

MEETING AGENDA



Board of Trustees Meeting

Village of Homewood

August 09, 2022

Meeting Start Time: 7:00 PM

Village Hall Board Room

2020 Chestnut Road, Homewood, IL

Board Meetings will be held as in-person meetings. In addition to in-person public comment during the meeting, members of the public may submit written comments by email to comments@homewoodil.gov or by placing written comments in the drop box outside Village Hall. Comments submitted before 4:00 p.m. on the meeting date will be distributed to all Village Board members prior to the meeting.

Please see last page of agenda for virtual meeting information.

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Introduction of Staff

5. Minutes:

Consider a motion to approve the minutes from the regular meeting of the Board of Trustees held on July 26, 2022.

6. Claims List:

Consider a motion to approve the Claims List of Tuesday, August 9, 2022 in the amount of \$662,126.18.

7. Hear from the Audience

8. Omnibus Vote: Consider a motion to pass, approve, authorize, accept, or award the following item(s):

- A. Reappointments/Appearance Commission/Economic Development Committee: Approve the reappointments of John Zander to the Appearance Commission for a three-year term ending on August 9, 2025; Terry Keigher to the Economic Development Committee for a two-year term ending on August 9, 2024; and, Craig Schmidt to the Economic Development Committee for a two-year term ending on August 9, 2024.
- B. MC-1063/Tobacco Retailer License/Standards, Classes, and Limits: Pass an ordinance amending the Municipal Code to set standards for the review of tobacco license applications, create two separate classes of tobacco licenses (class 1 and class 2), and limit the allowed number of tobacco licenses in the Village to 17 class 1 licenses and one class 2 license.
- C. M-2226/Tobacco Retailer License/Fee Schedule Revision: Pass an ordinance amending the "Business License" section of the Fee Schedule as it pertains to tobacco retailer license fees; establishing the fee for a Class 1 Tobacco Retailer License at \$600 and the fee for a Class 2 Tobacco Retailer License at \$1,200.

9. New Business:

MC-1064/Zoning Ordinance Text Amendment/Places of Public Assembly: Pass an ordinance amending the Homewood Zoning Ordinance eliminating the use category "Places of Worship," creating a new use category "Places of Public Assembly," and revising permitted and special use tables, definitions, and language in the Zoning Ordinance to implement these revisions.

10. General Board Discussion

11. Adjourn

Zoom Link: <https://zoom.us/>

- To View the Meeting via Computer or Smartphone - Type in: Zoom.us into any internet browser.
Select: JOIN A MEETING from menu at top right of page. Meeting I.D.: 980 4907 6232
Meeting Password: 830183. Enter an email address (required), or
 - To Listen to the Meeting via Phone - Dial: (312) 626-6799
Enter above "Meeting I.D. and Meeting Password" followed by "#" sign
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VILLAGE OF HOMEWOOD
BOARD OF TRUSTEES MEETING
TUESDAY JULY 26, 2022
VILLAGE HALL BOARD ROOM

CALL TO ORDER: President Hofeld called the regular meeting of the Board of Trustees to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: President Hofeld led those present in the Pledge of Allegiance.

ROLL CALL: Clerk Marilyn Thomas called the roll. Those present were Village President Richard Hofeld, Trustee Lisa Purcell, Trustee Cece Belue, Trustee Karen Washington, Trustee Vivian Harris-Jones, and Trustee Jay Heiferman. Trustee Lauren Roman was absent.

President Hofeld introduced staff present: Village Manager Napoleon Haney, Attorney Christopher Cummings, Director of Public Works John Schaefer, Director of Finance Dennis Bubenik, Fire Chief Bob Grabowski, Police Chief Denise McGrath and Economic Development Director Angela Mesaros.

MINUTES: The minutes of the meeting of July 12, 2022, were presented. There were no comments or corrections.

A motion was made by Trustee Purcell and seconded by Trustee Washington to approve the minutes as presented.

Roll Call: AYES—Trustees Purcell, Belue, Washington, Harris-Jones, and Heiferman. NAYS –None. Motion carried.

CLAIMS LIST: The Claims List in the amount of \$246,834.27 was presented. There were no questions from the Trustees.

Finance Director Bubenik noted a correction to the Claims List. The final amount of \$246,834.27 does not change, but payments to B Allen Graphics and Hiskes, Dillner & O'Donnell have been corrected.

A motion was made by Trustee Washington and seconded by Trustee Harris-Jones to approve the Claims List as presented.

Roll Call: AYES—Trustees Purcell, Belue, Washington, Harris-Jones, and Heiferman. NAYS –None. Motion carried.

HEAR FROM THE AUDIENCE: No comments were offered. One comment was received via email and shared with the Trustees.

OMNIBUS VOTE: The board was asked to pass, approve, authorize, accept or award the following items:

- A. A-M-2224/Special Use Permit/18036 Gottschalk Avenue/Simply Massage the Wellness Center LLC: Pass an ordinance granting a Special Use Permit for a Salon/Spa Establishment in the B-1 Central Business District for Simply Massage the Wellness Center LLC at 18036 Gottschalk Avenue. The business is moving from a location on Harwood Avenue.

- B. Agreement/Feasibility Study/1221 175th Street/Williams Architects: Authorize the Village President to enter into an agreement with Williams Architects of Itasca, Illinois to conduct a Feasibility Study and Space Needs Assessment for the relocation of the Homewood Police Department and ECOM communication center in the amount of \$93,103; pending final legal review of contract agreement terms by the Village Attorney.
- C. Intergovernmental Agreement/Parcel Purchase/Illinois State Toll Highway Authority: Authorize the Village President to enter into an Intergovernmental Agreement with the Illinois State Toll Highway Authority for the purchase of a parcel identified as T-1A-502.EX for an amount not to exceed the appraised value of \$43,000.
- D. Budget Amendment/Acceptance of Proposal/Stanard & Associates Inc.: Approve a budget amendment in the amount of \$13,000; and accept the pricing proposal from Stanard & Associates Inc. of Chicago, IL to perform public safety testing services for police and fire recruitment and a new fire department lieutenant promotional list in an amount not to exceed \$37,419.50.
- E. R-3118/Class 6b Renewal/17730 Hoffman Way/Dedert and Feldco: Pass a resolution supporting and consenting to the renewal of a Class 6b Cook County tax classification for the property located at 17730 Hoffman Way, owned by Prairie Properties LLC.
- F. MC-1062/Amendment to Zoning Code/Veterinary Clinic: Pass an ordinance amending the zoning code to allow the operation of a veterinary clinic (at Petco) in the B-4 Shopping Center District as a special use.
- G. M-2225/Special Use Permit/Veterinary Clinic/17930 Halsted Street/Petco: Pass an ordinance granting a special use permit to operate a veterinary clinic at 17930 Halsted Street in the B-4 Shopping Center zoning district.

A motion was made by Trustee Purcell and seconded by Trustee Belue to approve the Omnibus Report as presented.

Roll Call: AYES—Trustees Purcell, Belue, Washington, Harris-Jones, and Heiferman. NAYS –None. Motion carried.

