending Title 5 Chapter 7 - Deleting Section 1: Office Research Park District in entirety
 Amending Title 5 Chapter 7 –Adding Section 7: B-5 Commercial Industrial District

BACKGROUND:

At the January 19, 2023 City Council meeting, I made a presentation to the Council identifying the need for the City to amend the zoning map and zoning code text. In 2022, the City disconnected approximately 32 acres of territory as part of the IGA with the Village of Glenview over development of the Allstate property. The disconnected territory was located in the O-1 Office/Research Park District. A result of the disconnection was the loss of the only O-1 zoning district within the City and all the uses that were either permitted uses or permitted special uses allowed in the District. The O-1 zoning district text contained the requirements for the adult sexually oriented uses within the city. City Council directed staff to move forward with the appropriate applications.

The Plan Zoning Board of Appeals held a public hearing on both cases on March 16, 2023. Director Peterson provided testimony supporting the requested actions. PZBA members requested a comparison of the neighboring municipalities zoning codes address Adult Sexually Oriented uses. Members asked questions related to the limiting of content and lot size/area for specific uses. A request to have the City attorney present. As these requests needed additional research and legal involvement, the PZBA voted to table the public hearing until the April 27, 2023 regular meeting.

The PZBA reconvened the public hearings on April 27, 2023. Director Peterson testified to the requested information. Attorney Frenzer provided legal opinion to questions raised regarding limitations regarding content, location and potential risk of a first amendment lawsuit.

Upon completion of the public hearing and deliberation, the PZBA made the following recommendations:

1. PZBA Case #23-04 Map Amendment: Rezoning certain territory from B-3 Commercial, Wholesale and General Service District to B-5 Commercial Industrial District.

Vote: 5 yes – 1 no; to recommend the requested map amendments to City Council for approval.

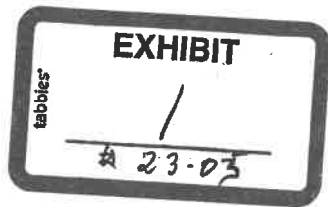
2. PZBA Case #23-05 Text Amendments: Delete Title 5 Chapter 7 Section 1 in its entirety and to add Title 5 Chapter 7 Section 7 creating the B-5 Commercial Industrial District.

Vote: 6 yes – 0 no; to recommend the requested text amendments to the City Council for approval.

Staff has prepared the following ordinances for Council consideration:

1. ***ORDINANCE NO. 23-12 - AN ORDINANCE AUTHORIZING A MAP AMENDMENT REZONING CERTAIN TERRITORY FROM B-3 COMMERCIAL, WHOLESALE AND GENERAL SERVICE DISTRICT TO B-5 COMMERCIAL INDUSTRIAL DISTRICT***
2. ***ORDINANCE NO. 23-13 - AN ORDINANCE AMENDING THE CITY CODE, TITLE 5 CHAPTER 7 OF THE CITY CODE REGARDING BUSINESS DISTRICTS***

Recommendation: **Staff recommends approval of both the Map Amendment and the Text Amendment as presented.**



FOR OFFICE USE ONLY:

FEE PAID _____

DATE _____

RECV'D BY _____

CASE # _____

MEETING DATE _____

23-65 TA
3-16-23

**PLAN/ZONING BOARD OF APPEALS
APPLICATION**

Special use (\$400)
Variation (\$150)
Text Amendment (\$300)

Map Amendment (Refer to Ord. 0-03-18)
Subdivision/PUD (Refer to Ord. 0-03-18)
Lot Consolidation (Refer to Ord. 0-03-18)
Appearance Review

In addition to the application fee a refundable deposit not <\$500 nor >\$5,000 shall be required for all zoning applications to offset the direct costs of the application incurred by the City. If costs exceed the available escrow balance applicant will be required to replenish account. If balance remains the money will be refunded or applied to any building permit cost. (Refer to Ord. O-18-06: 5-10-7(D))

APPLICANT: City of Prospect Heights, Daniel A. Peterson, Director of Building & Development

ADDRESS: 8 N. Elmhurst Rd
Prospect Heights, IL 60070

PHONE: 847-398-6070 Ext. 208

E-MAIL: dpeterson@prospect-heights.org

ADDRESS OF SUBJECT PROPERTY: City Wide

PROPERTY IS LOCATED IN THE Various **ZONING DISTRICT.**

APPLICABLE SECTION OF ORDINANCE: Title 5 Chapter 7: Business Districts

DESCRIPTION OF REQUEST: Text Amendment to Title 5 Chapter 7 Deleting the O-1 Office Research District and Creating the B-5 Commercial Industrial District

Are there any covenants, conditions, restrictions or floodplain issues concerning type of improvements, setbacks, area or height requirements, occupancy or use limitations, etc. placed on the property and now of record: YES _____ NO X
If yes, please describe: _____

Has the property been the subject of previous or pending administrative legislative or court action:

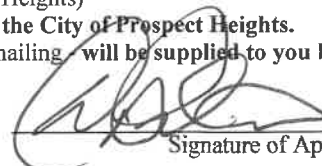
YES _____ NO X If yes, give details: _____

The follow items MUST be submitted at time of filling:

1. Application (12 copies)
2. Plat of Survey (12 copies) – must be drawn to scale and indicate the location of the proposed addition or construction and must contain the legal description of the property, along with additional information to support the application. (12 copies) *Note - please include one copy for file no longer than 11x17.
3. Proof of Ownership (1 copy)
4. Letter indicating Hardship (for variations only 12 copies)
5. Application Fee (cash or check made payable to: City of Prospect Heights)
6. Notice to Property Owners (1 copy) – will be supplied to you by the City of Prospect Heights.
7. List of Property Owners (1 copy) for Notice to Property Owners mailing – will be supplied to you by the City of Prospect Heights.

February 16, 2023

Date: _____

 Director
Signature of Applicant

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ORDINANCE NO. _____



AN ORDINANCE AMENDING THE CITY CODE, TITLE 5 CHAPTER 7 OF THE CITY CODE REGARDING BUSINESS DISTRICTS

WHEREAS, the City of Prospect Heights ("City") is an Illinois Municipal Corporation pursuant to the Illinois Constitution of 1970 and the Statutes of the State of Illinois; and

WHEREAS, the City has enacted a City Code for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and

WHEREAS, the City presently has in effect certain provisions in regard to business districts in effect within the City Code in Title 5, Section 7; and

WHEREAS, the City deems it to be in the best interests of the citizens of the City and the public in general that said provisions regarding business districts be amended as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Prospect Heights as follows:

SECTION 1: The recitals set forth above are incorporated herein.

SECTION 2: The purpose of this ordinance shall include amending Title 5, Chapter 7 of the City Code as provided herein.

SECTION 3: That Section 5-7-1 of the City Code regarding Office/Research Park District be removed in its entirety and reserved for future use.

SECTION 4: That Section 5-7-7 be added to the City Code creating the B-5 Commercial Industrial District to add the language below with additions in bold, underline text so that the same shall be read as follows:

- A. Description of District: The B-5 Commercial Industrial District is a specialized classification in which commercial, industrial and wholesale businesses are encouraged. Included in the permitted uses are certain wholesale and warehousing uses that are normally associated with commercial uses. Also permitted are industrial firms that have high standards of performance In this district outdoor storage must be completely screened and all industrial operations must be in an enclosed building, except as permitted under special uses in this section. The district is normally located on primary thoroughfares, and contains parcels that are relatively large in size.**

In addition, given the relative distance of the area from the residential districts in the city and the buffer provided by the Chicago Executive Airport along the northern side of the district, Palatine Road, a state highway, along the southern boundary of the district and B-2 along the eastern side of the district, the B-5

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district provides regulation of the location of sexually oriented businesses so as to prevent the deleterious location and concentration of sexually oriented businesses within the city. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this section to restrict or deny access by adults to sexually oriented materials protected by the first amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this section to condone or legitimize the distribution of obscene materials. intended to provide sites to accommodate those uses that serve large segments of the population with a wide variety of business and commercial uses.

- B. Adult Uses. Adult uses shall include, but not necessarily be limited to those uses defined below. Adult uses are prohibited in any district other than the O-1 office/research park district. As used in this zoning code, the following terms shall have the following meanings:

ADULT BOOTH: Any area of an adult entertainment establishment set off from the remainder of such establishment by one or more walls or other dividers or partitions and used to show, play, or otherwise demonstrate any adult materials or to view any live performance that is distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.

ADULT ENTERTAINMENT ESTABLISHMENT: Any of the following commercial establishments, as defined herein:

Adult Cabaret: Any commercial establishment that as a substantial or significant portion of its business regularly features any of the following:

1. Persons who appear nude or seminude.
2. Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.

Adult Store: Any commercial establishment: 1) that contains one or more adult booths; 2) that as a substantial or significant portion of its business offers for sale, rental, or viewing any adult materials; or 3) that has a segment or section devoted to the sale or display of adult materials.

Adult Theater: Any commercial establishment that as a substantial or significant portion of its business regularly features for presentation films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings that are distinguished or characterized by an emphasis on the exposure,

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depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.

ADULT ESTABLISHMENT EMPLOYEE: Any individual, including entertainers, who work in or at, or render any services directly related to the operation of, an adult entertainment establishment; provided, however, that this definition shall not include persons delivering goods, materials (other than adult materials), food and beverages, or performing maintenance or repairs, to the licensed premises.

ADULT ESTABLISHMENT PATRON: Any individual, other than an adult establishment employee, present in or at any adult entertainment establishment at any time when such adult entertainment establishment is open for business; provided, however, that this definition shall not include persons delivering goods, materials (other than adult materials), food and beverages, or performing maintenance or repairs, to the licensed premises.

ADULT MATERIAL: Any of the following, whether new or used:

1. Books, magazines, periodicals, or other printed matter, or digitally stored materials; or
2. Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind; or
3. Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities; or
4. Instruments, novelties, devices, or paraphernalia that are designed for use in connection with specified sexual activities, or that depict or describe specified anatomical areas.

NUDE OR STATE OF NUDITY: A state of dress or undress that exposes to view: 1) less than completely and opaquely covered human genitals; pubic region; anus; or female breast below a point immediately above the top of the areola, but not including any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not exposed; or 2) human male genitals in a discernibly turgid state, even if completely and opaquely covered, or any device or covering that, when worn, simulates human male genitals in a discernibly turgid state.

SEMINUDE: A state of dress or undress in which clothing covers no more than the genitals, pubic region, and areolas of the female breast, as well as portions of the body covered by supporting straps or devices or by other minor accessory apparel such as hats, gloves, and socks.

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SPECIFIED ANATOMICAL AREAS: Any of the following:

1. Less than completely and opaquely covered human genitals; pubic region; buttocks; anus; or female breast below a point immediately above the top of the areolas, but not including any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areolas are not exposed.
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered, or any device or covering that, when worn, simulates human male genitals in a discernibly turgid state.

SPECIFIED SEXUAL ACTIVITIES: Any of the following:

1. Actual physical touching of human genitals, pubic region, buttocks, anus, or female breasts.
2. Actual physical sexual acts, including intercourse, oral copulation, or sodomy.
3. Actual masturbation.
4. Human genitals in a state of sexual stimulation, arousal, or tumescence.
5. Excretory functions as part of or in connection with any of the activities set forth in this definition.

STRADDLE DANCE: The use by any person, including specifically, but without limitation, an adult establishment employee, of any part of his or her body to deliberately touch the genitals, pubic region, buttock, anus, or female breast of any adult establishment patron or any other person, or the deliberate touching of the genitals, pubic region, buttock, anus, or female breast of any person by any adult establishment patron. Conduct shall be a "straddle dance" regardless of whether the "touch" or "touching" occurs while the person is displaying or exposing any specified anatomical area. Conduct shall also be a "straddle dance" regardless of whether the "touch" or "touching" is direct or through a medium. Conduct commonly referred to by the slang terms "lap dance", "table dance", and "face dance" shall be included within this definition of straddle dance.

SUBSTANTIAL OR SIGNIFICANT PORTION OF ITS BUSINESS: For purposes of the definitions in this section, the phrase "substantial or significant portion of its business" shall be deemed to apply to any commercial establishment that satisfies one or more of the following criteria:

1. Gross Sales: Ten percent (10%) or more of the retail dollar value of the commercial establishment's annual gross sales derives from the sale, rental, or viewing of adult materials.
2. Floor Area: Five percent (5%) or more of the floor area of the commercial establishment is devoted to the display, viewing, or presentation of adult materials.

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not including storerooms, stock areas, bathrooms, basements, or any other portion of the commercial establishment not open to the public.

3. Merchandise Displayed: Ten percent (10%) or more of the retail dollar value of all merchandise displayed at any one time is attributable to adult materials.

4. Inventory: Ten percent (10%) or more of all inventory of the commercial establishment (whether measured by retail dollar value or number of items) consists at any one time of adult materials.

5. Stock In Trade: Ten percent (10%) or more of the stock in trade at the commercial establishment consists at any one time of adult materials.

6. Live Performances: Live performances by persons appearing nude; live performances that are otherwise distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities; or live performances by persons appearing seminude and that are taking place during ten percent (10%) or more of the time which the commercial establishment is open for business.

C. Additional Restrictions On Adult Uses:

1. All adult uses shall be subject to the following restrictions:

a. No adult use shall be allowed within five hundred feet (500') of another existing adult use.

b. No adult use shall be located within one thousand feet (1,000') of any residential land use.

c. No adult use shall be located within one thousand feet (1,000') of a preexisting school, childcare facility, or place of worship.

d. No adult use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to "specified anatomical areas" or "specified sexual activities", from any public way. This shall apply to any display, decoration, sign, show window or other opening.

e. Straddle dances are prohibited.

D Permitted Uses: The following business and service uses are permitted:

Any uses permitted in the B-3 general commercial district, except those permitted in the B-1 retail district.

Adult uses, including:

Adult cabaret;

Adult stores;

Adult theatres;

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Erotic dance schools;

Erotic dance studios;

Escort agencies;

Massage parlors;

Massage schools;

Massage services;

Uses similar to those above.

Assembly firms, without fabrication of completely fabricated parts.

Automobile repair garages.

Automobile undercoating service.

Automotive vehicle sales and leasing, new, including sales of used vehicles in conjunction therewith.

Bakeries, manufacturing of goods.

Beverage distributors.

Boat and marine showroom and sales.

Bottled gas dealers.

Bottling works.

Building material supplies, sales, and service.

Business, professional and governmental offices.

Contractor or construction offices and yards.

Dry cleaning establishments, central plant serving more than one retail outlet.

Electrical shops.

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Equipment rental and leasing service.

Funeral parlors.

Furnace supplies and service.

Furniture cleaning, upholstering and repair shops.

Glazing shops.

Greenhouses, retail sales.

Laundries, central plant serving more than one retail outlet.

Lawn mower sales and repair shops.

Linen, towel, diaper and similar supply services.

Machine shops.

Machinery sales.

Motorcycle sales, service and repair shops.

Music schools.

Nurseries, retail sales.

Personnel training centers.

Plumbing and heating showrooms and shops.

Printing, publishing, and lithography establishments.

Public services uses:

Electric substations, gas regulator stations.

Police and fire stations.

Public water towers, water works and wells.

Pumping stations and reservoirs.

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Other similar public service uses.

Roofing sales and service.

Schools, music, trade, vocational.

Sewer and septic tank cleaning and rodding service.

Sheet metal shops.

Sign contractors.

Snowmobile sales and service.

Swimming pool sales and service.

Trade schools.

Truck sales and service.

Undertaking establishments.

Vocational schools.

Warehouses.

Water softener service.

Welding shops.

Wholesale establishments.

Window cleaning firms.

Other permitted uses:

Accessory uses as defined in chapter 3 of this title.

Fences, in accordance with the provisions of chapter 3 of this title.

Off street parking and loading facilities, in accordance with the provisions of chapter 8 of this title.

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Signs, in accordance with the provisions of chapter 9 of this title.

E. Special Uses: Same Special Uses as are allowed by special use permit in the B-3 Commercial, Wholesale and General Service District except those special uses permitted in the B-1 Retail District.

F. Prohibited Uses: All uses not expressly authorized in subsections D & E are expressly prohibited.

G. Performance Standards: The provisions for performance standards shall be the same as those in the B-3 district.

H. Minimum Lot Size: A minimum of 3 acres for each permitted use. Minimum lot width 150'.

I. Required Yards:

- 1. Front Minimum: 50'**
- 2. Interior Side Yard: 50' from adjacent zoning lot**
- 3. Corner Side Yard: Structures a minimum of 100'**
- 4. Rear Yard: Minimum of 100'**
- 5. Transitional Yard: (Same as B-3)**

J. Lot Coverage: Not more than 30% by building or including accessory structures

K. Floor Area Ratio: Maximum FAR = 1.2

L. Special Provisions: The same special provisions listed for the B-3 District shall apply.

M. Performance Standards: The same performance standards listed for the B-3 District shall apply.

N. All remaining Standards: All remaining standards not otherwise listed in this section shall be the same as those listed for the B-3 District.

SECTION 5: That the City Clerk of the City of Prospect Heights be and is directed hereby to publish this Ordinance in pamphlet form, pursuant to the Statutes of the State of Illinois, made and provided.

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SECTION 6: If any provision of this Ordinance or application thereof to any person or circumstances 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 7: This Ordinance shall be in full force and effect upon its passage and approval as required by law.

PASSED and APPROVED this ____ day of ____, 2023.

Matt Dolick, Acting Mayor

ATTEST:

City Clerk

AYES:

NAYS:

ABSENT:

Published in pamphlet form:



Legal Q & A

Regulating Adult Uses

By Roger Huebner, General Counsel, IML
Jerry Zarley, Paralegal, IML

(February 2001)

This monthly column examines issues of general concern to municipal officers. It is not meant to provide legal advice and is not a substitute for consulting with your municipal attorney. As always, when confronted with a legal question, contact your municipal attorney as certain unique circumstances may alter any conclusions reached herein.

The term "Adult Use" (or "Adult Business"), as used in Illinois, actually comprises a large variety of sexually oriented businesses that may include movie theaters, bookstores, video stores, massage parlors, and strip clubs. These sexually oriented businesses can be extremely profitable and, therefore, are increasing in communities. Furthermore, to avoid prosecution and/or more stringent regulations, many businesses are constantly moving from one place to another or to other communities. More specifically, the owners of these businesses like to move their businesses to a community that has less stringent or no regulations of adult uses. Because many municipal ordinances have not considered the possibility of adult use establishments, a community may find itself unprepared when a sexually oriented business comes to town, especially since the activities and/or materials of these businesses may be constitutionally protected. Therefore, every Illinois municipality should consider enacting ordinances to regulate adult businesses if it would be appropriate for the municipality.

Q: How can a municipality constitutionally regulate adult uses?

A: Municipalities, whether home rule or non-home rule, may regulate the location of adult businesses in their respective communities through their zoning powers. Municipalities may directly regulate adult businesses provided the regulation is content-neutral and within the power of the governmental body. The municipality must show it has a substantial governmental interest and that the interest is unrelated to the suppression of free expression. Such regulation must be an incidental restriction on alleged First Amendment freedoms and be no greater than is essential in the furtherance of the municipal interest.

A municipality may determine where adult businesses may be located in its respective community through its power to zone. A non-home rule municipality derives its zoning authority from the Illinois Municipal Code which provides in pertinent part ". . . the corporate authorities in each municipality have the . . . power[] . . . to classify, regulate and restrict the location of trades and industries and the location of buildings designed for specified industrial, business, residential, and other uses."¹ A home rule municipality derives its zoning authority from Article VII, § 6(a) of the Illinois Constitution of 1970 which authorizes a home rule unit to "exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and

welfare; to license; to tax; and to incur debt.” Furthermore, Section 11-5-1.5 of the Illinois Municipal Code provides that “[i]t is prohibited within a municipality to locate an adult entertainment facility within 1,000 feet of the property boundaries of any school, day care center, cemetery, public park, forest preserve, public housing, and place of religious worship.”² Therefore, a municipality may prescribe where adult businesses are located in its respective community provided such businesses can constitute an “adult use” as defined by the municipal ordinance.³

For example, in Dottie’s Dress Shop, Inc. v. Village of Lyons,⁴ the plaintiff wanted to operate a store which the village’s zoning board determined was an “adult use” as defined by the village ordinance in a business zoning district. However, the village ordinance only allowed adult use establishments to operate in an industrial zoning district. The plaintiff claimed its establishment was appropriate for the business district because it was not an adult use facility as defined by the village ordinance. The appellate court determined, however, that although the village ordinance did not specify the type of establishment in question, it was specifically aimed at the regulation of adult or sexually oriented businesses. And, because the plaintiff’s establishment was predominantly devoted to selling sexual paraphernalia and sexually oriented devices, it was properly defined as an adult use. Therefore, the court held that the zoning board’s decision not to award the plaintiff an occupancy permit to operate in the business zoning district was reasonable.

To further regulate sexually oriented businesses, the regulation must be a proper content-neutral time, place and manner restriction. Where the ordinance regulates *conduct* and not speech, it is a content-neutral regulation.⁵ If the regulation upon the adult entertainment industry is content-neutral, it must then satisfy the four part test enunciated in United States v. O’Brien.⁶ To satisfy the O’Brien test: (1) the regulation must be within the power of the governmental body; (2) the regulation must further an important or substantial governmental interest; (3) the interest must be unrelated to the suppression of free expression; and (4) the incidental restriction on alleged First Amendment freedoms must be no greater than essential to the furtherance of that interest.⁷

In City of Erie v. Pap’s A.M., tdba “Kandyland”,⁸ for example, the United States Supreme Court very recently examined the city’s ban on public nudity and how the ban was applied to totally nude exotic dancers. The Supreme Court determined that because the ordinance banned all public nudity regardless of its expressive activity, it was aimed at combating the secondary effects of adult establishments, and its effect on the overall expression of nudity was minute, it was a content-neutral restriction that was subject to the O’Brien test. In comparing the ordinance to the factors in O’Brien, the Supreme Court determined: (1) the ordinance was within the city’s police power because the city’s efforts to protect public health and safety were within its police power; (2) the ordinance furthered the important governmental interests of regulating conduct through a public nudity ban and of combating the harmful secondary effects associated with nude dancing; (3) the ordinance was unrelated to the suppression of free speech; and (4) the restriction was no greater than was essential to achieve that interest because the resulting requirements were a minimal restriction which left ample alternatives for the dancers to convey their erotic message.

Municipalities in Illinois are statutorily authorized to regulate sexually oriented businesses. Section 11-42-5 of the Illinois Municipal Code provides that “[t]he corporate authorities of each municipality . . . may license, tax and regulate all places for eating or amusement.”⁹ Through a municipality’s authority to license, Section 11-60-1 provides that “[t]he corporate authorities of each municipality may fix the amount, terms, and manner of issuing and revoking licenses.”¹⁰ Since sexually oriented businesses are obviously for amusement or entertainment, municipalities may license, tax, and regulate all adult use facilities. Municipalities may also regulate the costs and terms of issuing and revoking such licenses.

For example, a few Illinois municipalities have enacted ordinances which refuse a liquor license to any facility or business which may be considered an adult use facility, or prohibit liquor establishments from conducting any adult business. The most common example of regulating the terms, conditions, and/or classifications of licensing is through the regulation of hours of operation. However, such a regulation must be a proper content-neutral regulation (i.e. the regulation must apply to *all* amusement or entertainment establishments), or be directly aimed at combating the harmful secondary effects of an adult entertainment establishment.¹¹

To show that the regulation furthers an important or substantial governmental interest and that the interest is unrelated to the suppression of free expression it is necessary for municipalities to explicitly state the reasons for regulating adult establishments within the ordinance. For example, an ordinance may consider all the secondary effects that such businesses may have upon a community. The ordinance may also include such things that consider public health and safety such as protecting the community from communicable diseases, and maintaining traffic conditions. The ordinance may further include the consideration of public morals and decency. For example, an ordinance could be enacted prohibiting public nudity which would have the incidental effect of prohibiting nude dancing.¹² All of these things are within a municipality’s police power and completely unrelated to the suppression of free expression. However, the incidental regulation on the alleged First Amendment freedoms must be no greater than necessary to further that(those) interest(s).

In conclusion, no one article or column can sufficiently address all the issues relating to the regulation of adult uses. However, the intent of this article was to introduce the methods that municipalities may use to regulate sexually oriented businesses. Both techniques are extremely complicated and subject to various limitations. Therefore, municipal officials are strongly encouraged to consult with their municipal attorney before attempting to enact any adult use ordinance. The experience in Illinois and across the nation demonstrates that being prepared for this controversial issue is the best method to address the communities’ concerns.

1. 65 ILCS 5/11-13-1 (West 1998).

2. 65 ILCS 5/11-5-1.5 (West 1998).

3. See Dottie’s Dress Shop v. Village of Lyons, 313 Ill.App.3d 70, 729 N.E.2d 1, 246 Ill.Dec. 1 (1st Dist. 2000).

4. 313 Ill.App.3d 70, 729 N.E.2d 1, 246 Ill.Dec. 1 (1st Dist. 2000).

5. See City of Erie v. Pap's A.M., tdba "Kandyland", 120 S.Ct. 1382 (2000).

6. 391 U.S. 367 (1968).

7. 391 U.S. at 377.

8. 120 S.Ct. 1382 (2000).

9. 65 ILCS 5/11-42-5 (West 1998).

10. 65 ILCS 5/11-60-1 (West 1998).

11. See DiMa Corp. v. Town of Hallie, 185 F.3d 823 (7th Cir. 1999); *see also* Schultz v. City of Cumberland County, No. 98-4126 (7th Cir. Sept. 26, 2000).

12. *See supra*, note 5.

Zoning Review



Date: March 10, 2023
Reviewer: Daniel A. Peterson, Director of Building & Development
Applicant: City of Prospect Heights
Subject Property: 79 and 81 E. Palatine Roads
Application: PZBA Case #23-05 MA - Map Amendment to Re-zone property from B-3 to B-5
PZBA Case #23-05 TA – Text Amendment Amending Title 5 Chapter 7 of the Zoning Code

Documents Reviewed:

- A. Plat of Annexation, prepared by Dietz Surveying, Inc. dated April 27, 2019
- B. Final Plat of Consolidation, Prepared by Dietz Surveying, Inc., dated May 16, 2019

Applicable Zoning Code Sections: Amendments: 5-10-10

Current Zoning: 79 E. Palatine Rd. B-3
81 E. Palatine Rd. B-3
Proposed: B-3
Current Use: Commercial, Wholesale and General Service District
Proposed: Commercial Industrial District
Lot Area ±: 6.95 acres ±

5-10-10: AMENDMENTS:

- B. Initiation Of Map And Text Amendments: Text amendments may be proposed in writing by the city council, the plan/zoning board of appeals, by any person having proprietary interest in the property in the city, or by any interested citizen of the city.

Map amendments may be proposed by the owner of the property involved, by the city council, by the plan/zoning board of appeals, or by other city officials.

Response: The City of Prospect Heights is the applicant.

- C. Standards For Map And Text Amendments: No map or text amendments shall be recommended by the plan/zoning board of appeals unless said board shall find: (Ord. 0-77-27, 7-18-1977; amd. Ord. 0-03-35, 9-15-2003)

1. That the net impact of the proposed amendment, if granted, will be beneficial to the entire community and will not be harmful to the local area in particular.

Response: The proposed amendments will not be harmful to the local area. The amendments provide locations for sexually oriented business that will not impact the residential uses within the community.

2. That a need exists for the general type of use proposed and that the specific proposal will indeed satisfy it more closely than the other possible uses.

Response: The rezoning will provide the correct zoning for the uses being provided on the property.

3. That the use proposed is compatible with the current comprehensive land use plan of the city of Prospect Heights, in effect on the date of the application.

Response: The proposed use is compatible with the comprehensive land use plan and provides regulation of location for sexually oriented businesses so as to prevent the deleterious location and concentration of sexually oriented businesses within the City.

4. That the proposed use is compatible and harmonious with uses in the surrounding general area. (Ord. 0-77-27, 7-18-1977)

Response: The use is compatible and harmonious. The existing use remains.

5. That the area described in the petition does not lie wholly or partly in the floodplain as defined by the Illinois department of transportation, division of water resources, or, if it does lie wholly or partly within the floodplain, that adequate provisions for storage, runoff control and floodwater retention, as appropriate, have been made or can be made. (Ord. 0-89-25, 6-5-1989)

Response: The subject property is within the flood plain and the property has been designed to meet storm water demands.

- D. Notice Of Hearing: Public notice of such hearing shall be published at least once, not less than fifteen (15) days nor more than thirty (30) days before such hearing, in a newspaper published within the city of Prospect Heights. Such notice shall contain the date, time and place of the hearing, the street address or common description of the property involved, legal description of the property involved, and a brief description of the proposed amendment. The board may give such additional notice as it may, from time to time, by rule provide. Any party in interest may appear and be heard at the hearing in person, by agent, or by attorney. (Ord. 0-77-27, 7-18-1977)

Response: Notice has been published and has met the notice requirements

- E. Notice To Property Owners: The petitioner for a map amendment shall notify all property owners within three hundred fifty feet (350'), excluding public land and rights of way, but in no event more than four hundred fifty feet (450'), in each direction of the petitioner's property lines, by certified mail or individual notice executed by said property owners, of the date, hour and location of the public hearing and the map amendment requested. Such notice shall be in the same form as the published public notice and shall be mailed or delivered and executed not less than fifteen (15) and not more than thirty (30) days prior to the date of the public hearing. The owners to be notified are such persons or entities which appear in the authentic tax records of Cook County. Proof of notification shall be submitted by the petitioner to the plan/zoning board of appeals no later than the day of the public hearing. (Ord. 0-06-35, 8-21-2006)

Response: Notice has been mailed to property owners within three hundred fifty feet (350') of the subject property as required.

Municipality	Zoning District	Activities	Permitted or Special Use
Village of Arlington Heights	B3	By Definition: Bookstore, Live Entertainment, Theater	Permitted by Right
Village of Mt. Prospect	None Listed		Conditional use as for a "Uniques Use"
			Per Community Dev, Director
Village of Palatine	Sec. 11.06 B-5 Highway District	Adult bookstores, movie theaters	Sect. 14.05 Special Use
Village of Wheeling	I-3 District with distance limitations	Sec. 19.10.060 Nonresidential use regulations (a) Adult Entertainment Establishments	Permitted Use, 1,000 ft to residential, mixed-use, institutional, parks, churches, licensed daycare, public library, certain private educational or elderly housing. 500 feet to any other adult entertainment establishment + sign regulations
Village of Glenview	I-2 Light Industrial District 98-162	Article XXIII Sexually Oriented Businesses	By right after issued a license
City of Rolling Meadows	M-1 and M-2 Districts	Permitted by right with distance limitations.	1,000 feet from public/private educational uses, church or religious uses, cemetery, mental health center, public housing, park, library recreation area, school route, other adult use.