NEW BUSINESS:

- A. R-3119/Reimbursement/Capital Expenditure: Pass a resolution expressing official intent to reimburse the Village for costs associated with the order and purchase of an ambulance using future proceeds of a bond obligation to be issued by the Village of Homewood in an amount not to exceed \$425,000.

The Trustees were asked to approve an allocation of \$425,000 prior to the sale of the 2023 general obligation bond sale that would cover the purchase of a new ambulance for the fire department. Finance Director Dennis Bubenik said the allocation would be part of an anticipated \$2 million bond sale for major capital projects. The \$425,000 covers the cost of an ambulance that has been ordered but will not be delivered until 2023.

- B. Ambulance Purchase/Foster Coach Sales/SPC Cooperative: Waive competitive bidding requirements and purchase an ambulance through a purchasing cooperative per Section 5.6 of the Village of Homewood Purchasing Policy; and, approve the purchase of a new 2023 Ford F550 4X4 ambulance from Foster Coach Sales, Inc. of Sterling, IL through the Suburban Purchasing Cooperative (SPC) at a cost of \$380,000.

Fire Chief Bob Grabowski said he is planning on purchasing a new ambulance for the Fire Department. The Village has two ambulances. The intention is to replace one purchased in 2015. It will remain as a back-up. Chief Grabowski said the ambulance has more than 10,100 hours of service and that will increase in the 18 months it will take to get a new ambulance delivered. He said the last time the Village replaced an ambulance, it was 12 years old and was costing considerable money in repairs. Replacing an ambulance at a 10-year interval should save the Village repair expenses. He said the ambulance itself is \$301,000. That price is locked in. There are additional costs for equipment, etc.

Items A and B were combined for one vote. A motion was made by Trustee Purcell and seconded by Trustee Washington for the board to approve R-3119, and to waive competitive bidding for the purchase of a new 2023 Ford F550 4X4 ambulance.

Roll Call: AYES—Trustees Purcell, Belue, Washington, Harris-Jones, and Heiferman. NAYS –None. Motion carried.

- C. MC-1063/Zoning Ordinance Text Amendment/Places of Public Assembly: Pass an ordinance amending the Homewood Zoning Ordinance eliminating the use category “Places of Worship,” creating a new use category “Places of Public Assembly,” and revising permitted and special use tables, definitions, and language in the Zoning Ordinance to implement these revisions.

Action on Item C was deferred.

GENERAL BOARD DISCUSSION: Trustee Washington thanked Village Manager Haney for sharing his expertise with a finance class she teaches at Governors State University.

Trustee Heiferman reminded everyone of the Summer Fest fundraiser Thursday, July 28, for the Homewood Science Center.

President Hofeld shared news that the link between Homewood and Chicago Heights/Hammond for Lake Michigan water is complete and the first water flow happened this morning. The village will continue to increase the flow from Chicago Heights until it is 100 percent Lake Michigan water from Hammond, Indiana, and discontinue its water purchase from the City of Harvey through Chicago.

President Hofeld thanked Public Works director John Schaefer for his outstanding work on the project. Schaefer in turn said he shares the thanks with his crew.

Trustee Purcell said she was amazed by the speed at which the Village managed to move on and complete the project. She had expected it to take much longer.

ADJOURN: A motion was made by Trustee Purcell and seconded by Trustee Washington to adjourn the regular meeting of the Board of Trustees.

Roll Call: AYES—Trustees Purcell, Belue, Washington, Harris-Jones, and Heiferman. NAYS –None. Motion carried.

The meeting adjourned at 7:15 p.m.

Respectfully submitted,

Marilyn Thomas

Village Clerk

From: Joan Marie <[REDACTED]>
Subject: Possivble Move of Police Headquarters
Date: July 25, 2022 at 6:01:25 AM CDT
To: comments@homewoodil.gov
Resent-From: <mthomas@homewoodil.gov>

External Sender: Use caution with links/attachments. Use caution when replying. If you are unsure please contact IT.

1. Beautiful building, but not very secure. Way too many windows. With the wackos in today's world, I would be very nervous working there.
2. Too far from the residents. It might make sense to have a small force in that area for the new casino, though.

Joan
Joan M. Brazzale
[REDACTED]

Name	Description	DEPARTMENT	Net Invoice Amount
ACCURATE EMPLOYMENT SCR	EMPLOYMENT SCREENING SERVICES	MANAGER'S OFFICE	294.53
Total ACCURATE EMPLOYMENT SCREENING LLC:			294.53
ALL CLEAR CLEAN OUT SERVI	DEBRIS REMOVAL	FIRE DEPARTMENT	295.00
ALL CLEAR CLEAN OUT SERVI	DEBRIS REMOVAL	FIRE DEPARTMENT	85.00
Total ALL CLEAR CLEAN OUT SERVICES:			380.00
ALLIANCE LAUNDRY DISTRIBU	OPERATING SUPPLIES	FIRE DEPARTMENT	268.50
Total ALLIANCE LAUNDRY DISTRIBUTION LLC:			268.50
ALTA EQUIPMENT COMPANY	VEHICLE MAINTENANCE PARTS	PUBLIC WORKS	472.83
Total ALTA EQUIPMENT COMPANY:			472.83
ALTORFER INDUSTRIES, INC	ELECTRICAL FOR ARTISAN STREET FAIR	MANAGER'S OFFICE	6,231.16
Total ALTORFER INDUSTRIES, INC:			6,231.16
AMERICAN LAWN CORP LLC	GRASS CUTTING	FIRE DEPARTMENT	670.07
AMERICAN LAWN CORP LLC	GRASS CUTTING	FIRE DEPARTMENT	200.00
AMERICAN LAWN CORP LLC	GRASS CUTTING	FIRE DEPARTMENT	360.91
Total AMERICAN LAWN CORP LLC:			1,230.98
AMERICAN PRINTING TECHNO	VEHICLE STICKER WEBSITE	MANAGER'S OFFICE	86.00
Total AMERICAN PRINTING TECHNOLOGIES INC:			86.00
ARAMARK UNIFORM SERVICE	JULY 2022 PW UNIFORMS	PUBLIC WORKS	48.80
ARAMARK UNIFORM SERVICE	JULY 2022 PW UNIFORMS	PUBLIC WORKS	45.35
ARAMARK UNIFORM SERVICE	JULY 2022 PW UNIFORMS	PUBLIC WORKS	87.30
ARAMARK UNIFORM SERVICE	JULY 2022 PW UNIFORMS	PUBLIC WORKS	141.65
ARAMARK UNIFORM SERVICE	JULY 2022 PW UNIFORMS	PUBLIC WORKS	214.70
ARAMARK UNIFORM SERVICE	JULY 2022 SERVICE CHARGE	PUBLIC WORKS	16.20
ARAMARK UNIFORM SERVICE	JULY 2022 TOWELS	PUBLIC WORKS	72.00
ARAMARK UNIFORM SERVICE	JULY 2022 RUGS/MATS	PUBLIC WORKS	1,738.15
ARAMARK UNIFORM SERVICE	JULY 2022 MISC CHARGE	PUBLIC WORKS	64.00
Total ARAMARK UNIFORM SERVICE:			2,428.15
ARC DOCUMENT SOLUTIONS	OCE 300 PLOTTER ANNUAL RENEWAL FEE & MONTHLY	PUBLIC WORKS	1,393.10
Total ARC DOCUMENT SOLUTIONS:			1,393.10
AVALON PETROLEUM COMPAN	FUEL INVENTORY DIESEL	ASSETS	2,268.50
AVALON PETROLEUM COMPAN	FUEL INVENTORY GASOLINE	ASSETS	10,280.00
Total AVALON PETROLEUM COMPANY:			12,548.50
B. ALLAN GRAPHICS	BILLO/BUSINESS CARDS	FIRE DEPARTMENT	65.00
B. ALLAN GRAPHICS	MAJOR/BUSINESS CARDS	MANAGER'S OFFICE	65.00
Total B. ALLAN GRAPHICS:			130.00