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ORDINANCE NO. O-23-13

AN ORDINANCE AMENDING THE CITY CODE, TITLE 5 CHAPTER 7 OF THE CITY CODE REGARDING BUSINESS DISTRICTS

WHEREAS, the City of Prospect Heights (“City”) is an Illinois Municipal Corporation pursuant to the Illinois Constitution of 1970 and the Statutes of the State of Illinois; and

WHEREAS, the City has enacted a City Code for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and

WHEREAS, the City presently has in effect certain provisions in regard to business districts in effect within the City Code in Title 5, Section 7; and

WHEREAS, the City deems it to be in the best interests of the citizens of the City and the public in general that said provisions regarding business districts be amended as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Prospect Heights as follows:

SECTION 1: The recitals set forth above are incorporated herein.

SECTION 2: The purpose of this ordinance shall include amending Title 5, Chapter 7 of the City Code as provided herein.

SECTION 3: That Section 5-7-1 of the City Code regarding Office/Research Park District be removed in its entirety and reserved for future use.

SECTION 4: That Section 5-7-7 be added to the City Code creating the B-5 Commercial Industrial District to add the language below with additions in bold, underline text so that the same shall be read as follows:

- A. **Description of District: The B-5 Commercial Industrial District is a specialized classification in which commercial, industrial and wholesale businesses are encouraged. Included in the permitted uses are certain wholesale and warehousing uses that are normally associated with commercial uses. Also permitted are industrial firms that have high standards of performance In this district outdoor storage must be completely screened and all industrial operations must be in an enclosed building, except as permitted under special uses in this section. The district is normally located on primary thoroughfares, and contains parcels that are relatively large in size.**

In addition, given the relative distance of the area from the residential districts in the city and the buffer provided by the Chicago Executive Airport along the northern side of the district, Palatine Road, a state highway, along the southern boundary of the district and B-2 along the eastern side of the district, the B-5

DRAFT

district provides regulation of the location of sexually oriented businesses so as to prevent the deleterious location and concentration of sexually oriented businesses within the city. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this section to restrict or deny access by adults to sexually oriented materials protected by the first amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this section to condone or legitimize the distribution of obscene materials. intended to provide sites to accommodate those uses that serve large segments of the population with a wide variety of business and commercial uses.

- B. Adult Uses. Adult uses shall include, but not necessarily be limited to those uses defined below. Adult uses are prohibited in any district other than the B-5 Commercial Industrial district. As used in this zoning code, the following terms shall have the following meanings:

ADULT BOOTH: Any area of an adult entertainment establishment set off from the remainder of such establishment by one or more walls or other dividers or partitions and used to show, play, or otherwise demonstrate any adult materials or to view any live performance that is distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.

ADULT ENTERTAINMENT ESTABLISHMENT: Any of the following commercial establishments, as defined herein:

Adult Cabaret: Any commercial establishment that as a substantial or significant portion of its business regularly features any of the following:

1. Persons who appear nude or seminude.
2. Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.

Adult Store: Any commercial establishment: 1) that contains one or more adult booths; 2) that as a substantial or significant portion of its business offers for sale, rental, or viewing any adult materials; or 3) that has a segment or section devoted to the sale or display of adult materials.

Adult Theater: Any commercial establishment that as a substantial or significant portion of its business regularly features for presentation films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings that are distinguished or characterized by an emphasis on the exposure,

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depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.

ADULT ESTABLISHMENT EMPLOYEE: Any individual, including entertainers, who work in or at, or render any services directly related to the operation of, an adult entertainment establishment; provided, however, that this definition shall not include persons delivering goods, materials (other than adult materials), food and beverages, or performing maintenance or repairs, to the licensed premises.

ADULT ESTABLISHMENT PATRON: Any individual, other than an adult establishment employee, present in or at any adult entertainment establishment at any time when such adult entertainment establishment is open for business; provided, however, that this definition shall not include persons delivering goods, materials (other than adult materials), food and beverages, or performing maintenance or repairs, to the licensed premises.

ADULT MATERIAL: Any of the following, whether new or used:

1. Books, magazines, periodicals, or other printed matter, or digitally stored materials; or
2. Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind; or
3. Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities; or
4. Instruments, novelties, devices, or paraphernalia that are designed for use in connection with specified sexual activities, or that depict or describe specified anatomical areas.

NUDE OR STATE OF NUDITY: A state of dress or undress that exposes to view: 1) less than completely and opaquely covered human genitals; pubic region; anus; or female breast below a point immediately above the top of the areola, but not including any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not exposed; or 2) human male genitals in a discernibly turgid state, even if completely and opaquely covered, or any device or covering that, when worn, simulates human male genitals in a discernibly turgid state.

SEMINUDE: A state of dress or undress in which clothing covers no more than the genitals, pubic region, and areolas of the female breast, as well as portions of the body covered by supporting straps or devices or by other minor accessory apparel such as hats, gloves, and socks.

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SPECIFIED ANATOMICAL AREAS: Any of the following:

1. Less than completely and opaquely covered human genitals; pubic region; buttocks; anus; or female breast below a point immediately above the top of the areolas, but not including any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areolas are not exposed.
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered, or any device or covering that, when worn, simulates human male genitals in a discernibly turgid state.

SPECIFIED SEXUAL ACTIVITIES: Any of the following:

1. Actual physical touching of human genitals, pubic region, buttocks, anus, or female breasts.
2. Actual physical sexual acts, including intercourse, oral copulation, or sodomy.
3. Actual masturbation.
4. Human genitals in a state of sexual stimulation, arousal, or tumescence.
5. Excretory functions as part of or in connection with any of the activities set forth in this definition.

STRADDLE DANCE: The use by any person, including specifically, but without limitation, an adult establishment employee, of any part of his or her body to deliberately touch the genitals, pubic region, buttock, anus, or female breast of any adult establishment patron or any other person, or the deliberate touching of the genitals, pubic region, buttock, anus, or female breast of any person by any adult establishment patron. Conduct shall be a "straddle dance" regardless of whether the "touch" or "touching" occurs while the person is displaying or exposing any specified anatomical area. Conduct shall also be a "straddle dance" regardless of whether the "touch" or "touching" is direct or through a medium. Conduct commonly referred to by the slang terms "lap dance", "table dance", and "face dance" shall be included within this definition of straddle dance.

SUBSTANTIAL OR SIGNIFICANT PORTION OF ITS BUSINESS: For purposes of the definitions in this section, the phrase "substantial or significant portion of its business" shall be deemed to apply to any commercial establishment that satisfies one or more of the following criteria:

1. Gross Sales: Ten percent (10%) or more of the retail dollar value of the commercial establishment's annual gross sales derives from the sale, rental, or viewing of adult materials.
2. Floor Area: Five percent (5%) or more of the floor area of the commercial establishment is devoted to the display, viewing, or presentation of adult materials,

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not including storerooms, stock areas, bathrooms, basements, or any other portion of the commercial establishment not open to the public.

3. Merchandise Displayed: Ten percent (10%) or more of the retail dollar value of all merchandise displayed at any one time is attributable to adult materials.

4. Inventory: Ten percent (10%) or more of all inventory of the commercial establishment (whether measured by retail dollar value or number of items) consists at any one time of adult materials.

5. Stock In Trade: Ten percent (10%) or more of the stock in trade at the commercial establishment consists at any one time of adult materials.

6. Live Performances: Live performances by persons appearing nude; live performances that are otherwise distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities; or live performances by persons appearing seminude and that are taking place during ten percent (10%) or more of the time which the commercial establishment is open for business.

C. Additional Restrictions On Adult Uses:

1. All adult uses shall be subject to the following restrictions:

a. No adult use shall be allowed within five hundred feet (500') of another existing adult use.

b. No adult use shall be located within one hundred fifty feet (150') of any residential land use.

c. No adult use shall be located within five hundred feet (500') of a preexisting school, childcare facility, or place of worship.

d. No adult use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to "specified anatomical areas" or "specified sexual activities", from any public way. This shall apply to any display, decoration, sign, show window or other opening.

e. Straddle dances are prohibited.

D Permitted Uses: The following business and service uses are permitted:

Any uses permitted in the B-3 general commercial district, except those permitted in the B-1 retail district.

Adult uses, including:

Adult cabaret;

Adult stores;

Adult theatres;

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Erotic dance schools;

Erotic dance studios;

Escort agencies;

Massage parlors;

Massage schools;

Massage services;

Uses similar to those above.

Assembly firms, without fabrication of completely fabricated parts.

Automobile repair garages.

Automobile undercoating service.

Automotive vehicle sales and leasing, new, including sales of used vehicles in conjunction therewith.

Bakeries, manufacturing of goods.

Beverage distributors.

Boat and marine showroom and sales.

Bottled gas dealers.

Bottling works.

Building material supplies, sales, and service.

Business, professional and governmental offices.

Contractor or construction offices and yards.

Dry cleaning establishments, central plant serving more than one retail outlet.

Electrical shops.

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Equipment rental and leasing service.

Funeral parlors.

Furnace supplies and service.

Furniture cleaning, upholstering and repair shops.

Glazing shops.

Greenhouses, retail sales.

Laundries, central plant serving more than one retail outlet.

Lawn mower sales and repair shops.

Linen, towel, diaper and similar supply services.

Machine shops.

Machinery sales.

Motorcycle sales, service and repair shops.

Music schools.

Nurseries, retail sales.

Personnel training centers.

Plumbing and heating showrooms and shops.

Printing, publishing, and lithography establishments.

Public services uses:

Electric substations, gas regulator stations.

Police and fire stations.

Public water towers, water works and wells.

Pumping stations and reservoirs.

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Other similar public service uses.

Roofing sales and service.

Schools, music, trade, vocational.

Sewer and septic tank cleaning and rodding service.

Sheet metal shops.

Sign contractors.

Snowmobile sales and service.

Swimming pool sales and service.

Trade schools.

Truck sales and service.

Undertaking establishments.

Vocational schools.

Warehouses.

Water softener service.

Welding shops.

Wholesale establishments.

Window cleaning firms.

Other permitted uses:

Accessory uses as defined in chapter 3 of this title.

Fences, in accordance with the provisions of chapter 3 of this title.

Off street parking and loading facilities, in accordance with the provisions of chapter 8 of this title.

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Signs, in accordance with the provisions of chapter 9 of this title.

E. Special Uses: Same Special Uses as are allowed by special use permit in the B-3 Commercial, Wholesale and General Service District except those special uses permitted in the B-1 Retail District.

F. Prohibited Uses: All uses not expressly authorized in subsections D & E are expressly prohibited.

G. Performance Standards: The provisions for performance standards shall be the same as those in the B-3 district.

H. Minimum Lot Size: A minimum of 3 acres for each permitted use. Minimum lot width 150'.

I. Required Yards:

- 1. Front Minimum: 50'**
- 2. Interior Side Yard: 50' from adjacent zoning lot**
- 3. Corner Side Yard: Structures a minimum of 100'**
- 4. Rear Yard: Minimum of 100'**
- 5. Transitional Yard: (Same as B-3)**

J. Lot Coverage: Not more than 30% by building or including accessory structures

K. Floor Area Ratio: Maximum FAR = 1.2

L. Special Provisions: The same special provisions listed for the B-3 District shall apply.

M. Performance Standards: The same performance standards listed for the B-3 District shall apply.

N. All remaining Standards: All remaining standards not otherwise listed in this section shall be the same as those listed for the B-3 District.

SECTION 5: That the City Clerk of the City of Prospect Heights be and is directed hereby to publish this Ordinance in pamphlet form, pursuant to the Statutes of the State of Illinois, made and provided.

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SECTION 6: If any provision of this Ordinance or application thereof to any person or circumstances 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 7: This Ordinance shall be in full force and effect upon its passage and approval as required by law.

PASSED and APPROVED this ____ day of ____, 2023.

Matt Dolick, Acting Mayor

ATTEST:

City Clerk

AYES:

NAYS:

ABSENT:

Published in pamphlet form:

Memorandum

To: Mayor Ludvigsen and City Council

From: Maciej Kempa – Chairman
Plan / Zoning Board of Appeals

Date: May 9, 2023

Subject: Recommendation for Map Amendment & Text Amendments

- A. Case No. PZBA -23-04 Map Amendment**
Applicant: City of Prospect Heights, Daniel A. Peterson, Director of Building & Development
Property Address: 79 & 81 E. Palatine Rd.
Hearing Dates: March 16, 2023 and April 27, 2023
- B. Case No. PZBA -23-05 Text Amendment**
Applicant: City of Prospect Heights, Daniel A. Peterson, Director of Building & Development
Property Address: 8 N. Elmhurst Rd.
Hearing Dates: March 16, 2023 and April 27, 2023

I. Purpose

Conduct public hearings to consider map amendment/rezoning of properties to the official Zoning Map, and Text Amendments to Title 5 Chapter 7 of the City's Zoning Code.

1. Delete in entirety the O-1 Office Research Park District
2. Rezoning of 79 & 81 E. Palatine Rd. from B-3 Commercial, Wholesale and General Service District to B-5 Commercial Industrial District
3. Delete entirety Title 5 Chapter 7 Section 1 Office Research Park District text
4. Add new Title 5 Chapter 7 Section 7 creating the text for the new B-5 Commercial Industrial District.

II. Comments and Testimonies

Director Peterson asked that the PZBA open both cases at the same time, as the testimony will support both cases. The PZBA will deliberate and act on each case separately. The PZBA opened both public hearings.

Director Peterson, applicant, testified that in June of 2022, the City Council approved Ordinance #O-22-18 disconnecting approximately 32 acres of City territory. The disconnected territory was the only territory within the City's O-1 Office Research Park District. Therefore, the zoning map amendment is necessary to depict the new City boundaries. He also stated that the regulations for Adult Sexually Oriented uses were contained in the O-1 District. Without the proper zoning map or text for Adult Sexually Oriented businesses, the City is exposed to a first amendment free speech challenge potential lawsuit.

Director Peterson presented an exhibit that identified 79 & 81 E. Palatine Rd. as the recommended location for the proposed new B-5 Commercial Industrial District. This location was identified after months of research of other possible locations within the city for rezoning. The proposed location is

bordered by the Chicago Executive Airport (CEA), Milwaukee Ave. to the east, Palatine Rd./Willow Rd. to the south. There are R-2 multi-family rental properties south of the highway. Palatine Rd. exits to the highway to the west and Milwaukee Ave. to the east limiting access to other areas of the City.

Director Peterson and Administrator Wade met with the CEA Executive Director Miller and Economic Development Director Sakas regarding the proposed location and both indicated no objections. Notification was sent to the apartment owners. Director Peterson testified that he met with the property owners of the properties proposed for rezoning who had no objection as long as it did not negatively impact their current operations. Only two of the multi-family building owners called and stated that there was no impact to their properties.

Director Peterson stated that he reviewed the current zoning map and major business corridors locate other potential areas. These areas zoned either B-1 Retail Business District, B-2 General Commercial and B-2A General Commercial Districts. These districts are located in close proximities to single-family residential properties, churches and schools. Not preferred locations for Adult Sexually Oriented businesses.

Director Peterson testified that the proposed map and text amendments were initiated by the City and not any property owner or applicant and was for the purpose to protect the City from potential risk of being forced to accept the use in any district and a potential federal lawsuit.

III. Board and Staff Comments

During the March 16, 2023 public hearing, Commissioner Saewert raised a number of concerns and asked for additional information. She also had a number of questions for the City attorney. Director Peterson indicated that information and the attorney would be available for the next regular meeting. The PZBA voted to table the hearings to the April 27, 2023 regular meeting date.

The PZBA reopened the public hearings on April 27, 2023. Director Peterson summarized the events of the March 16, 2023 hearing. He presented a survey of the neighboring communities and how they address the Adult Sexually Oriented uses in their municipalities.

Commissioner Saewert requested the attorney address the following items: Minimum lot sizes, Can there be a limit on the types of Adult Sexually Oriented businesses, risk if the City doesn't zone for these types of uses. Attorney Frenzer provided the legal opinion that the City can control the location of the uses. The City can not limit or restrict content and the ordinance can not be so restrictive as to effectively zone the use out. The risk would be a first amendment constitutional challenge.

Commissioner Patel asked if the existing business would continue to operate and potentially redevelop as currently zoned. Director Peterson stated yes.

Commissioner Patel stated that the location isolated the use from more sensitive area within the City. They commented on the restrictions about the proximity to other similar uses is provided in the text of the proposed amendment.

IV. Decisions and Findings

Chairman Kempa asked for a motion to accept into the record that the application, staff reports and testimony as finding of fact of compliance with the standards for Map and Text Amendments. Unanimously approved by 6-0 vote.

PZBA Case #23-04 MA: Chairman Kempa asked for a motion recommend approval of a Map Amendment deleting the O-1 Office Research Park in its entirety; and rezone the properties located at 79 & 81 E. Palatine Rd. from B-3 Commercial, Wholesale, and General Service District to B-5 Commercial Industrial District. The motion was made, seconded and approved by a 5-1 vote.

PZBA Case #23-05 TA: Chairman Kempa asked for a motion to recommend approval of a Text Amendment to Title 5 Chapter 7 deleting Section 1 deleting the O-1 Office Research Park in its entirety; and add Section 7: B-5 Commercial Industrial District. The motion was made, seconded and approved by a 6-0 vote.

Respectfully Submitted



City of Prospect Heights

Department of Engineering
8 North Elmhurst Road, Prospect Heights Illinois, 60070-6070
Office: 847/398-6070 x 210-FAX: 847/590-1854
www.prospect-heights.il.us

June 6, 2023

Mr. Joe Wade, City Administrator
City of Prospect Heights
8 N. Elmhurst Road
Prospect Heights, IL 60070

Re: 214 S. Wheeling Road - Residential Building Demolition
Bid Recommendation

Dear Mr. Wade:

The City received three bids for this project on May 23, 2023 at 10:30 AM. We have reviewed all bids received and the qualifications of the bidders. The bids ranged from \$25,950.00 to \$56,588.00. A detailed tabulation of all bids is attached.

The low bid of \$25,950.00 was received from Arkana, Inc. We have not previously worked with this company, but they have completed similar demolition projects in the past and their project references provided very positive feedback regarding their performance..

We recommend award of the contract to Arkana, Inc., at the lump sum price of \$25,950.00. We further recommend that the Council allow for a 10% contingency for unforeseen underground conditions that may arise during the project.

Please feel free to contact me with any questions or comments.

Sincerely,

A handwritten signature in black ink, reading 'Daniel J. Strahan'.

Daniel J. Strahan, P.E., CFM
City Engineer

cc: Mark Roscoe, PW Director
Brian Sears, GHA

Client:	City of Prospect Heights	Bid Opening Date:	5/23/2023
Project:	214 S. Wheeling Rd Residential Building Demolition	Bid Opening Time:	10:30 AM
GHA Project No:	4755.068	Bid Opening Location:	City of Prospect Heights, 8 N Elmhurst Rd
Project Manager:	Dan Strahan		

				Engineer's Estimate of Probable Cost		BID TABULATION					
						Arkana Inc.		Fowler Enterprises LLC		DK Contractors, Inc.	
Item No.	Description	Qty	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
	Lump Sum	1.0	LSUM		\$0.00	\$25,950.00	\$25,950.00	\$26,850.00	\$26,850.00	\$56,588.00	\$56,588.00
Total Bid					\$0.00	\$25,950.00		\$26,850.00		\$56,588.00	

RESOLUTION NO. R-23-12

A Resolution Accepting Bids and Authorizing Contract Award with Arkana, Inc. for the Demolition of the Residential Building at 214 S. Wheeling Road, Prospect Heights

WHEREAS, the City of Prospect Heights participated in the Metropolitan Water Reclamation District's Flood Prone Property Acquisition Program; and

WHEREAS, as part of the program, the City of Prospect Heights purchased the property at 214 S. Wheeling Road to be demolished to increase green space in our local floodway; and

WHEREAS, after reviewing all received bids for the demolition of the property at 214 S. Wheeling Road, the City Engineer and City Staff assessed that Arkana, Inc. is the lowest reliable bidder and is recommending Council accept their bid of \$25,950.00 and allow for an additional 10% contingency for unforeseen underground conditions that may arise.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Prospect Heights, Cook County, Illinois as follows:

Section One: That the Bids and Staff recommendation (attached hereto as Exhibit A) for the demolition of the property at 214 S. Wheeling Road is hereby approved and accepted.

Section Two: That the City Administrator, or his designee, is authorized to take all necessary steps to implement this Resolution.

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

PASSED AND APPROVED this 12th day of June, 2023

ATTEST:

Pat Ludvigsen, City Mayor

City Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Exhibit A

Bid Results for Demolition of the Property at 214 S. Wheeling Road

The Honorable Patrick Ludvigsen

City of Prospect Heights

8 N. Elmhurst Road

Prospect Heights, Illinois

RE: 1307 Williams Way – Waiver of 1st Reading

Mayor Ludvigsen,

I am respectfully requesting a waiver of the 1st Reading of the ordinance granting approval to allow a partial encroachment up to a maximum of 20' into the required corner yard setback to construct a fence for the property located at 1307 Williams Way which passed unanimously at the City's Planning and Zoning Board of Appeals at their regular meeting on May, 24, 2023.

My family and I are eager to get the fence up to make our property safer for our kids. Summer is here and we hope to take advantage of the nice weather in our yard. Though two weeks may not seem like a substantial amount of time, it allows us to start allowing the property to be safer to allow our children to play in the backyard without us worrying they will go roaming onto Rand Road or the neighboring water retention pond behind the storage facility. If you need any more information, I am available to discuss.

Sincerely,

Victor Bompreszi

ORDINANCE NO. O-23-15**AN ORDINANCE GRANTING CERTAIN VARIATIONS FOR
THE PROPERTY AT
1307 Williams Way, PROSPECT HEIGHTS, ILLINOIS**

WHEREAS, the provisions of the Prospect Heights Zoning Ordinance applicable to the property legally described in Exhibit A attached hereto (hereinafter “Property”) and commonly known as 1307 Williams Way prescribe that the property has a 25’ corner side yard setback, and

WHEREAS, the owner of the Property has submitted for consideration of a petition for variation to encroach into the required corner side yard setback up to a maximum of 20’ for the construction of a fence per Section 5-3-4 H1f of the City of Prospect Heights Zoning Code in the City’s R-1 Single Family Residential District; and

WHEREAS, the Plan/Zoning Board of Appeals held a public hearing on May 25, 2023 regarding said application; and

WHEREAS, the Plan/Zoning Board of Appeals has recommended the Requested Variation for and has made the necessary finding therefore; and

WHEREAS, the Mayor and City Council have reviewed the recommendation of the Plan/Zoning Board of Appeals;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COOK COUNTY, ILLINOIS as follows:

Section 1. The City Council hereby finds and determines that the facts set forth in the preamble hereto are true and correct and hereby incorporates them as part of this Ordinance.

Section 2. The Requested Variation is hereby granted.

Section 3. The shall be constructed substantially in accordance with the approved plans, documents and testimony submitted at the public hearing on this matter and with applicable codes as represented on Exhibit C.

Section 5. That this Ordinance and all exhibits attached hereto shall be recorded at the Cook County Recorder's Office at the expense of the Owners.

Section 5. The City Clerk is directed to publish this ordinance in pamphlet form and this Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED AND APPROVED this _____ of June 2023.

Patrick Ludvigsen, Mayor

ATTEST:

Joanna Prisiajniouk, City Clerk

AYES:

NAYS:

ABSENT:

Published in pamphlet form: June _____, 2023

Exhibit A

Legal Description for 1307 Williams Way, Prospect Heights, IL

LOT 4 IN GRUBER'S SUBDIVISION BEING A SUBDIVISION OF LOT 11 IN C. H. TAYLOR'S SECOND ARLINGTON HEIGHTS ACRES, BEING A SUBDIVISION OF THAT PART OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF RAND ROAD, IN COOK COUNTY, ILLINOIS.

PIN #: 03-21-304-027-0000

Exhibit B

Plat of Survey (PZBA Exhibit 3)

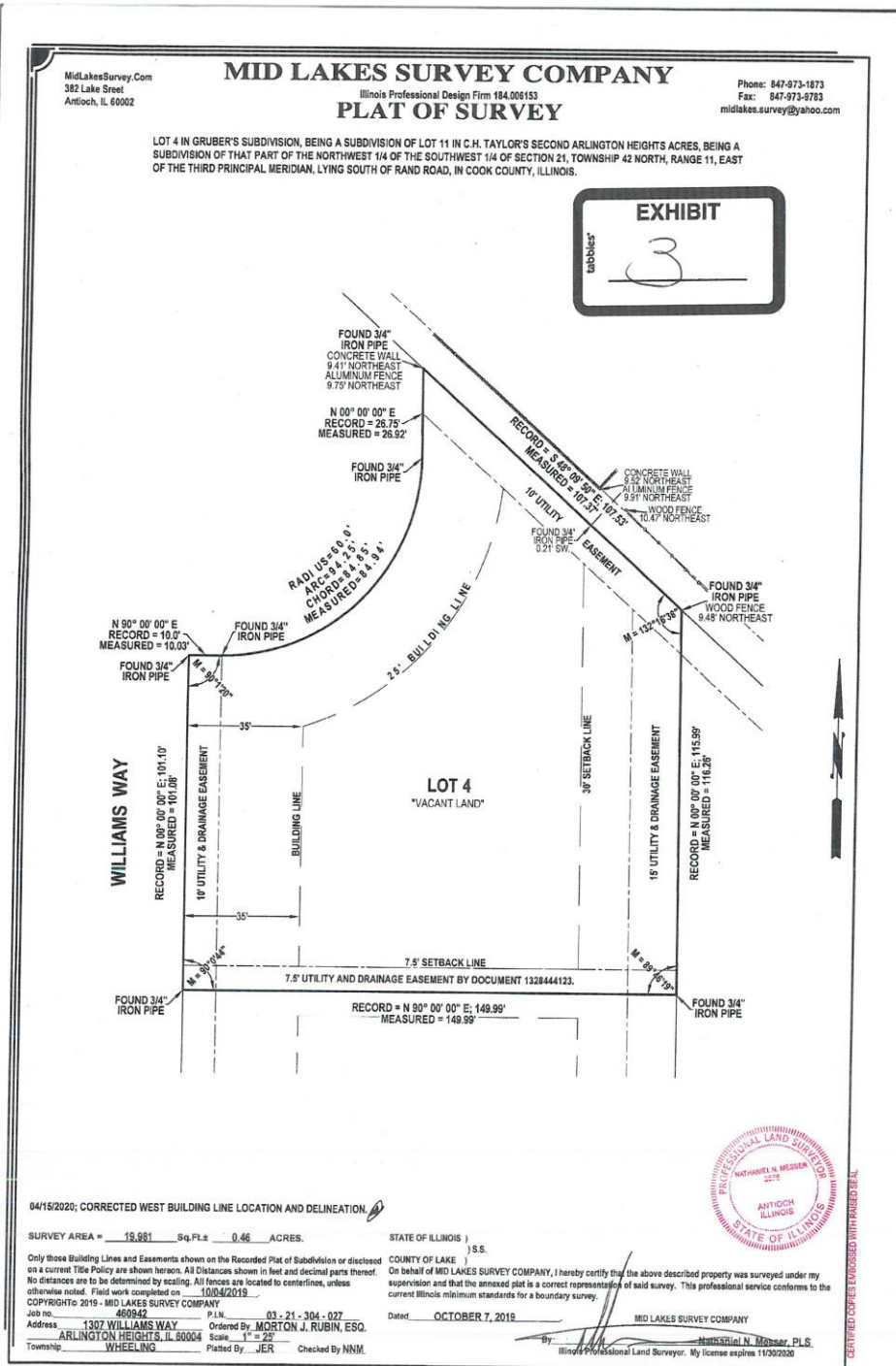
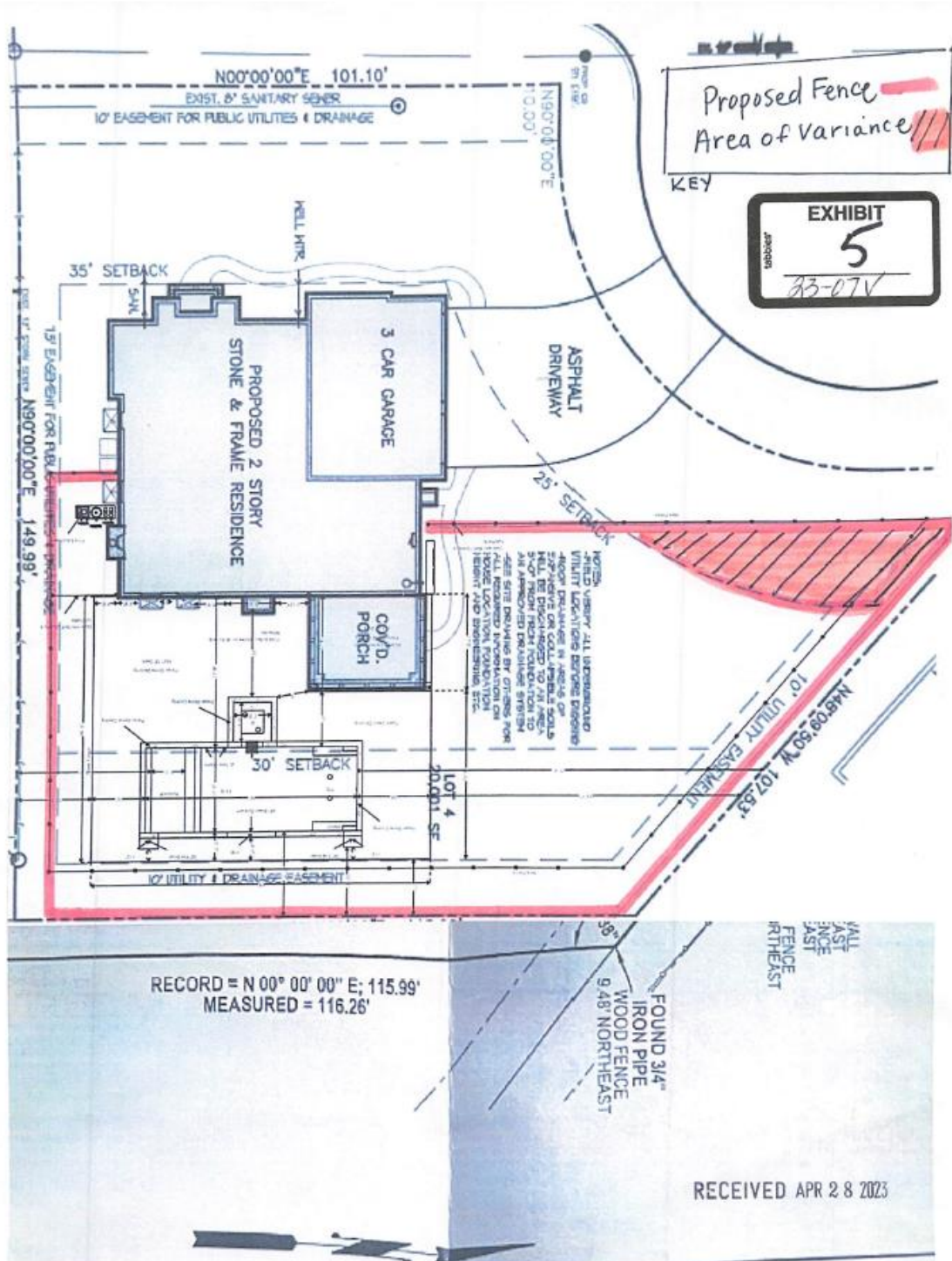


Exhibit C

1307 Williams Way – Variance Request Exhibit

PZBA Case #23-07 V Exhibit #5



ORDINANCE NO. O-23-16
An Ordinance Amending Title 2
of the Prospect Heights City Code
(Liquor Licenses)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COOK COUNTY, ILLINOIS as follows:

Section 1. That Title 2, Chapter 3, Section 9, “Licenses: Classes, Fees, Limitations on Number and Hours of Operation,” of the Prospect Heights City Code, as amended, is hereby further amended by deleting the following strikethrough text and adding the following underlined text to read as follows:

Class Of License	Annual Fee	Limitation On Number	Monday Through Thursday	Friday	Saturday	Sunday
C-3	\$1,850.00	4 <u>5</u>	8:00 A.M. to 12:00 midnight	8:00 A.M. to 1:00 A.M. Saturday	8:00 A.M. to 1:00 A.M. Sunday	8:00 A.M. to 12:00 midnight following

Section 2: This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED and APPROVED this _____ day of June, 2023.