Name	Description	DEPARTMENT	Net Invoice Amount
BANK OF AMERICA	WATER DEPOSIT REFUND	ASSETS	39.16
Total BANK OF AMERICA:			39.16
BRENNTAG GREAT LAKES	CAUSTIC SODA	PUBLIC WORKS	5,771.77
Total BRENNTAG GREAT LAKES:			5,771.77
CENTER FOR INTERNET SECUR	CIS CROWD STRIKE SUBSCRIPTION FOR 102 SEATS	MANAGER'S OFFICE	6,120.00
Total CENTER FOR INTERNET SECURITY, INC.:			6,120.00
CHARLENE DYER	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	197.99
Total CHARLENE DYER:			197.99
CHEVROLET OF HOMEWOOD	POLICE DEPT TAHOE SPARK PLUGS AND WIRES	PUBLIC WORKS	183.14
CHEVROLET OF HOMEWOOD	VEHICLE MAINT DEPT PARTS RETURN CORE CREDIT	PUBLIC WORKS	100.00-
CHEVROLET OF HOMEWOOD	POLICE DEPT TAHOE SEAT SWITCH KNOB	PUBLIC WORKS	13.80
CHEVROLET OF HOMEWOOD	POLICE DEPT TAHOE SEAT SWITCH	PUBLIC WORKS	64.61
Total CHEVROLET OF HOMEWOOD:			161.55
CHICAGO TITLE COMPANY, LLC	PURCH OF PROP-18225 DIXIE		4,500.00
Total CHICAGO TITLE COMPANY, LLC:			4,500.00
CHRISTOPHER J. CUMMINGS, P	JUNE 2022 PROSECUTIONS	MANAGER'S OFFICE	1,600.00
CHRISTOPHER J. CUMMINGS, P	JUNE GENERAL LEGAL	MANAGER'S OFFICE	9,333.98
CHRISTOPHER J. CUMMINGS, P	JUNE 2022 LEGAL SERVICES	EXPENSES	1,954.42
CHRISTOPHER J. CUMMINGS, P	JUNE 2022 LEGAL SERVICES		488.60
CHRISTOPHER J. CUMMINGS, P	JULY 2022 PROSECUTIONS	MANAGER'S OFFICE	1,600.00
CHRISTOPHER J. CUMMINGS, P	LEGAL SERVICES - WATER	PUBLIC WORKS	250.00
CHRISTOPHER J. CUMMINGS, P	NE TIF LEGAL SERVICES	PUBLIC WORKS	194.45
CHRISTOPHER J. CUMMINGS, P	DOWNTOWN TOD TIF LEGAL SERVICES	EXPENSES	833.34
CHRISTOPHER J. CUMMINGS, P	DIXIE/MILLER TIF LEGAL SERVICES		1,027.79
CHRISTOPHER J. CUMMINGS, P	JULY 2022 LEGAL SERVICES	MANAGER'S OFFICE	9,521.77
Total CHRISTOPHER J. CUMMINGS, P.C.:			26,804.35
CHRISTOPHER M. USSERY	PERFORMER AT FARMERS MARKET	MANAGER'S OFFICE	100.00
Total CHRISTOPHER M. USSERY:			100.00
CITY OF COUNTRY CLUB HILLS	TRAINING SUPPLIES	FIRE DEPARTMENT	500.00
Total CITY OF COUNTRY CLUB HILLS:			500.00
COMCAST BUSINESS CORP	FIBER INTERNET VH & FIBER NTWK CONNECTION PW	MANAGER'S OFFICE	1,713.03
COMCAST BUSINESS CORP	PRI PHONE SVC ALL DIRECT DIAL NUMBERS	MANAGER'S OFFICE	414.58
Total COMCAST BUSINESS CORP:			2,127.61
COMED	JULY UTILITIES	PUBLIC WORKS	9,187.09
COMED	JULY UTILITIES	PUBLIC WORKS	4,848.33
COMED	JULY UTILITIES	PUBLIC WORKS	1,259.86

Name	Description	DEPARTMENT	Net Invoice Amount
Total COMED:			15,295.28
CONWAY SHIELD	QUARTERMASTER UNIFORM - FD	FIRE DEPARTMENT	109.00
Total CONWAY SHIELD:			109.00
DANA ROBINSON	80% MEDICARE SUPPLEMENT REIMBURSEM	MANAGER'S OFFICE	131.68
Total DANA ROBINSON:			131.68
DYNA-POWER ENGINEERS	SPECIAL EQUIPMENT	PUBLIC WORKS	441.80
Total DYNA-POWER ENGINEERS:			441.80
DYNEGY ENERGY SERVIC	JUNE UTILITIES	PUBLIC WORKS	2,509.26
DYNEGY ENERGY SERVIC	JUNE UTILITIES	PUBLIC WORKS	2,431.25
Total DYNEGY ENERGY SERVIC:			4,940.51
ECO CLEAN MAINTENANCE IN	JANITORIAL SERVICE	PUBLIC WORKS	3,473.35
ECO CLEAN MAINTENANCE IN	JANITORIAL SERVICE	PUBLIC WORKS	1,083.34
ECO CLEAN MAINTENANCE IN	JANITORIAL SERVICE	PUBLIC WORKS	1,250.04
Total ECO CLEAN MAINTENANCE INC:			5,806.73
EXPERT CHEMICAL	DISPOSABLE COMMODITIES	PUBLIC WORKS	741.70
EXPERT CHEMICAL	DISPOSABLE COMMODITIES	PUBLIC WORKS	512.95
EXPERT CHEMICAL	DISPOSABLE COMMODITIES	PUBLIC WORKS	1,013.92
Total EXPERT CHEMICAL:			2,268.57
FAIRMEADOWS HOME HEALTH	MEDICAL SUPPLIES - FD	FIRE DEPARTMENT	111.00
Total FAIRMEADOWS HOME HEALTH CENTER:			111.00
FIRE SERVICE INC	MAINTENANCE AGREEMENTS	FIRE DEPARTMENT	2,725.00
Total FIRE SERVICE INC:			2,725.00
FORD OF HOMEWOOD	VEHICLE PARTS	PUBLIC WORKS	105.50
FORD OF HOMEWOOD	WATER DEPT PICKUP WHEEL COVER	PUBLIC WORKS	55.39
FORD OF HOMEWOOD	VEHICLE PARTS	PUBLIC WORKS	449.06
FORD OF HOMEWOOD	STREET DEPT PICKUP AXLE SEALS	PUBLIC WORKS	47.50
FORD OF HOMEWOOD	POLICE DEPT UTILITY WHEEL	PUBLIC WORKS	111.57
FORD OF HOMEWOOD	STREET DEPT PICKUP AXLE SEALS	PUBLIC WORKS	152.24
FORD OF HOMEWOOD	STREET DEPT PICKUP DRIVESHAFT	PUBLIC WORKS	377.50
FORD OF HOMEWOOD	VEHICLE MAINT	FIRE DEPARTMENT	34.95
FORD OF HOMEWOOD	VEHICLE PARTS	FIRE DEPARTMENT	90.28
FORD OF HOMEWOOD	POLICE DEPARTMENT UTILITY WINDOW SWITCH	PUBLIC WORKS	30.00
Total FORD OF HOMEWOOD:			1,453.99
GRAINGER INC	BUILDING MAINTENANCE SUPPLIES	PUBLIC WORKS	18.30
Total GRAINGER INC:			18.30