Patrick Ludvigsen, Mayor

ATTEST:

Deputy Clerk Schultheis

AYES: _____

NAYS: _____

ABSENT: _____

Current Liquor Licenses 6-01-2023

Class Of License	Annual Fee	Number of Licenses	Establishment	Monday Through Thursday	Friday	Saturday	Sunday
A On premises liquor * Retail sale of liquor to hotel guests	\$3,700.00	8	Atlantis Banquets Hilton Hotel* Player's Pub & Grill Ramada Tap House* Union Ale House Delta by Marriott* El Paisa Alegre Taco Maya	8:00 A.M. to 2:00 A.M. following	8:00 A.M. to 3:00 A.M. Saturday	8:00 A.M. to 3:00 A.M. Sunday	12:00 noon to 2:00 A.M. following
A-1 On premises liquor	\$1,850.00	0	None	12:00 noon to 12:00 midnight	12:00 noon to 12:00 midnight	12:00 noon to 12:00 midnight	
A-2 On premises liquor	\$4,950.00	1	Rocky Vanders	8:00 A.M. to 4:00 A.M. following ¹	8:00 A.M. to 4:00 A.M. Saturday	8:00 A.M. to 4:00 A.M. Sunday	12:00 noon to 3:00 A.M. following
A-3 On premises liquor	\$4,500.00	1	House of Music and Entertainment	8:00 A.M. to 3:00 A.M. following	8:00 A.M. to 4:00 A.M. Saturday	8:00 A.M. to 4:00 A.M. Sunday	12:00 noon to 3:00 A.M. following
B Retail sale of liquor	\$2,500.00	6	Aldi Coachlite Liquors Palwaukee Liquors S&G Food & Liquors Conv. Food & Beer Garfield's	8:00 A.M. to 12:00 midnight	8:00 A.M. to 12:00 midnight	8:00 A.M. to 12:00 midnight	8:00 A.M. to 12:00 midnight
B-1 Retail sale of beer / wine	\$2,200.00	2	Mobil (Rebel) Thornton's	7:00 A.M. to 12:00 midnight	7:00 A.M. to 12:00 midnight	7:00 A.M. to 12:00 midnight	7:00 A.M. to 12:00 midnight
B-2 Retail sale of beer / wine	\$2,500.00	1	Walgreens	8:00 A.M. to 2:00 A.M. following	8:00 A.M. to 2:00 A.M. Saturday	8:00 A.M. to 2:00 A.M. Sunday	12:00 noon to 2:00 A.M. following
B-3 Retail sale of beer / wine	\$2,500.00	1	Tony's Finer Foods	7:00 A.M. to 12:00 midnight	7:00 A.M. to 12:00 midnight	7:00 A.M. to 12:00 midnight	7:00 A.M. to 12:00 midnight
C On premises liquor	\$3,700.00	3	Naomi Sushi Gabin Café Lola's Pizza Palace	8:00 A.M. to 2:00 A.M. following	8:00 A.M. to 3:00 A.M. Saturday	8:00 A.M. to 3:00 A.M. Sunday	12:00 noon to 2:00 A.M. following
C-1 On premises beer / wine	\$1,850.00	5	Monica's Restaurant Jin 28 Seoul Billiards Fry the Coop Pizza Pavia	8:00 A.M. to 2:00 A.M. following	8:00 A.M. to 3:00 A.M. Saturday	8:00 A.M. to 3:00 A.M. Sunday	12:00 noon to 2:00 A.M. following
C-3 On premises beer / wine	\$1,850.00	4	Penny's Elsie's Stella's Eggcelence	8:00 A.M. to 12:00 midnight	8:00 A.M. to 1:00 A.M. Saturday	8:00 A.M. to 1:00 A.M. Sunday	8:00 A.M. to 12:00 midnight following
D On premises liquor	0.00	1	River Trails Park District	8:00 A.M. to 2:00 A.M. following	8:00 A.M. to 3:00 A.M. Saturday	8:00 A.M. to 3:00 A.M. Sunday	11:00 A.M. to 2:00 A.M. following
Daily	\$55.00 fee plus	\$100 to \$1,000 deposit ²					
SB	\$500.00	2	Rocky Vanders Hilton Hotel				9:00 A.M. to 12:00 noon
P Packaged Liquor add on	\$100.00	# of primary licenses		Same hours as primary license	Same hours as primary license	Same hours as primary license	Same hours as primary license



To: Mayor Ludvigsen and Members of the City Council

From: Joe Wade, City Administrator

Subject: Ordinance Amending City Code Regarding Hotel Operators' Occupation Tax

Date: June 7, 2023

Background

Recently, City staff became aware of an exemption for the collection of hotel/motel tax for individuals occupying a hotel/motel room for more than 30 consecutive days. Specifically, the City Code has stated:

"Accommodations within said buildings or structures which are leased to the same occupant for a period of more than thirty (30) consecutive days shall be exempt from the tax provisions of this article."

Analysis

This exemption eliminates the payment of hotel/motel taxes for individuals staying in a room for more than 30 days. The exemption is puzzling as there is no difference of the City's interest of 30 individuals renting a room over 30 days and one individual renting a room for 30 days. The City's interest isn't who or how many individuals rent a room, but the rental of the room itself.

Theoretically, hotel/motel taxes are intended to address demands on City services related to travelers staying in the town. If competitive discounts are needed for longer-term occupants, it seems that should be between the hotel and the customer.

As a non-home rule community, the loss is minimized. The City's Tourism District ordinance provides that forty-two per cent of collected hotel/motel taxes are returned to the hotel, forty-two per cent to police service and 15 per cent for streetscapes and road repair.

There is no fundamental fairness to exempting some from this obligation while it is borne by others.

Recommendation

Staff recommends the deletion of this exempt status from the hotel/motel tax ordinance.

ORDINANCE NO. O-23-17

**AN ORDINANCE AMENDING THE CITY CODE, CHAPTER 2
ARTICLE 2 SECTION 7 REGARDING HOTEL OPERATORS' OCCUPATION TAX**

WHEREAS, the City of Prospect Heights ("City") is an Illinois Municipal Corporation pursuant to the Illinois Constitution of 1970 and the Statutes of the State of Illinois; and

WHEREAS, the City has enacted a City Code for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and

WHEREAS, the City of Prospect Heights, pursuant to law, presently has in effect certain provisions in regard to a hotel/motel rental unit tax within the City Code in Section 2-2-7; and

WHEREAS, the City Council of the City deems it to be an appropriate exercise of the municipal corporate authority of the City granted by the Illinois Constitution and relevant statutes, including, but not necessarily limited to, the power to impose utility taxes and the power to promote and protect the public health, safety and welfare to amend the present hotel/motel and transient occupancy rental unit tax as provided herein; and

WHEREAS, the Mayor and City Council have determined that the amendment of the Code promotes and furthers the public health, safety, comfort, convenience and general welfare of the people;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COOK COUNTY, ILLINOIS as follows:

SECTION ONE. The City Council hereby finds and determines that the facts and statements set forth in the above recitals are true and correct, and do hereby, by reference, incorporate and make them a part of this ordinance.

SECTION TWO. That the purposes of this ordinance shall include amending Chapter 2 Article 2 Section 7A and 7B of the City Code as provided herein.

SECTION THREE. That prospectively, 2-2-7A and 2-2-7B of the City Code of the City of Prospect Heights are hereby amended, with deletions in strikethrough and additions in bold, underline text, which shall prospectively provide as follows:

2-2-7: HOTEL OPERATORS' OCCUPATION TAX:

A. Definitions:

Certain words or terms herein shall have the meaning ascribed to them as follows:

FACILITATOR:	Any person or entity who provides a means through which a person may book a hotel room and/or transient occupancy rental unit to lessees, regardless of whether payment is transferred through or processed by such facilitator. Facilitators are considered lessors, as used herein.
GROSS RENT:	The total amount of consideration for occupancy, valued in money, whether received in money or otherwise, including all receipts, cash, credits, and property or services of any kind or nature, including but not limited to, amounts charged for the making, booking, facilitating or servicing of reservations. Gross rent means both (a) the "net rate" paid to the hotel or motel by a Facilitator for room occupancy by the consumer; and (b) the amount retained by the Facilitator for travel-related services provided to the consumer (sometimes referred to as a "facilitation fee"), and any additional amounts retained by the Facilitator as compensation for its services to the consumer for the individual transaction, or, in the instance of a consumer's direct rental of a room with the hotel or motel, gross rent shall mean the amount charged by the hotel or motel directly to the consumer for the occupancy of the room.
HOTEL:	A structure kept, used or maintained as or advertised or held out to the public to be an inn, motel, hotel, apartment, home, lodging house, dormitory or place where sleeping, rooming, office, conference or exhibition accommodations are furnished for lease or rent, whether with or without meals. For avoidance of doubt, transient occupancy rental units are hotels under this definition.
LESSEE:	Any person who pays for the privilege of occupying all or part of a hotel.
LESSOR:	Any person having a sufficient proprietary interest in conducting the operation of a hotel or receiving the consideration for the rental of all or part of such hotel, so as to entitle such person to all or a portion of the net receipts thereof, including facilitators, as defined herein.
ONLINE TRAVEL COMPANY:	An organization that books, reserves, or rents hotel or motel rooms and makes other travel arrangements for consumers via the World Wide Web, internet or other digital means. Online travel companies are considered facilitators, as used herein.
PERMANENT RESIDENT:	Any person who has occupied or has the right to occupy all or part of a hotel for more than (30) consecutive days.
PERSON:	Any natural person, receiver, administrator, executor, conservator, assignee, trust in perpetuity, trust, estate, firm, co-partnership, joint venture, club, company, business trust, domestic or foreign corporation, association, syndicate, society or any group of

	individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, whenever the term "person" is used in any clause prescribing and imposing a penalty, the term as applied to associations shall mean the owners or part-owners thereof, and as applied to corporations, the offices thereof, or any other entity recognized by law as the subject of rights and duties.
TRANSIENT OCCUPANCY RENTAL UNIT:	A dwelling unit or a habitable unit that is offered, in whole or in part, for rent, lease or hire that is rented, leased or hired for which a lessor receives consideration from a person for a period of thirty (30) days or less and that person has the right to use, occupy or possess all or part of the dwelling unit or habitable unit for said period.

B. Hotel Use Tax Imposed:

1. There is levied and imposed a tax of five percent (5%) of the gross rent charged for the privilege and use of renting a hotel room within the City for each twenty-four (24) hour period or any portion thereof for which a room charge is made.

~~2. Accommodations within said buildings or structures which are leased to the same occupant for a period of more than thirty (30) consecutive days shall be exempt from the tax provisions of this article.~~

~~—3.~~ Lessors renting or leasing hotel rooms within the City are required to collect the hotel use tax; however, the ultimate incidence of any liability for payment of the tax is to be borne by the lessee.

34. The hotel use tax shall be paid in addition to any and all other taxes and charges.

45. It shall be the duty of every lessor of every hotel within the City to separately state such tax at the five (5) percent rate upon the total amount of compensation charged for the use of the hotel. The lessor shall also state separately the amount of tax on the invoice for the transaction that will be tendered to the Lessee.

56. It shall be the duty of every lessor of every hotel within the City to collect the tax from the lessee at the time the lessee pays for the privilege of occupying all or part of a hotel transient occupancy rental unit, and to remit to the City the tax under procedures provided for in this chapter or otherwise prescribed by the City. If more than one person is the lessor as related to a particular transaction, the lessors are jointly and severally responsible for collecting and remitting the tax.

67. It shall not be a defense to this ordinance that the lessor is not licensed by the City to rent hotels and the lessor will still be required to remit the proper tax to the City.

78. All funds collected by the City under this tax shall be expended solely to promote tourism and conventions within the City or otherwise to attract nonresident overnight visitors to the municipality. No funds received under this tax shall be used to advertise for or otherwise promote new competition in the hotel business within the City.

SECTION FOUR. If any provision of this Ordinance or application thereof to any person or circumstances 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 FIVE. That this ordinance shall be liberally construed and administered to supplement all of the City tax ordinances. To the extent that any ordinance is in conflict with or inconsistent with this ordinance, this ordinance shall be controlling.

SECTION SIX. The City Clerk of the City of Prospect Heights is directed hereby to publish this Ordinance in pamphlet form.

SECTION SEVEN. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

PASSED and APPROVED this 26th day of June, 2023.

ATTEST:

Patrick Ludvigsen, Mayor

Deputy City Clerk Schultheis

AYES: _____

NAYS: _____

ABSENT: _____

Published in pamphlet form: _____

**CITY OF PROSPECT HEIGHTS
WARRANT LIST SUMMARY
6/12/2023**

Checks

General Fund	\$ 144,104.07
Motor Fuel Tax Fund	-
Palatine/Milwaukee Tax Increment Financing District	-
Tourism District	14,369.94
Solid Waste Fund	-
Drug Enforcement Agency Fund	1,445.18
Palatine Road Tax Increment Financing	595.18
Special Service Area #1	-
Special Service Area #2	-
Special Service Area #3	-
Special Service Area #4	-
Special Service Area #5	99.42
Special Service Area-Constr#6(Water Main)	-
Special Service Area #8 - Levee Wall #37	127.05
Capital Improvements	15,478.88
Special Service Area-Debt#6	19,366.25
Road Construction Debt	-
Water Fund	107,536.14
Parking Fund	195.55
Sanitary Sewer Fund	11,909.29
Road/Building Bond Escrow	2,934.59
Police Pension	-

TOTAL \$ 318,161.54

Wire Payments

06/02/23 PAYROLL	\$ 181,051.55
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TOTAL WARRANT

\$ 499,213.09

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.