Name	Description	DEPARTMENT	Net Invoice Amount
HF CHRONICLE	AVM RECRUITMENT	MANAGER'S OFFICE	121.68
HF CHRONICLE	POLICE DEPARTMENT TESTING AD	MANAGER'S OFFICE	140.00
Total HF CHRONICLE:			261.68
HOMER TREE CARE, INC	TREE REMOVALS	PUBLIC WORKS	47,910.00
Total HOMER TREE CARE, INC:			47,910.00
HR GREEN INC	PLAN REVIEW SERVICES FOR JUNE 2022	FIRE DEPARTMENT	8,689.35
Total HR GREEN INC:			8,689.35
ILLINOIS TOLLWAY	ILLINOIS TOLLWAY TOLLS	PUBLIC WORKS	165.80
Total ILLINOIS TOLLWAY:			165.80
INGALLS OCCUPATIONAL HEAL	PRE-EMPLOYMENT PHYSICAL	MANAGER'S OFFICE	235.00
INGALLS OCCUPATIONAL HEAL	PRE-EMPLOYMENT PHYSICAL	MANAGER'S OFFICE	250.00
Total INGALLS OCCUPATIONAL HEALTH:			485.00
IPBC	AUGUST INSURANCE PREMIUM	MANAGER'S OFFICE	1,531.87
IPBC	AUGUST INSURANCE PREMIUM	MANAGER'S OFFICE	2,795.88
IPBC	AUGUST INSURANCE PREMIUM	MANAGER'S OFFICE	1,634.28
IPBC	AUGUST INSURANCE PREMIUM	MANAGER'S OFFICE	1,883.46
IPBC	AUGUST INSURANCE PREMIUM	MANAGER'S OFFICE	987.28
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	153.87
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	4,635.22
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	1,707.10
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	2,545.31
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	2,406.74
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	1,190.42
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	3,584.71
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	8,598.80
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	6,583.03
IPBC	AUGUST INSURANCE PREMIUM	FIRE DEPARTMENT	27,568.31
IPBC	AUGUST INSURANCE PREMIUM	FIRE DEPARTMENT	4,611.05
IPBC	AUGUST INSURANCE PREMIUM	FIRE DEPARTMENT	2,745.41
IPBC	AUGUST INSURANCE PREMIUM	POLICE DEPARTMENT	61,846.22
IPBC	AUGUST INSURANCE PREMIUM	POLICE DEPARTMENT	13,962.60
IPBC	AUGUST INSURANCE PREMIUM	POLICE DEPARTMENT	4,177.36
IPBC	AUGUST INSURANCE PREMIUM	POLICE DEPARTMENT	4,728.22
IPBC	AUGUST INSURANCE PREMIUM	MANAGER'S OFFICE	57,390.80
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	268.25
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	537.57
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	6,152.49
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	4,931.79
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	4,376.08
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	6,777.78
IPBC	AUGUST INSURANCE PREMIUM	MANAGER'S OFFICE	8.40-
IPBC	AUGUST INSURANCE PREMIUM	MANAGER'S OFFICE	793.28-
IPBC	AUGUST INSURANCE PREMIUM	FIRE DEPARTMENT	728.61
IPBC	AUGUST INSURANCE PREMIUM	PUBLIC WORKS	5.35-
Total IPBC:			240,233.48

Name	Description	DEPARTMENT	Net Invoice Amount
J & G TOOL SALES INC	OPERATING SUPPLIES	PUBLIC WORKS	194.98
Total J & G TOOL SALES INC:			194.98
JAMES FINFROCK	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	416.00
Total JAMES FINFROCK:			416.00
JAX INSPECTION PRO	PLUMBING INSPECTIONS	FIRE DEPARTMENT	280.00
Total JAX INSPECTION PRO:			280.00
JAY ROBERTS	ANTIQUE VEHICLE STICKER REBATE	ASSETS	20.00
Total JAY ROBERTS:			20.00
JEFFERY SIMS	WATER DEPOSIT REFUND	ASSETS	83.88
Total JEFFERY SIMS:			83.88
JEFFREY MAHARRY	PERFORMER AT FARMERS MARKET	MANAGER'S OFFICE	100.00
Total JEFFREY MAHARRY:			100.00
LATOYA R CARRAWAY	PLUMBING INSPECTIONS	FIRE DEPARTMENT	360.00
Total LATOYA R CARRAWAY:			360.00
LAW OFFICE OF DENNIS G GIA	ADMINISTRATIVE ADJUDICATION	MANAGER'S OFFICE	525.00
Total LAW OFFICE OF DENNIS G GIANOPOLUS:			525.00
LOGSDON CONSULTATION	CONTRACTUAL SERV - FD	FIRE DEPARTMENT	350.00
Total LOGSDON CONSULTATION:			350.00
MACQUEEN EQUIPMENT, LLC	VEHICLE PARTS	FIRE DEPARTMENT	149.34
Total MACQUEEN EQUIPMENT, LLC:			149.34
MARILYN QUAS	WATER DEPOSIT REFUND	ASSETS	5.55
Total MARILYN QUAS:			5.55
MARTIN J KRAFT	POLICE TEST ADVERTISING	MANAGER'S OFFICE	1,246.87
Total MARTIN J KRAFT:			1,246.87
MATTHEW BAILEY	PERFORMER AT FARMERS MARKET	MANAGER'S OFFICE	150.00
Total MATTHEW BAILEY:			150.00
MC CANN INDUSTRIES,	OPERATING SUPPLIES	PUBLIC WORKS	627.49
Total MC CANN INDUSTRIES,:			627.49
MENARDS INC	BUILDING MAINTENANCE SUPPLIES	PUBLIC WORKS	19.30

Name	Description	DEPARTMENT	Net Invoice Amount
MENARDS INC	OPERATING SUPPLIES	FIRE DEPARTMENT	21.71
MENARDS INC	OPERATING SUPPLIES	MANAGER'S OFFICE	111.95
MENARDS INC	OPERATING SUPPLIES	PUBLIC WORKS	14.99
MENARDS INC	OPERATING SUPPLIES	PUBLIC WORKS	3.39
MENARDS INC	OPERATING SUPPLIES	MANAGER'S OFFICE	73.99
MENARDS INC	OPERATING SUPPLIES	PUBLIC WORKS	91.84
Total MENARDS INC:			337.17
MICHAEL BARTELTSEN	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	374.95
Total MICHAEL BARTELTSEN:			374.95
MIDWEST AUTO TOPS	POLICE REPAIR PARTS	PUBLIC WORKS	500.00
Total MIDWEST AUTO TOPS :			500.00
MONARCH AUTO SUPPLY	VEHICLE MAINT DEPARTMENT OIL ABSORBNT	PUBLIC WORKS	65.91
MONARCH AUTO SUPPLY	VEHICLE MAINT DEPT TOOLS	PUBLIC WORKS	126.98
MONARCH AUTO SUPPLY	VEHICLE PARTS	PUBLIC WORKS	193.44
MONARCH AUTO SUPPLY	STREET DEPT PICKUP AXLE BEARINGS	PUBLIC WORKS	45.12
MONARCH AUTO SUPPLY	VEHICLE MAINT DEPARTMENT SUPPLIES	PUBLIC WORKS	5.38
Total MONARCH AUTO SUPPLY:			436.83
NATIONAL SAFETY COUNCIL	TRAINING - PW	PUBLIC WORKS	212.89
Total NATIONAL SAFETY COUNCIL:			212.89
NICOR	JULY UTILITIES	PUBLIC WORKS	1,103.89
NICOR	JULY UTILITIES	PUBLIC WORKS	3,919.19
NICOR	JULY UTILITIES	PUBLIC WORKS	49.30
Total NICOR:			5,072.38
O'HERRON CO	QUARTERMASTER-UNIFORMS-PD	POLICE DEPARTMENT	185.97
O'HERRON CO	QUARTERMASTER-UNIFORMS-PD	POLICE DEPARTMENT	186.97
Total O'HERRON CO:			372.94
PEARL CARPIO	WATER DEPOSIT REFUND	ASSETS	11.41
Total PEARL CARPIO:			11.41
PENNY BRADSHAW	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	1,478.40
Total PENNY BRADSHAW:			1,478.40
PROSHRED SECURITY	SHREDDING	POLICE DEPARTMENT	65.00
Total PROSHRED SECURITY:			65.00
RAYMOND PRESNAK	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	297.84
Total RAYMOND PRESNAK:			297.84
RECTITUDE TRAINING, LLC	TWO OFFICER CONTROL AND ARREST TACTICS	POLICE DEPARTMENT	2,175.00

Name	Description	DEPARTMENT	Net Invoice Amount
Total RECTITUDE TRAINING, LLC:			2,175.00
RELIANCE SAFETY LANE & SE	VEHICLE MAINT - FD	FIRE DEPARTMENT	65.00
Total RELIANCE SAFETY LANE & SERVICE:			65.00
RUSO POWER EQUIPMENT	OPERATING SUPPLIES	PUBLIC WORKS	202.15
RUSO POWER EQUIPMENT	LANDSCAPE OPERATING SUPPLIES	PUBLIC WORKS	488.96
RUSO POWER EQUIPMENT	OPERATING SUPPLIES	PUBLIC WORKS	140.95
Total RUSSO POWER EQUIPMENT:			832.06
SARAH JOHANNA MEEKS	CONTRACTUAL SERVICES 7/17-7/30	MANAGER'S OFFICE	675.00
Total SARAH JOHANNA MEEKS:			675.00
SEBIS - POSTAGE	SEBIS POSTAGE	PUBLIC WORKS	2,857.28
Total SEBIS - POSTAGE:			2,857.28
SEECO CONSULTANTS INC	TESTING FOR RBI STREETS	PUBLIC WORKS	1,733.50
Total SEECO CONSULTANTS INC:			1,733.50
SIDWELL COMPANY	SIDWELL MAP UPDATES	FIRE DEPARTMENT	100.00
Total SIDWELL COMPANY:			100.00
SNAP-ON INDUSTRIAL	SPECIAL EQUIPMENT	PUBLIC WORKS	325.80
SNAP-ON INDUSTRIAL	VEHICLE PARTS	PUBLIC WORKS	138.33
SNAP-ON INDUSTRIAL	VEHICLE MAINTENANCE DEPT IMPACT SOCKET	PUBLIC WORKS	27.58
SNAP-ON INDUSTRIAL	BUILDING MAINT DEPT SOCKET TRAY	PUBLIC WORKS	81.38
Total SNAP-ON INDUSTRIAL:			573.09
SO SUB MAYORS & MANAGERS	GIS CONSORTIUM	MANAGER'S OFFICE	4,200.00
SO SUB MAYORS & MANAGERS	GIS CONSORTIUM	PUBLIC WORKS	4,200.00
Total SO SUB MAYORS & MANAGERS ASSOC:			8,400.00
SOUTH SUBURBAN PADS	JULY PADS CONTRIBUTION	ASSETS	281.00
Total SOUTH SUBURBAN PADS:			281.00
STANARD & ASSOCIATES INC.	LIEUTENANT TESTING PROCESS	MANAGER'S OFFICE	6,621.87
Total STANARD & ASSOCIATES INC.:			6,621.87
TERMINAL SUPPLY COMPANY	VEHICLE MAINT PARTS	PUBLIC WORKS	303.32
Total TERMINAL SUPPLY COMPANY:			303.32
THIRD DISTRICT FIRE CHIEFS	MABAS FEES	FIRE DEPARTMENT	1,818.00
THIRD DISTRICT FIRE CHIEFS	MABAS	FIRE DEPARTMENT	250.00
THIRD DISTRICT FIRE CHIEFS	MABAS FEES	FIRE DEPARTMENT	20.00