Vendor Name	Invoice Number	Description	Invoice Date	GL Account Number	Net Invoice Amt	Amount Paid	Date Paid
AZAVAR AUDIT SOLUTIONS	156978	SALES TAX AUDIT	06/05/2023	01-110-3110	905.00	.00	
Total AZAVAR AUDIT SOLUTIONS:					905.00	.00	
BANK OF AMERICA	1W1FUQAJN2	DEBT SERVICE JUN 23	05/18/2023	01-400-6010	3,689.97	.00	
Total BANK OF AMERICA:					3,689.97	.00	
Barbara Sawicka	06.06.23 REFN	RENTAL UNIT QUIT CLAIM DEE	06/06/2023	01-130-3411	125.00	.00	
Total Barbara Sawicka:					125.00	.00	
BLACKBURN MFG. CO.	0707200-IN	SEWER FLAGS - LOCATES	05/30/2023	53-300-5050	235.60	.00	
Total BLACKBURN MFG. CO.:					235.60	.00	
CANON FINANCIAL SERVICES	30610772	JUNE 23 CH COPIER	06/01/2023	01-340-7020	198.97	.00	
Total CANON FINANCIAL SERVICES:					198.97	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 NAVY PIER P	05/19/2023	01-320-5330	37.00	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 HORIZON	05/19/2023	01-310-5960	278.26	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COSTCO	05/19/2023	01-320-5700	36.03	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 CROWN TRO	05/19/2023	01-310-5300	53.00	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 ULINE	05/19/2023	01-350-5710	379.84	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-350-5710	145.96	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 INTERPARK	05/19/2023	01-340-5100	38.00	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COMCAST	05/19/2023	51-300-5410	99.95	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COSTCO	05/19/2023	01-350-5700	74.98	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 NORTHERN	05/19/2023	01-350-5020	194.96	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 TONY'S	05/19/2023	01-310-5300	72.88	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 SP ULTRA	05/19/2023	01-350-5020	1,004.89	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COMCAST	05/19/2023	01-350-5410	169.90	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 HANES GEO	05/19/2023	01-310-5960	3,233.00	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COMCAST	05/19/2023	01-320-5410	211.25	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-310-5950	31.18	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COMCAST	05/19/2023	01-320-5410	184.90	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COOK CO R	05/19/2023	01-340-5100	89.85	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-350-5020	285.50	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 FORESTRY	05/19/2023	01-310-5960	184.35	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COMCAST	05/19/2023	52-300-5410	129.90	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COSTCO	05/19/2023	01-360-5700	61.98	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 ZOOM	05/19/2023	01-310-5300	50.00	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 MICHAELS	05/19/2023	01-310-5100	179.70	.00	
CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 OFFICE DEP	05/19/2023	01-340-5700	51.79	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 IACP	05/19/2023	16-300-5330	425.00	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 BOUNCIE	05/19/2023	01-350-7025	16.00	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 HOME DEPO	05/19/2023	01-360-5710	167.94	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 NATIONAL D	05/19/2023	01-360-5741	50.51	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 THORNTONS	05/19/2023	01-350-5751	159.09	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-350-5710	174.69	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	18.66	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 GRILL 12	05/19/2023	01-360-5330	47.21	.00	

Vendor Name	Invoice Number	Description	Invoice Date	GL Account Number	Net Invoice Amt	Amount Paid	Date Paid
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 FASTSIGNS	05/19/2023	01-350-5721	117.00	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-350-5650	29.52	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	47.99	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 R&B	05/19/2023	01-350-5330	350.00	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	7.99	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	16.49	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-350-5650	23.62	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 OTC BRAND	05/19/2023	01-360-5710	43.14	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	8.95	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5700	20.82	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	7.99	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5700	40.33	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	61.76	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-350-5650	201.35	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-350-5710	8.99	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	9.99	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	54.00	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	57.67	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 RACEWAY R	05/19/2023	01-360-5610	12.00-	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 IACP	05/19/2023	16-300-5330	425.00	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 NORTHERN	05/19/2023	01-350-5710	229.99	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 COSTCO	05/19/2023	01-360-5710	58.98	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-310-7020	100.47	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	20.79	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5740	139.99	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-350-5650	169.59	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5700	5.93	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-350-5721	94.99	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	57.74	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 LBP LAW	05/19/2023	01-360-5100	100.00	.00	
CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	01-360-5710	54.18	.00	
Total CARDMEMBER SERVICE:					10,891.40	.00	
CHICAGO PARTS AND SOUND L	1-0358776	SQUAD PARTS 505	06/01/2023	01-350-5020	420.95	.00	
CHICAGO PARTS AND SOUND L	1-0358777	SQUAD PARTS	06/01/2023	01-350-5020	279.00	.00	
Total CHICAGO PARTS AND SOUND LLC:					699.95	.00	
CHI-TOWN CLEANING SERVICE	23-0237	CUSTODIAL - MAY 2023	05/31/2023	01-350-5104	1,173.50	.00	
Total CHI-TOWN CLEANING SERVICES:					1,173.50	.00	
CONSTELLATION NEWENERGY	65212786501	APR-MAY 23 Elelctric	05/28/2023	25-300-5050	99.42	.00	
CONSTELLATION NEWENERGY	65212786501	APR-MAY 23 Elelctric	05/28/2023	01-350-5411	74.11	.00	
CONSTELLATION NEWENERGY	65212786501	APR-MAY 23 Elelctric	05/28/2023	01-350-5411	365.51-	.00	
CONSTELLATION NEWENERGY	65212786501	APR-MAY 23 Elelctric	05/28/2023	51-300-5410	1,545.46	.00	
CONSTELLATION NEWENERGY	65212786501	APR-MAY 23 Elelctric	05/28/2023	01-350-5411	250.83	.00	
Total CONSTELLATION NEWENERGY INC.:					1,604.31	.00	
DACRA TECH LLC	DT2023-04-16	MONTHLY SERVC FEE APRIL23	04/30/2023	01-360-5100	239.75	.00	
DACRA TECH LLC	DT2023-05-04	MAY 23 MONTHLY SERVICE FE	05/31/2023	01-360-5100	261.25	.00	
DACRA TECH LLC	DT2023-05-66	ANNUAL SERV FEE 06.01.23-05.	05/31/2023	01-360-5100	1,092.02	.00	
Total DACRA TECH LLC:					1,593.02	.00	
DAILY HERALD	252571	HMA NOTICE	05/29/2023	01-320-5222	79.65	.00	

Vendor Name	Invoice Number	Description	Invoice Date	GL Account Number	Net Invoice Amt	Amount Paid	Date Paid
Total DAILY HERALD:					79.65	.00	
DEKIND COMPUTER CONSULT	36091	JUL 23 COMP CONSULT	06/01/2023	01-360-5100	1,404.00	.00	
DEKIND COMPUTER CONSULT	36091	JUL 23 COMP CONSULT	06/01/2023	53-300-5100	526.50	.00	
DEKIND COMPUTER CONSULT	36091	JUL 23 COMP CONSULT	06/01/2023	51-300-5100	702.00	.00	
DEKIND COMPUTER CONSULT	36091	JUL 23 COMP CONSULT	06/01/2023	01-320-5130	526.50	.00	
DEKIND COMPUTER CONSULT	36091	JUL 23 COMP CONSULT	06/01/2023	01-350-5100	351.00	.00	
DEKIND COMPUTER CONSULT	36239	MAY 23 TRIP CHARGES	06/01/2023	01-320-5130	120.00	.00	
Total DEKIND COMPUTER CONSULTANTS:					3,630.00	.00	
DU BOIS PAVING CO	08.22.14 04336	CONCRETE REPAIRS ROB ROY	06/05/2023	72-000-2310	2,000.00	.00	
Total DU BOIS PAVING CO:					2,000.00	.00	
FOX VALLEY FIRE & SAFETY C	IN00603476	FIRE ALARM SERVICE CH	05/30/2023	01-350-5100	195.00	.00	
Total FOX VALLEY FIRE & SAFETY CO. INC.:					195.00	.00	
GEWALT HAMILTON ASSOCIAT	4755.180-11	WOLF RD SW #11	05/22/2023	30-550-7060	8,443.61	.00	
GEWALT HAMILTON ASSOCIAT	4755.210-5	CAMP MCDONALD RD PH 1 AP	05/31/2023	30-550-7060	7,035.27	.00	
Total GEWALT HAMILTON ASSOCIATES INC.:					15,478.88	.00	
HILTON - CHICAGO/NORTHBRO	02.2023-04.20	TOURISM GRANT 02.2023-04.20	05/31/2023	13-300-5920	13,338.00	.00	
Total HILTON - CHICAGO/NORTHBROOK:					13,338.00	.00	
HOME DEPOT CREDIT SERVIC	05/28/23	HARDWARE PARTS	05/28/2023	01-350-5710	19.98	.00	
HOME DEPOT CREDIT SERVIC	05/28/23	HARDWARE PARTS	05/28/2023	28-300-5710	72.55	.00	
HOME DEPOT CREDIT SERVIC	05/28/23	HARDWARE PARTS	05/28/2023	01-350-5710	28.91	.00	
HOME DEPOT CREDIT SERVIC	05/28/23	HARDWARE PARTS	05/28/2023	01-350-5710	3.10	.00	
HOME DEPOT CREDIT SERVIC	05/28/23	HARDWARE PARTS	05/28/2023	28-300-5710	54.50	.00	
Total HOME DEPOT CREDIT SERVICES:					179.04	.00	
ILLINOIS RURAL WATER ASSO	35761	IRWA MEMBERSHIP 23/24	05/24/2023	51-300-5310	539.00	.00	
Total ILLINOIS RURAL WATER ASSOCIATION:					539.00	.00	
ILLINOIS-AMERICAN WATER C	06/01/23	401 PIPER JUNE 23	06/01/2023	01-350-5410	46.63	.00	
ILLINOIS-AMERICAN WATER C	06/01/23B	401 PIPER MAY 23	06/01/2023	01-350-5410	208.79	.00	
ILLINOIS-AMERICAN WATER C	06/01/23C	1250 S RIVER MAY 23	06/01/2023	13-300-5108	243.81	.00	
ILLINOIS-AMERICAN WATER C	06/01/23D	700 N MILWKE MAY 23	03/01/2023	13-300-5108	192.95	.00	
Total ILLINOIS-AMERICAN WATER CO.:					692.18	.00	
INNOVATIVE TELEPHONE & DA	700940	JUN 23 PHONES	06/01/2023	01-350-5410	198.27	.00	
INNOVATIVE TELEPHONE & DA	700940	JUN 23 PHONES	06/01/2023	01-360-5410	616.19	.00	
INNOVATIVE TELEPHONE & DA	700940	JUN 23 PHONES	06/01/2023	01-320-5410	514.14	.00	
INNOVATIVE TELEPHONE & DA	700940	JUN 23 PHONES	06/01/2023	51-300-5412	22.02	.00	
Total INNOVATIVE TELEPHONE & DATA SOLUTION:					1,350.62	.00	
IUOE LOCAL 150 ADMIN	150 A 05/05/23	IUOE 150 ADMIN 05/05/23	05/05/2023	01-000-2050	60.00	.00	
IUOE LOCAL 150 ADMIN	150 A 05/19/23	IUOE 150 ADMIN 05/19/23	05/19/2023	01-000-2050	60.00	.00	

Vendor Name	Invoice Number	Description	Invoice Date	GL Account Number	Net Invoice Amt	Amount Paid	Date Paid
Total IUOE LOCAL 150 ADMIN:					120.00	.00	
IUOE LOCAL 150 MEMBERSHIP	150 M 05/05/23	IUOE 150 MEMBER 05/05/23	05/05/2023	01-000-2050	305.54	.00	
IUOE LOCAL 150 MEMBERSHIP	150 M 05/19/23	IUOE 150 MEMBER 05/19/23	05/19/2023	01-000-2050	305.54	.00	
Total IUOE LOCAL 150 MEMBERSHIP:					611.08	.00	
JEFFREY L BAUREIS	05/23/23	ELECTRICAL INSPECTIONS 01/	05/23/2023	01-340-5100	1,861.50	.00	
Total JEFFREY L BAUREIS:					1,861.50	.00	
JG UNIFORMS INC	116617	POLICE OFFICER BADGE	06/01/2023	01-360-5741	118.00	.00	
Total JG UNIFORMS INC:					118.00	.00	
KEVIN LANGE	041623UNIFR	UNIFORM ALLOWANCE	04/28/2023	01-360-5741	194.29	.00	
Total KEVIN LANGE:					194.29	.00	
LAUTERBACH & AMEN LLP	79077	MAY 23 FINANCIAL SERVICE	06/02/2023	13-300-5102	595.18	.00	
LAUTERBACH & AMEN LLP	79077	MAY 23 FINANCIAL SERVICE	06/02/2023	53-300-5102	7,499.19	.00	
LAUTERBACH & AMEN LLP	79077	MAY 23 FINANCIAL SERVICE	06/02/2023	16-300-5100	595.18	.00	
LAUTERBACH & AMEN LLP	79077	MAY 23 FINANCIAL SERVICE	06/02/2023	01-322-5102	10,951.22	.00	
LAUTERBACH & AMEN LLP	79077	MAY 23 FINANCIAL SERVICE	06/02/2023	18-300-5102	595.18	.00	
LAUTERBACH & AMEN LLP	79077	MAY 23 FINANCIAL SERVICE	06/02/2023	51-300-5102	3,571.05	.00	
Total LAUTERBACH & AMEN LLP:					23,807.00	.00	
LEE JENSEN SALES CO INC	00021419 - CL	SAFETY EQUIPMENT PW	05/19/2023	01-350-7023	1,100.00	.00	
Total LEE JENSEN SALES CO INC:					1,100.00	.00	
LITHO SPECIALISTS INC.	LS32872	WATER BILLS POSTCARDS	05/26/2023	51-300-5221	380.00	.00	
Total LITHO SPECIALISTS INC.:					380.00	.00	
METROPOLITAN ALLIANCE OF	252 05/2023	MAP #252 Dues 05/2023	05/05/2023	01-000-2052	765.00	.00	
METROPOLITAN ALLIANCE OF	253 05/2023	MAP #253 DUES 05/2023	05/05/2023	01-000-2052	180.00	.00	
Total METROPOLITAN ALLIANCE OF POLICE:					945.00	.00	
MOE FUNDS	07.2023	PW JULY 23 PREMIUM	06/05/2023	51-300-4100	2,558.00	.00	
MOE FUNDS	07.2023	PW JULY 23 PREMIUM	06/05/2023	53-300-4100	2,558.00	.00	
MOE FUNDS	07.2023	PW JULY 23 PREMIUM	06/05/2023	01-350-4100	7,674.00	.00	
Total MOE FUNDS:					12,790.00	.00	
NAC SUPPLY INC	54769	STREET LINE PAINT	05/31/2023	01-350-5721	550.00	.00	
Total NAC SUPPLY INC:					550.00	.00	
NICOR GAS	05/23/23	CITY HALL NICOR APRIL 23	05/23/2023	01-320-5410	572.05	.00	
NICOR GAS	05/24/23	101 S WOLF 4/24 - 5/24/23	05/24/2023	52-300-5410	65.65	.00	
NICOR GAS	05/24/23B	401 PIPER 4/24 - 5/24/23	05/24/2023	01-320-5410	152.33	.00	
NICOR GAS	05/24/23C	14 E CAMP MCDONALD 4/24 - 5/	05/24/2023	01-320-5410	102.10	.00	
NICOR GAS	05/24/23D	WELL HOUSE NICOR	05/24/2023	51-300-5410	281.99	.00	