Name	Description	DEPARTMENT	Net Invoice Amount
Total THIRD DISTRICT FIRE CHIEFS ASSN:			2,088.00
THORN CREEK BASIN SAN DIS	TCBSD REVENUE PAYOUT	ASSETS	91,745.64
THORN CREEK BASIN SAN DIS	LATE PMT PENALTIES CHARGED TO CUSTOMERS	ASSETS	1,707.51
Total THORN CREEK BASIN SAN DISTRICT:			93,453.15
TRAFFIC CONTROL COMPANY	2022 TRAFFIC CONTROL	PUBLIC WORKS	52,876.27
Total TRAFFIC CONTROL COMPANY:			52,876.27
TRL TIRE SERVICE	TIRES	PUBLIC WORKS	280.38
Total TRL TIRE SERVICE:			280.38
US BANCORP GOVERNMENT L	LEASE PYMNT 4 OF 5	FIRE DEPARTMENT	15,466.50
US BANCORP GOVERNMENT L	LEASE PYMNT 4 OF 5	PUBLIC WORKS	6,987.40
US BANCORP GOVERNMENT L	LEASE PYMNT 4 OF 5	PUBLIC WORKS	45,598.42
Total US BANCORP GOVERNMENT LEASING & FINANCE:			68,052.32
USA BLUEBOOK	VEHICLE MAINT DEPT	PUBLIC WORKS	323.92
USA BLUEBOOK	VEHICLE MAINT DEPT	PUBLIC WORKS	19.95
Total USA BLUEBOOK:			343.87
UTERMARK & SONS	GRASS CUTTING	FIRE DEPARTMENT	76.07
UTERMARK & SONS	GRASS CUTTING	FIRE DEPARTMENT	279.28
UTERMARK & SONS	GRASS CUTTING	FIRE DEPARTMENT	203.21
UTERMARK & SONS	GRASS CUTTING	FIRE DEPARTMENT	229.28
UTERMARK & SONS	GRASS CUTTING	FIRE DEPARTMENT	254.28
UTERMARK & SONS	GRASS CUTTING	FIRE DEPARTMENT	152.14
Total UTERMARK & SONS:			1,194.26
UTILITY CORE CONSTRUCTION	HYDRANT METER DEPOSIT REFUND	PUBLIC WORKS	285.81
Total UTILITY CORE CONSTRUCTION:			285.81
WALTS FOOD CENTER	MISCELLANEOUS	MANAGER'S OFFICE	31.82
WALTS FOOD CENTER	MEETING REFRESHMENTS	PUBLIC WORKS	52.49
Total WALTS FOOD CENTER:			84.31
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES DISPOSABLES	PUBLIC WORKS	73.20
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES DISPOSABLES	PUBLIC WORKS	92.64
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES	PUBLIC WORKS	258.58
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES	MANAGER'S OFFICE	145.78
WAREHOUSE DIRECT OFFICE	COPY PAPER	MANAGER'S OFFICE	113.22
Total WAREHOUSE DIRECT OFFICE PDTS:			683.42
WEST SIDE TRACTOR SALES	VEHICLE MAINTENANCE SUPPLIES	PUBLIC WORKS	355.36
Total WEST SIDE TRACTOR SALES:			355.36

Name	Description	DEPARTMENT	Net Invoice Amount
WEX BANK	POLICE DEPT FUEL HSI	PUBLIC WORKS	739.64
Total WEX BANK:			739.64
WIEST CURT	QUARTERMASTER-UNIFORMS-PD	POLICE DEPARTMENT	120.00
Total WIEST CURT:			120.00
ZIONS BANK	2022-2023 ANNUAL PAYING AGENT FEE	ADMIN & MGMT SERVICE	450.00
Total ZIONS BANK:			450.00
Grand Totals:			662,126.18

Dated: _____

Village Clerk: _____



BOARD AGENDA MEMORANDUM

DATE OF MEETING: August 9, 2022

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Dennis Bubenik, Director of Finance

Topic: Tobacco retailer license update

PURPOSE

The tobacco section of the Municipal Code needs to be updated due to the many changes that have occurred since the code was first adopted. The Tobacco Commissioner is supportive of setting standards for the review of tobacco license applications, creating two separate classes of tobacco licenses, regulating limits on the number of each class to be issued, and changing the fee schedule to reflect the revised fees for these licenses. These changes require Board approval.

PROCESS

The last update to the tobacco section of the Municipal Code was approximately 20 years ago. The State has passed rules during this 20-year period; and, over the past several years, there have been many changes in the tobacco industry, including the sale of alternative tobacco products. These changes are reflected in the proposed revision.

Staff met with the Village Attorney and the Village President to discuss options for updating the tobacco code. After much consideration, it was decided to set standards for the review of tobacco license applications, and create two separate classes of tobacco licenses; one for the ancillary sale of tobacco, and one for a tobacco store. Each of these classes would also have limitations on the number of licenses allowed in the Village. This revision is modeled similar to the liquor license section of the Municipal Code, which includes separate license classes, and limits to the number of allowed license holders in each class.

The first classification of licenses authorizes the number of stores that are allowed to sell tobacco as an ancillary product. Currently there are 17 tobacco licensees in the Village, all of which would be considered a class 1 tobacco license under the proposed structure. Class 1 retailers of tobacco would be allowed to sell tobacco only as an ancillary product to their overall sales. One example of such a licensee would be Walmart.



The second classification of tobacco license authorizes the operation of a tobacco store. This license allows for the issuance of one class 2 tobacco retailer license where the sale of tobacco products is the store's primary purpose.

OUTCOME

Adopting these changes to the Municipal Code and Fee Schedule will accomplish the needed updates to the tobacco license process.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass an ordinance amending the Municipal Code to create two separate classes of tobacco licenses (class 1 and class 2) and to limit the allowed number of tobacco licenses in the Village to 17 class 1 licenses and one class 2 license; and, pass an ordinance amending the "Business License" section of the Fee Schedule as it pertains to tobacco retailer license fees.

ATTACHMENT(S)

Ordinances

ORDINANCE NO. MC-1063**AN ORDINANCE AMENDING CHAPTER 4 OF THE HOMEWOOD MUNICIPAL CODE CONCERNING LICENSING AND REGULATION OF TOBACCO SALES WITHIN THE VILLAGE OF HOMEWOOD.**

WHEREAS, cigarette smoking is dangerous to human health;

WHEREAS, there exists substantial scientific evidence that the use of tobacco products causes cancer, heart disease and various other medical disorders;

WHEREAS, the Surgeon General of the United States has declared that nicotine addiction from tobacco is similar to addiction to cocaine, and is the most widespread example of drug dependence in this country;

WHEREAS, the director of the National Institute on Drug Abuse concluded that the majority of the 320,000 Americans who die each year from cigarette smoking became addicted to nicotine as adolescents before the age of legal consent;

WHEREAS, the National Institute on Drug Abuse found that cigarette smoking precedes and may be predictive of illicit drug use by adolescents;

WHEREAS, the present legislative scheme of prohibiting sales of tobacco products to persons under 21 years of age has proven ineffective in preventing such persons from using tobacco products; and

WHEREAS, the enactment of this article directly pertains to and is in furtherance of the health, welfare, and safety of the residents of the village, particularly those residents under 21 years of age.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, as follows:

SECTION ONE - AMENDMENT TO THE HOMEWOOD MUNICIPAL CODE:

Chapter 4, Article III "Tobacco" is amended by deletion Article III in its entirety and insertion of the revised Article III attached to this ordinance as Exhibit A.

SECTION TWO – EFFECTIVE DATE:

This ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 9th day of August, 2022.

Village President

ATTEST:

Village Clerk

Ayes: _____ Nays: _____ Abstain: _____ Absent: _____

ARTICLE III. TOBACCO
DIVISION 1. GENERALLY

Sec. 4-195. Legislative findings; construction and interpretation.

The Village President and Board of Trustees expressly find and declare that:

- (1) Cigarette smoking is dangerous to human health;
- (2) There exists substantial scientific evidence that the use of tobacco products, tobacco related products, or alternative nicotine products causes cancer, heart disease and various other medical disorders;
- (3) The Surgeon General of the United States has declared that nicotine addiction from tobacco is similar to addiction to cocaine, and is the most widespread example of drug dependence in this country;
- (4) The director of the National Institute on Drug Abuse concluded that the majority of the 320,000 Americans who die each year from cigarette smoking became addicted to nicotine as adolescents before the age of legal consent;
- (5) The National Institute on Drug Abuse found that cigarette smoking precedes and may be predictive of illicit drug use by adolescents;
- (6) The present legislative scheme of prohibiting sales of tobacco products, tobacco related products, or alternative nicotine products to persons under 21 years of age has proven ineffective in preventing such persons from using tobacco products, tobacco related products, or alternative nicotine products; and
- (7) The enactment of this article directly pertains to and is in furtherance of the health, welfare and safety of the residents of the village, particularly those residents under 21 years of age.

This section shall be liberally construed to the end that the health, safety and welfare of the residents of the village shall be protected, and temperance in the use of tobacco products, tobacco related products, or alternative nicotine products shall be fostered and promoted.

Sec. 4-196. Definitions.

- (a) When not otherwise qualified, the term "license" or "licensee" wherever used in this article means a license or licensee of the village under this article. In addition, unless the context otherwise requires, terms used in this article shall have the definitions in the following state acts:

- (1) The Cigarette Tax Act, 35 ILCS 130/1 *et seq.*
 - (2) The Tobacco Products Tax Act of 1995, 35 ILCS 143/10-1 *et seq.*
 - (3) The Smoke-Free Campus Act, 110 ILCS 64/1 *et seq.*
 - (4) The Smoke Free Illinois Act, 410 ILCS 82/1 *et seq.*
 - (5) The Smokeless Tobacco Outdoor Advertising Act, 410 ILCS 75/0.01 *et seq.*
 - (6) The Prevention of Tobacco Use by Persons Under 21 Years of Age and Sale and Distribution of Tobacco Products Act, 720 ILCS 675/0.01 *et seq.*
 - (7) The Display of Tobacco Products Act, 720 ILCS 677/1 *et seq.*
 - (8) The Prevention of Cigarette and Electronic Cigarette Sales to Persons Under 21 Years of Age Act, 720 ILCS 678/1 *et seq.*
 - (9) The Tobacco Accessories and Smoking Herbs Control Act, 720 ILCS 685/1 *et seq.*
- (b) When used in this article, the term “state tobacco and related products acts” means the state acts in subsection (a) of this section.
- (c) TOBACCO PRODUCTS means tobacco in all its forms, including but not limited to: cigarettes, cigars, cheroots, stogies, periques, granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco, snuff or snuff flour, cavendish, plug and twist tobacco, fine-cut and other chewing tobaccos, shorts, refuse scraps, clippings, cuttings, and sweeping of tobacco, and all other kinds and forms of tobacco prepared in such manner so as to be suitable for snuff, chewing, smoking, and/or otherwise ingested to any degree by any means, and tobacco purchased or offered for sale for the manufacture of cigarettes, and any paraphernalia designated, designed for, or that could be used, or is intended to be used, for the ingestion of tobacco to any degree, whether by inhalation or other means.
- (d) TOBACCO RELATED PRODUCTS means any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidis, blunts, clove cigarettes, or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body by inhalation; but does not include any cessation product specifically approved by the U.S. Food and Drug Administration for treating nicotine or tobacco dependence.

- (e) **ALTERNATIVE NICOTINE PRODUCTS** means a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means. Examples include but are not limited to: electronic cigarettes, personal vaporizers, electronic nicotine delivery systems, liquid nicotine and all other vapor products. Alternative nicotine products excludes cigarettes, smokeless tobacco, or other tobacco products.
- (f) **ANCILLARY TOBACCO SALES** means a retail establishment in which the sale of non-tobacco-related products is the primary function. Ancillary tobacco sales retailers sell products other than tobacco, tobacco related products, and alternative nicotine products as their primary business.
- (g) **TOBACCO STORE** means a retail store utilized primarily for the sale of tobacco, tobacco related products, and alternative nicotine products, and in which the sale of products other than tobacco, tobacco related products, and alternative nicotine products is incidental.

Sec. 4-197. Local tobacco control commissioner.

- (a) Village president to serve as local commissioner. The village president shall be the local tobacco control commissioner responsible for administration of this article and state law and may appoint other persons to assist in the exercise of these powers and responsibilities.
- (b) Compensation. The village board shall determine and pay compensation to the local tobacco control commissioner in consideration of the performance of the commissioner's duties.
- (c) Powers and duties. The local commissioner, pursuant to 65 ILCS 5/11-20-3, shall have the power and duty to:
 - (1) Grant and revoke for cause all local licenses issued to persons for premises within the village, which cause shall specifically include, but not be limited to, a licensee's failure to operate the licensed premises for 30 consecutive days.
 - (2) Enter or authorize any law enforcement or code enforcement officer to enter at any time upon the premises licensed under this article to determine whether the provisions of this Code or the state tobacco and related products acts or any rule or regulations adopted by the state tobacco control commission have been or are being violated, and at such times to examine the premises of the licensee in connection therewith;

- (3) Receive complaints from any citizen of the village that any provision of this Code or the state tobacco and related products acts have been or are being violated, and to act upon such complaint in the manner provided by law;
- (4) Ensure that all tobacco retailer license fees shall be paid;
- (5) Examine or cause to be examined under oath any applicant for a village license or for renewal of a license or any licensee upon whom notice of revocation has been served;
- (6) File an administrative review action challenging a decision of the state tobacco control commission, reducing or vacating any license revocation, suspension or fine imposed on a tobacco retailer licensee by the local tobacco control commissioner;
- (7) Keep or cause to be kept a record of all licenses issued; and
- (8) Exercise all other powers, functions and duties given to the local commissioner by state law.

Sec. 4-198. Village officials not to accept gifts.

The local tobacco control commissioner, and agents, members of a committee appointed by the commissioner to assist in local control, members of the board of trustees and police officers are prohibited from soliciting or accepting any gift, gratuity, emolument, or employment from any licensee. Every licensee or employee, agent or officer of such licensee is prohibited from offering or making any such gift, gratuity, or emolument to any person prohibited from accepting any such gift, gratuity, or emolument.

Sec. 4-199. Complaint of violations.

- (a) Any resident of the village shall have the right to file a complaint with the local commissioner stating that any retail licensee has been or is violating any provisions of this section or any of the state tobacco and related products acts. Such complaint shall be in writing and shall be signed and sworn to by the parties complaining. The complaint shall state the particular provisions believed to have been violated and detailed facts to support the alleged violation.
- (b) If the local commissioner is satisfied that the complaint substantially charges a violation and that from the facts alleged there is reasonable cause for such belief, local commissioner shall set the matter for hearing and shall serve notice upon the licensee of the time and place of such hearing and of the particulars charged in the complaint.