Vendor Name	Invoice Number	Description	Invoice Date	GL Account Number	Net Invoice Amt	Amount Paid	Date Paid
Total NICOR GAS:					1,174.12	.00	
NORTH SHORE SIGN	123578	JUN 23 SIGN MAINT	06/01/2023	01-320-5100	243.00	.00	
Total NORTH SHORE SIGN:					243.00	.00	
NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	01-340-4100	216.00	.00	
NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	51-300-4100	77.50	.00	
NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	01-310-4100	54.00	.00	
NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	01-360-4100	1,974.00	.00	
NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	01-350-4100	155.00	.00	
NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	01-320-4100	239.50	.00	
NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	01-370-4101	531.00	.00	
NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	01-350-4100	2,643.03	.00	
NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	01-360-4100	33,838.88	.00	
NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	01-320-4100	3,972.89	.00	
NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	01-310-4100	883.79	.00	
NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	01-370-4101	6,319.93	.00	
NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	51-300-4100	1,321.52	.00	
NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	01-340-4100	3,535.16	.00	
Total NORTH SUBURBAN EMPLOYEE BENEFIT COOPERAT:					55,762.20	.00	
NW CENTRAL 9-1-1 SYSTEM	9434	JULY 23 ASSESSMENT	06/01/2023	01-360-5240	16,276.53	.00	
Total NW CENTRAL 9-1-1 SYSTEM:					16,276.53	.00	
PACE ANALYTICAL SERVICES	I9557315	WATER TESTING MAY 23	05/31/2023	51-300-5100	246.40	.00	
Total PACE ANALYTICAL SERVICES:					246.40	.00	
PHOTO ENFORCEMENT PROG	03/20/23	TICKET 1702600708382894	03/20/2023	01-380-5970	100.00	.00	
Total PHOTO ENFORCEMENT PROGRAM:					100.00	.00	
PITNEY BOWES	3106100805	PD POSTAGE 3/29 - 6/29/23	05/30/2023	01-360-5510	163.53	.00	
Total PITNEY BOWES:					163.53	.00	
PITNEY BOWES PURCHASE PO	05/24/23	CH POSTAGE STATEMENT	05/24/2023	01-320-5200	1,025.99	.00	
Total PITNEY BOWES PURCHASE POWER:					1,025.99	.00	
ROSE MARY JURINEK	06/05/23	MAY 23 COURT REPORT	06/05/2023	01-360-5100	560.00	.00	
Total ROSE MARY JURINEK:					560.00	.00	
S D ENTERPRISES INC	MAY 2023	MAY 23 SEWER INSPECTION	06/05/2023	53-300-5100	1,090.00	.00	
Total S D ENTERPRISES INC:					1,090.00	.00	
SECOND CHANCE CARDIAC S	23-006-2589	AED SUPPLIES	06/02/2023	01-360-7022	249.75	.00	
Total SECOND CHANCE CARDIAC SOLUTIONS:					249.75	.00	
SERVICEMASTER CLEANING &	615	CH carpet cleaning	05/26/2023	01-350-5104	1,850.00	.00	
SERVICEMASTER CLEANING &	616	POLICE CARPET CLEAN	05/30/2023	01-350-5104	800.00	.00	

Vendor Name	Invoice Number	Description	Invoice Date	GL Account Number	Net Invoice Amt	Amount Paid	Date Paid
Total SERVICEMASTER CLEANING & RESTORATION PRO:					2,650.00	.00	
SIGNS SIGNS SIGNS INC.	5803	CITY HALL SIGN	04/15/2023	01-350-5104	3,895.00	.00	
Total SIGNS SIGNS SIGNS INC.:					3,895.00	.00	
Space Cat Tattoo	ZBA 22-10	ZBA 22-10 1311 E RAND RD	06/05/2023	72-000-2310	500.00	.00	
Total Space Cat Tattoo:					500.00	.00	
STAPLES	8070044052	OFFICE SUPPLIES	04/22/2023	01-320-5700	242.37	.00	
STAPLES	8070131359	OFFICE SUPPLIES	04/29/2023	01-320-5700	33.89	.00	
Total STAPLES:					276.26	.00	
TESKA ASSOCIATES, INC.	13249	PLANNING SERVICE - ZONING	05/25/2023	01-340-5100	1,435.00	.00	
Total TESKA ASSOCIATES, INC.:					1,435.00	.00	
The Law Offices of Liston & Tsanti	21-05SU	25-35 E PIPER ZBA 21-05	06/05/2023	72-000-2310	434.59	.00	
Total The Law Offices of Liston & Tsantilis:					434.59	.00	
THORNTONS LLC	06/02/23	SALES TAX INCENTIVE FEB - A	06/02/2023	01-380-5975	14,296.46	.00	
Total THORNTONS LLC:					14,296.46	.00	
T-MOBILE	05/21/23	4/21 - 5/20/23 CELL PHONES	05/21/2023	01-320-5410	40.07	.00	
T-MOBILE	05/21/23	4/21 - 5/20/23 CELL PHONES	05/21/2023	01-360-5410	367.84	.00	
T-MOBILE	05/21/23	4/21 - 5/20/23 CELL PHONES	05/21/2023	01-350-5410	320.56	.00	
T-MOBILE	05/21/23	4/21 - 5/20/23 CELL PHONES	05/21/2023	01-340-7020	80.14	.00	
Total T-MOBILE:					808.61	.00	
UNIFIRST CORPORATION	013505104	UNIFORMS + CARPET 6/2/23	06/02/2023	01-350-5104	218.05	.00	
UNIFIRST CORPORATION	1320034765	CARPET + UNIFORMS PW 5/26/	05/26/2023	01-350-5104	122.59	.00	
Total UNIFIRST CORPORATION:					340.64	.00	
US BANK NA	2283128	DEBT SERV JUNE 2023	04/25/2023	51-400-6010	96,191.25	.00	
US BANK NA	2283133	DEBT SERV 2023	04/25/2023	46-400-6010	19,366.25	.00	
Total US BANK NA:					115,557.50	.00	
Grand Totals:					318,161.54	.00	

Vendor Name	Invoice Number	Description	Invoice Date	GL Account Number	Net Invoice Amt	Amount Paid	Date Paid
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Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
GENERAL FUND							
01-000-2050 W/H LOCAL 150 UNION	IUOE LOCAL 150 ADMIN	150 A 05/05/23	IUOE 150 ADMIN 05/05/23	05/05/2023	60.00	.00	
01-000-2050 W/H LOCAL 150 UNION	IUOE LOCAL 150 ADMIN	150 A 05/19/23	IUOE 150 ADMIN 05/19/23	05/19/2023	60.00	.00	
01-000-2050 W/H LOCAL 150 UNION	IUOE LOCAL 150 MEMBERSHIP	150 M 05/05/23	IUOE 150 MEMBER 05/05/23	05/05/2023	305.54	.00	
01-000-2050 W/H LOCAL 150 UNION	IUOE LOCAL 150 MEMBERSHIP	150 M 05/19/23	IUOE 150 MEMBER 05/19/23	05/19/2023	305.54	.00	
01-000-2052 WITHHOLDING POLICE U	METROPOLITAN ALLIANCE OF	252 05/2023	MAP #252 Dues 05/2023	05/05/2023	765.00	.00	
01-000-2052 WITHHOLDING POLICE U	METROPOLITAN ALLIANCE OF	253 05/2023	MAP #253 DUES 05/2023	05/05/2023	180.00	.00	
Total :					1,676.08	.00	
INTERGOVERNMENTAL REVENUES							
01-110-3110 SALES TAXES	AZAVAR AUDIT SOLUTIONS	156978	SALES TAX AUDIT	06/05/2023	905.00	.00	
Total INTERGOVERNMENTAL REVENUES:					905.00	.00	
BUILDING & ZONING FEES							
01-130-3411 RENTAL INSPECTION FE	Barbara Sawicka	06.06.23 REFN	RENTAL UNIT QUIT CLAIM DEE	06/06/2023	125.00	.00	
Total BUILDING & ZONING FEES:					125.00	.00	
CITY COUNCIL & BOARDS							
01-310-4100 HEALTH INSURANCE	NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	54.00	.00	
01-310-4100 HEALTH INSURANCE	NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	883.79	.00	
01-310-5100 PROFESSIONAL SERVIC	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 MICHAELS	05/19/2023	179.70	.00	
01-310-5300 ALDERMANIC EXPENSE	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 CROWN TRO	05/19/2023	53.00	.00	
01-310-5300 ALDERMANIC EXPENSE	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 TONYS	05/19/2023	72.88	.00	
01-310-5300 ALDERMANIC EXPENSE	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 ZOOM	05/19/2023	50.00	.00	
01-310-5950 SPECIAL EVENTS	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 AMAZON	05/19/2023	31.18	.00	
01-310-5960 NRC OPERATIONS	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 HORIZON	05/19/2023	278.26	.00	
01-310-5960 NRC OPERATIONS	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 HANES GEO	05/19/2023	3,233.00	.00	
01-310-5960 NRC OPERATIONS	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 FORESTRY	05/19/2023	184.35	.00	
01-310-7020 EQUIPMENT	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	100.47	.00	
Total CITY COUNCIL & BOARDS:					5,120.63	.00	
ADMINISTRATION							
01-320-4100 HEALTH INSURANCE	NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	239.50	.00	
01-320-4100 HEALTH INSURANCE	NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	3,972.89	.00	
01-320-5100 PROFESSIONAL SERVIC	NORTH SHORE SIGN	123578	JUN 23 SIGN MAINT	06/01/2023	243.00	.00	
01-320-5130 COMPUTER CONSULTAN	DEKIND COMPUTER CONSULT	36091	JUL 23 COMP CONSULT	06/01/2023	526.50	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
01-320-5130 COMPUTER CONSULTAN	DEKIND COMPUTER CONSULT	36239	MAY 23 TRIP CHARGES	06/01/2023	120.00	.00	
01-320-5200 POSTAGE	PITNEY BOWES PURCHASE PO	05/24/23	CH POSTAGE STATEMENT	05/24/2023	1,025.99	.00	
01-320-5222 LEGAL NOTICES	DAILY HERALD	252571	HMA NOTICE	05/29/2023	79.65	.00	
01-320-5330 TRAINING	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 NAVY PIER P	05/19/2023	37.00	.00	
01-320-5410 UTILITIES	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COMCAST	05/19/2023	211.25	.00	
01-320-5410 UTILITIES	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COMCAST	05/19/2023	184.90	.00	
01-320-5410 UTILITIES	INNOVATIVE TELEPHONE & DA	700940	JUN 23 PHONES	06/01/2023	514.14	.00	
01-320-5410 UTILITIES	NICOR GAS	05/23/23	CITY HALL NICOR APRIL 23	05/23/2023	572.05	.00	
01-320-5410 UTILITIES	NICOR GAS	05/24/23B	401 PIPER 4/24 - 5/24/23	05/24/2023	152.33	.00	
01-320-5410 UTILITIES	NICOR GAS	05/24/23C	14 E CAMP MCDONALD 4/24 - 5/	05/24/2023	102.10	.00	
01-320-5410 UTILITIES	T-MOBILE	05/21/23	4/21 - 5/20/23 CELL PHONES	05/21/2023	40.07	.00	
01-320-5700 OFFICE SUPPLIES	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COSTCO	05/19/2023	36.03	.00	
01-320-5700 OFFICE SUPPLIES	STAPLES	8070044052	OFFICE SUPPLIES	04/22/2023	242.37	.00	
01-320-5700 OFFICE SUPPLIES	STAPLES	8070131359	OFFICE SUPPLIES	04/29/2023	33.89	.00	
Total ADMINISTRATION:					8,333.66	.00	
FINANCE							
01-322-5102 FINANCIAL SERVICES	LAUTERBACH & AMEN LLP	79077	MAY 23 FINANCIAL SERVICE	06/02/2023	10,951.22	.00	
Total FINANCE:					10,951.22	.00	
BUILDING DEPARTMENT							
01-340-4100 HEALTH INSURANCE	NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	216.00	.00	
01-340-4100 HEALTH INSURANCE	NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	3,535.16	.00	
01-340-5100 PROFESSIONAL SERVIC	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 INTERPARK	05/19/2023	38.00	.00	
01-340-5100 PROFESSIONAL SERVIC	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COOK CO R	05/19/2023	89.85	.00	
01-340-5100 PROFESSIONAL SERVIC	JEFFREY L BAUREIS	05/23/23	ELECTRICAL INSPECTIONS 01/	05/23/2023	1,861.50	.00	
01-340-5100 PROFESSIONAL SERVIC	TESKA ASSOCIATES, INC.	13249	PLANNING SERVICE - ZONING	05/25/2023	1,435.00	.00	
01-340-5700 OFFICE SUPPLIES	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 OFFICE DEP	05/19/2023	51.79	.00	
01-340-7020 EQUIPMENT	CANON FINANCIAL SERVICES	30610772	JUNE 23 CH COPIER	06/01/2023	198.97	.00	
01-340-7020 EQUIPMENT	T-MOBILE	05/21/23	4/21 - 5/20/23 CELL PHONES	05/21/2023	80.14	.00	
Total BUILDING DEPARTMENT:					7,506.41	.00	
PUBLIC WORKS							
01-350-4100 HEALTH INSURANCE	MOE FUNDS	07.2023	PW JULY 23 PREMIUM	06/05/2023	7,674.00	.00	
01-350-4100 HEALTH INSURANCE	NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	155.00	.00	
01-350-4100 HEALTH INSURANCE	NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	2,643.03	.00	
01-350-5020 VEHICLE MAINTENANCE	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 NORTHERN	05/19/2023	194.96	.00	
01-350-5020 VEHICLE MAINTENANCE	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 SP ULTRA	05/19/2023	1,004.89	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
01-350-5020 VEHICLE MAINTENANCE	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 AMAZON	05/19/2023	285.50	.00	
01-350-5020 VEHICLE MAINTENANCE	CHICAGO PARTS AND SOUND L	1-0358776	SQUAD PARTS 505	06/01/2023	420.95	.00	
01-350-5020 VEHICLE MAINTENANCE	CHICAGO PARTS AND SOUND L	1-0358777	SQUAD PARTS	06/01/2023	279.00	.00	
01-350-5100 PROFESSIONAL SERVIC	DEKIND COMPUTER CONSULT	36091	JUL 23 COMP CONSULT	06/01/2023	351.00	.00	
01-350-5100 PROFESSIONAL SERVIC	FOX VALLEY FIRE & SAFETY C	IN00603476	FIRE ALARM SERVICE CH	05/30/2023	195.00	.00	
01-350-5104 PROF SERVICES - BUILD	CHI-TOWN CLEANING SERVICE	23-0237	CUSTODIAL - MAY 2023	05/31/2023	1,173.50	.00	
01-350-5104 PROF SERVICES - BUILD	SERVICEMASTER CLEANING &	615	CH carpet cleaning	05/26/2023	1,850.00	.00	
01-350-5104 PROF SERVICES - BUILD	SERVICEMASTER CLEANING &	616	POLICE CARPET CLEAN	05/30/2023	800.00	.00	
01-350-5104 PROF SERVICES - BUILD	SIGNS SIGNS SIGNS INC.	5803	CITY HALL SIGN	04/15/2023	3,895.00	.00	
01-350-5104 PROF SERVICES - BUILD	UNIFIRST CORPORATION	013505104	UNIFORMS + CARPET 6/2/23	06/02/2023	218.05	.00	
01-350-5104 PROF SERVICES - BUILD	UNIFIRST CORPORATION	1320034765	CARPET + UNIFORMS PW 5/26/	05/26/2023	122.59	.00	
01-350-5330 TRAINING	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 R&B	05/19/2023	350.00	.00	
01-350-5410 UTILITIES	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COMCAST	05/19/2023	169.90	.00	
01-350-5410 UTILITIES	ILLINOIS-AMERICAN WATER C	06/01/23	401 PIPER JUNE 23	06/01/2023	46.63	.00	
01-350-5410 UTILITIES	ILLINOIS-AMERICAN WATER C	06/01/23B	401 PIPER MAY 23	06/01/2023	208.79	.00	
01-350-5410 UTILITIES	INNOVATIVE TELEPHONE & DA	700940	JUN 23 PHONES	06/01/2023	198.27	.00	
01-350-5410 UTILITIES	T-MOBILE	05/21/23	4/21 - 5/20/23 CELL PHONES	05/21/2023	320.56	.00	
01-350-5411 WATER AND ELECTRIC P	CONSTELLATION NEWENERGY	65212786501	APR-MAY 23 Elecctric	05/28/2023	74.11	.00	
01-350-5411 WATER AND ELECTRIC P	CONSTELLATION NEWENERGY	65212786501	APR-MAY 23 Elecctric	05/28/2023	365.51-	.00	
01-350-5411 WATER AND ELECTRIC P	CONSTELLATION NEWENERGY	65212786501	APR-MAY 23 Elecctric	05/28/2023	250.83	.00	
01-350-5650 LANDSCAPE SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	29.52	.00	
01-350-5650 LANDSCAPE SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	23.62	.00	
01-350-5650 LANDSCAPE SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	201.35	.00	
01-350-5650 LANDSCAPE SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	169.59	.00	
01-350-5700 OFFICE SUPPLIES	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COSTCO	05/19/2023	74.98	.00	
01-350-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 ULINE	05/19/2023	379.84	.00	
01-350-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 AMAZON	05/19/2023	145.96	.00	
01-350-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	174.69	.00	
01-350-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	8.99	.00	
01-350-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 NORTHERN	05/19/2023	229.99	.00	
01-350-5710 OPERATING SUPPLIES	HOME DEPOT CREDIT SERVIC	05/28/23	HARDWARE PARTS	05/28/2023	19.98	.00	
01-350-5710 OPERATING SUPPLIES	HOME DEPOT CREDIT SERVIC	05/28/23	HARDWARE PARTS	05/28/2023	28.91	.00	
01-350-5710 OPERATING SUPPLIES	HOME DEPOT CREDIT SERVIC	05/28/23	HARDWARE PARTS	05/28/2023	3.10	.00	
01-350-5721 SIGNS	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 FASTSIGNS	05/19/2023	117.00	.00	
01-350-5721 SIGNS	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	94.99	.00	
01-350-5721 SIGNS	NAC SUPPLY INC	54769	STREET LINE PAINT	05/31/2023	550.00	.00	
01-350-5751 GASOLINE	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 THORNTONS	05/19/2023	159.09	.00	
01-350-7023 SAFETY EQUIPMENT	LEE JENSEN SALES CO INC	00021419 - CL	SAFETY EQUIPMENT PW	05/19/2023	1,100.00	.00	
01-350-7025 SOFTWARE	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 BOUNCIE	05/19/2023	16.00	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total PUBLIC WORKS:					26,043.65	.00	
PUBLIC SAFETY							
01-360-4100 HEALTH INSURANCE	NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	1,974.00	.00	
01-360-4100 HEALTH INSURANCE	NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	33,838.88	.00	
01-360-5100 PROFESSIONAL SERVIC	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 LBP LAW	05/19/2023	100.00	.00	
01-360-5100 PROFESSIONAL SERVIC	DACRA TECH LLC	DT2023-04-16	MONTHLY SERVC FEE APRIL23	04/30/2023	239.75	.00	
01-360-5100 PROFESSIONAL SERVIC	DACRA TECH LLC	DT2023-05-04	MAY 23 MONTHLY SERVICE FE	05/31/2023	261.25	.00	
01-360-5100 PROFESSIONAL SERVIC	DACRA TECH LLC	DT2023-05-66	ANNUAL SERV FEE 06.01.23-05.	05/31/2023	1,092.02	.00	
01-360-5100 PROFESSIONAL SERVIC	DEKIND COMPUTER CONSULT	36091	JUL 23 COMP CONSULT	06/01/2023	1,404.00	.00	
01-360-5100 PROFESSIONAL SERVIC	ROSE MARY JURINEK	06/05/23	MAY 23 COURT REPORT	06/05/2023	560.00	.00	
01-360-5240 NORTHWEST CENTRAL	NW CENTRAL 9-1-1 SYSTEM	9434	JULY 23 ASSESSMENT	06/01/2023	16,276.53	.00	
01-360-5330 TRAINING	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 GRILL 12	05/19/2023	47.21	.00	
01-360-5410 UTILITIES	INNOVATIVE TELEPHONE & DA	700940	JUN 23 PHONES	06/01/2023	616.19	.00	
01-360-5410 UTILITIES	T-MOBILE	05/21/23	4/21 - 5/20/23 CELL PHONES	05/21/2023	367.84	.00	
01-360-5510 RENTAL EQUIPMENT	PITNEY BOWES	3106100805	PD POSTAGE 3/29 - 6/29/23	05/30/2023	163.53	.00	
01-360-5610 EQUIPMENT MAINTENAN	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 RACEWAY R	05/19/2023	12.00-	.00	
01-360-5700 OFFICE SUPPLIES	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COSTCO	05/19/2023	61.98	.00	
01-360-5700 OFFICE SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	20.82	.00	
01-360-5700 OFFICE SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	40.33	.00	
01-360-5700 OFFICE SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	5.93	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 HOME DEPO	05/19/2023	167.94	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	18.66	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	47.99	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	7.99	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	16.49	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 OTC BRAND	05/19/2023	43.14	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	8.95	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	7.99	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	61.76	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	9.99	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	54.00	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	57.67	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 COSTCO	05/19/2023	58.98	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	20.79	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	57.74	.00	
01-360-5710 OPERATING SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	54.18	.00	
01-360-5740 RANGE SUPPLIES	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 AMAZON	05/19/2023	139.99	.00	
01-360-5741 CLOTHING	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 NATIONAL D	05/19/2023	50.51	.00	
01-360-5741 CLOTHING	JG UNIFORMS INC	116617	POLICE OFFICER BADGE	06/01/2023	118.00	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
01-360-5741 CLOTHING	KEVIN LANGE	041623UNIFR	UNIFORM ALLOWANCE	04/28/2023	194.29	.00	
01-360-7022 POLICE - SMALL EQUIPM	SECOND CHANCE CARDIAC S	23-006-2589	AED SUPPLIES	06/02/2023	249.75	.00	
Total PUBLIC SAFETY:					58,505.06	.00	
REIMBURSABLE EXP							
01-370-4101 RETIREE HEALTH INSUR	NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	531.00	.00	
01-370-4101 RETIREE HEALTH INSUR	NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	6,319.93	.00	
Total REIMBURSABLE EXP:					6,850.93	.00	
OTHER EXPENSES							
01-380-5970 REFUNDS	PHOTO ENFORCEMENT PROG	03/20/23	TICKET 1702600708382894	03/20/2023	100.00	.00	
01-380-5975 SALES TAX REBATE	THORNTONS LLC	06/02/23	SALES TAX INCENTIVE FEB - A	06/02/2023	14,296.46	.00	
Total OTHER EXPENSES:					14,396.46	.00	
DEBT SERVICE							
01-400-6010 INTEREST	BANK OF AMERICA	1W1FUQAJN2	DEBT SERVICE JUN 23	05/18/2023	3,689.97	.00	
Total DEBT SERVICE:					3,689.97	.00	
Total GENERAL FUND:					144,104.07	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
TOURISM DISTRICT EXPENSES							
13-300-5102 FINANCIAL SERVICES	LAUTERBACH & AMEN LLP	79077	MAY 23 FINANCIAL SERVICE	06/02/2023	595.18	.00	
13-300-5108 BEAUTIFICATION	ILLINOIS-AMERICAN WATER C	06/01/23C	1250 S RIVER MAY 23	06/01/2023	243.81	.00	
13-300-5108 BEAUTIFICATION	ILLINOIS-AMERICAN WATER C	06/01/23D	700 N MILWKE MAY 23	03/01/2023	192.95	.00	
13-300-5920 GRANT - HOTELS	HILTON - CHICAGO/NORTHBRO	02.2023-04.20	TOURISM GRANT 02.2023-04.20	05/31/2023	13,338.00	.00	
Total EXPENSES:					14,369.94	.00	
Total TOURISM DISTRICT:					14,369.94	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
DEA SEIZURE FUND							
EXPENSES							
16-300-5100 PROFESSIONAL SERVIC	LAUTERBACH & AMEN LLP	79077	MAY 23 FINANCIAL SERVICE	06/02/2023	595.18	.00	
16-300-5330 TRAINING	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 IACP	05/19/2023	425.00	.00	
16-300-5330 TRAINING	CARDMEMBER SERVICE	05/19/23B	04/21/23 - 05/19/23 IACP	05/19/2023	425.00	.00	
Total EXPENSES:					1,445.18	.00	
Total DEA SEIZURE FUND:					1,445.18	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
PALATINE ROAD TIF FUND							
EXPENSES							
18-300-5102 FINANCIAL SERVICES	LAUTERBACH & AMEN LLP	79077	MAY 23 FINANCIAL SERVICE	06/02/2023	595.18	.00	
Total EXPENSES:					595.18	.00	
Total PALATINE ROAD TIF FUND:					595.18	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
SSA #5							
EXPENSES							
25-300-5050 SYSTEM MAINTENANCE	CONSTELLATION NEWENERGY	65212786501	APR-MAY 23 Eleetric	05/28/2023	99.42	.00	
Total EXPENSES:					99.42	.00	
Total SSA #5:					99.42	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
SSA #8							
EXPENSES							
28-300-5710 OPERATING SUPPLIES	HOME DEPOT CREDIT SERVIC	05/28/23	HARDWARE PARTS	05/28/2023	72.55	.00	
28-300-5710 OPERATING SUPPLIES	HOME DEPOT CREDIT SERVIC	05/28/23	HARDWARE PARTS	05/28/2023	54.50	.00	
Total EXPENSES:					127.05	.00	
Total SSA #8:					127.05	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
CAPITAL IMPROVEMENTS							
30-550-7060 SIDEWALKS	GEWALT HAMILTON ASSOCIAT	4755.180-11	WOLF RD SW #11	05/22/2023	8,443.61	.00	
30-550-7060 SIDEWALKS	GEWALT HAMILTON ASSOCIAT	4755.210-5	CAMP MCDONALD RD PH 1 AP	05/31/2023	7,035.27	.00	
Total :					15,478.88	.00	
Total CAPITAL IMPROVEMENTS:					15,478.88	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
SSA #6 DEBT							
DEBT SERVICE							
46-400-6010 INTEREST	US BANK NA	2283133	DEBT SERV 2023	04/25/2023	19,366.25	.00	
Total DEBT SERVICE:					19,366.25	.00	
Total SSA #6 DEBT:					19,366.25	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
WATER FUND							
EXPENSES							
51-300-4100 HEALTH INSURANCE	MOE FUNDS	07.2023	PW JULY 23 PREMIUM	06/05/2023	2,558.00	.00	
51-300-4100 HEALTH INSURANCE	NORTH SUBURBAN EMPLOYEE	05.2023D	MAY 23 DENTAL INSURANCE	06/07/2023	77.50	.00	
51-300-4100 HEALTH INSURANCE	NORTH SUBURBAN EMPLOYEE	05.2023M	MAY 23 MEDICAL INSURANCE	06/07/2023	1,321.52	.00	
51-300-5100 PROFESSIONAL SERVIC	DEKIND COMPUTER CONSULT	36091	JUL 23 COMP CONSULT	06/01/2023	702.00	.00	
51-300-5100 PROFESSIONAL SERVIC	PACE ANALYTICAL SERVICES	I9557315	WATER TESTING MAY 23	05/31/2023	246.40	.00	
51-300-5102 FINANCIAL SERVICES	LAUTERBACH & AMEN LLP	79077	MAY 23 FINANCIAL SERVICE	06/02/2023	3,571.05	.00	
51-300-5221 PRINTING	LITHO SPECIALISTS INC.	LS32872	WATER BILLS POSTCARDS	05/26/2023	380.00	.00	
51-300-5310 MEMBERSHIPS	ILLINOIS RURAL WATER ASSO	35761	IRWA MEMBERSHIP 23/24	05/24/2023	539.00	.00	
51-300-5410 UTILITIES	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COMCAST	05/19/2023	99.95	.00	
51-300-5410 UTILITIES	CONSTELLATION NEWENERGY	65212786501	APR-MAY 23 Electric	05/28/2023	1,545.46	.00	
51-300-5410 UTILITIES	NICOR GAS	05/24/23D	WELL HOUSE NICOR	05/24/2023	281.99	.00	
51-300-5412 WATER	INNOVATIVE TELEPHONE & DA	700940	JUN 23 PHONES	06/01/2023	22.02	.00	
Total EXPENSES:					11,344.89	.00	
DEBT SERVICE							
51-400-6010 INTEREST	US BANK NA	2283128	DEBT SERV JUNE 2023	04/25/2023	96,191.25	.00	
Total DEBT SERVICE:					96,191.25	.00	
Total WATER FUND:					107,536.14	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
PARKING FUND							
EXPENSES							
52-300-5410 UTILITIES	CARDMEMBER SERVICE	05/19/23	04/21/23 - 05/19/23 COMCAST	05/19/2023	129.90	.00	
52-300-5410 UTILITIES	NICOR GAS	05/24/23	101 S WOLF 4/24 - 5/24/23	05/24/2023	65.65	.00	
Total EXPENSES:					195.55	.00	
Total PARKING FUND:					195.55	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
SANITARY SEWER FUND EXPENSES							
53-300-4100 HEALTH INSURANCE	MOE FUNDS	07.2023	PW JULY 23 PREMIUM	06/05/2023	2,558.00	.00	
53-300-5050 SYSTEM MAINTENANCE	BLACKBURN MFG. CO.	0707200-IN	SEWER FLAGS - LOCATES	05/30/2023	235.60	.00	
53-300-5100 PROFESSIONAL SERVIC	DEKIND COMPUTER CONSULT	36091	JUL 23 COMP CONSULT	06/01/2023	526.50	.00	
53-300-5100 PROFESSIONAL SERVIC	S D ENTERPRISES INC	MAY 2023	MAY 23 SEWER INSPECTION	06/05/2023	1,090.00	.00	
53-300-5102 FINANCIAL SERVICES	LAUTERBACH & AMEN LLP	79077	MAY 23 FINANCIAL SERVICE	06/02/2023	7,499.19	.00	
Total EXPENSES:					11,909.29	.00	
Total SANITARY SEWER FUND:					11,909.29	.00	

GL Account and Title	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
ROAD & BUILDING BOND ESCROW							
72-000-2310 DEPOSIT ROAD/BUILDE	DU BOIS PAVING CO	08.22.14 04336	CONCRETE REPAIRS ROB ROY	06/05/2023	2,000.00	.00	
72-000-2310 DEPOSIT ROAD/BUILDE	Space Cat Tattoo	ZBA 22-10	ZBA 22-10 1311 E RAND RD	06/05/2023	500.00	.00	
72-000-2310 DEPOSIT ROAD/BUILDE	The Law Offices of Liston & Tsanti	21-05SU	25-35 E PIPER ZBA 21-05	06/05/2023	434.59	.00	
Total :					2,934.59	.00	
Total ROAD & BUILDING BOND ESCROW:					2,934.59	.00	
Grand Totals:					318,161.54	.00	

GL Account and Title	Net Invoice Amount	Amount Paid	Date Paid
GENERAL FUND			
Total GENERAL FUND:	144,104.07	.00	
TOURISM DISTRICT			
Total TOURISM DISTRICT:	14,369.94	.00	
DEA SEIZURE FUND			
Total DEA SEIZURE FUND:	1,445.18	.00	
PALATINE ROAD TIF FUND			
Total PALATINE ROAD TIF FUND:	595.18	.00	
SSA #5			
Total SSA #5:	99.42	.00	
SSA #8			
Total SSA #8:	127.05	.00	
CAPITAL IMPROVEMENTS			
Total CAPITAL IMPROVEMENTS:	15,478.88	.00	
SSA #6 DEBT			
Total SSA #6 DEBT:	19,366.25	.00	
WATER FUND			
Total WATER FUND:	107,536.14	.00	
PARKING FUND			
Total PARKING FUND:	195.55	.00	
SANITARY SEWER FUND			
Total SANITARY SEWER FUND:	11,909.29	.00	
ROAD & BUILDING BOND ESCROW			
Total ROAD & BUILDING BOND ESCROW:	2,934.59	.00	
Grand Totals:	318,161.54	.00	