Sec. 4-200. Responsibility of owner of premises.

If the owner of the licensed premises or any person from whom the licensee derives the right to possession of such premises, or the agent of such person, shall knowingly permit the licensee to use the premises in violation of the terms of the applicable provisions of this section or any of the state tobacco and related products acts, the owner, agent or other person shall be deemed guilty of violating this section to the same extent as such licensee and shall be subject to the same penalties.

Sec. 4-201. Acts of agent or employee.

Every act or omission constituting a violation of any provision of this section or any of the state tobacco and related products acts, by any officer, director, manager, agent or employee of any licensee shall be deemed and held to be the act of such employer or licensee. The employer or licensee shall be punishable as if the act or omission had been done or omitted by the employer or licensee personally.

Secs. 4-202 – 4-225. Reserved.

DIVISION 2. LICENSES

Sec. 4-226. License required.

- (a) No person shall sell, offer for sale, or possess with intention to sell at retail in the village any tobacco products, tobacco related products, or alternative nicotine products or accessories without a tobacco retailer's license from the village, in addition to a state license.
- (b) No person shall sell or offer for sale at retail in the village any tobacco products, tobacco related products, or alternative nicotine products or accessories in violation of the terms of the license or in violation of any provision of this article or the state tobacco and related products acts.
- (c) The disbursement of tobacco products, tobacco related products, or alternative nicotine products or accessories without a license at any gathering, party or other public or private affair when admission is charged for entrance, whether or not an additional charge is made for disbursement of tobacco products, tobacco related products, or alternative nicotine products or accessories, shall constitute a violation of this article.

Sec. 4-227. Issuance restricted.

Tobacco retailer licenses shall only be issued to businesses in nonresidential zoning districts.

Sec. 4-228. Application; nonrefundable processing fee.

- (a) An applicant for a license or for renewal of a license from the village shall submit an application to the local tobacco control commissioner. All new applications for a license shall include a nonrefundable processing fee in the amount provided by the village fee schedule.
- (b) The application shall be in writing, under oath, and signed by the applicant if an individual; or if the application is on the behalf of a partnership, firm, association, club or corporation, then it shall be signed and sworn to by at least two members of such partnership; or by the president and secretary of such firm, club, association or corporation. The application shall state:
 - (1) For individual or partnership applicants, the name, age and address of the applicant and all persons entitled to share in the business' profits, along with a copy of any partnership agreement.
 - (2) For corporate or limited liability company applicants, the entity name, date of incorporation or organization, business address, names and addresses of all individuals owning five percent or more of the entity, and proof of good standing from the Secretary of State.
 - (3) For club applicants, the club name, date of incorporation, club address, the names and addresses of all officers, number of members, and objects for which it was organized.
 - (4) The citizenship of the applicant, place of birth, and if a naturalized citizen, the time and place of naturalization.
 - (5) A description of the business or operation where the license is to be used and the desired license class.
 - (6) The length of time that applicant has been in that business or operation and the date when the business or operation opened or proposes to open for business in the village.
 - (7) Whether the applicant has ever applied for a tobacco retailer license at another location. If the number of such applications exceeds five, only those five geographically nearest the village need be listed.
 - (8) An affirmation that the applicant has never been convicted of a felony and is not disqualified by state, federal or local law to receive a tobacco retailer license.

- (9) A description of all instances where a tobacco retailer license issued to the applicant has been revoked or suspended.
 - (10) An affirmation that the applicant is familiar with federal and state law and this Code as they relate to retailers of tobacco products, tobacco related products, or alternative nicotine products or accessories that the applicant will not violate nor permit their employees or agents to violate this Code or state or federal law in conducting the licensed business.
 - (11) Such additional information as the local tobacco control commissioner may prescribe by rule or regulation consistent with law.
- (c) Upon receipt of a complete license application, the tobacco control commissioner shall determine the appropriate class of license sought by the applicant.

Sec. 4-229. Form of license; licenses apply only to premises for which issued.

Licenses shall clearly indicate the terms of issuance, the name of the licensee, and the location of the premises. Licenses issued under this division shall apply only to the premises described in the application and in the license issued thereon, and only one location shall be so described in each license.

Sec. 4-230. License is solely personal privilege subject to limitations.

A license shall be purely a personal privilege and shall be subject to all the limitations and privileges set forth in this Code and the state tobacco and related products acts.

Sec. 4-231. Term of license.

Every license shall terminate on April 30 next following its issuance unless sooner revoked or suspended. There shall be no rebate for the unexpired term of a license. An application for renewal shall not be considered as such unless made before April 30, and unless submitted with the appropriate fee. No license shall be valid unless the proper fee has been paid.

Sec. 4-232. License fees.

The annual fee for a tobacco retailer's license shall be in the amount provided on the village fee schedule, due on May 1 of each year. The fee for a new license shall be the annual fee reduced in proportion to the number of full months that have expired since the previous May. If a license is suspended, revoked, or relinquished, there shall be no rebate for the unexpired license term. Renewal applications shall not be considered unless submitted before April 30 with the appropriate fee. Tobacco retailer

license fees are in addition to any other license or permit fees applicable to the tobacco retailer licensee's business.

Sec. 4-233. Disposition of fees.

One hundred percent of each license fee shall be credited to the general fund of the village.

Sec. 4-234. Classification of licenses; Limitations on number of licenses.

- (a) Tobacco retailer licenses shall be divided into these classes:
 - (1) Class 1 Tobacco Retailer. Class 1 licenses shall authorize businesses to conduct ancillary tobacco sales as defined in Section 4-196.
 - (2) Class 2 Tobacco Retailer. Class 2 licenses shall authorize the operation of a Tobacco Store as defined in Section 4-196.
- (b) The total number of tobacco retailer licenses issued under this article shall be restricted to the following totals:
 - Class 1 licenses — 17
 - Class 2 licenses — 1
- (c) In granting any license under this chapter, the tobacco control commissioner may impose additional terms and conditions as the commissioner finds necessary, reasonable and consistent with this chapter.

Sec. 4-235. Reduction in available licenses.

- (a) Upon the abandonment, surrender, revocation, or expiration without renewal of any tobacco retailer license issued under this division, the total number of tobacco retailer licenses permitted for the class under which the abandoned, surrendered, revoked, or expired license was issued shall, upon the date of such abandonment, surrender, revocation, or expiration, automatically reduce by the number of licenses abandoned, surrendered, revoked, or permitted to expire without renewal on that date, notwithstanding the number of such licenses permitted pursuant to this division.
- (b) The tobacco control commissioner or the commissioner's designee shall maintain a current tally of the number and category of licenses currently authorized.

Sec. 4-236. Change of location.

- (a) After a license has been granted for a particular premises, the local tobacco control commissioner, upon application by the licensee, may endorse upon the licensee permission to abandon the premises thereon described and to remove the license to other premises described in the endorsement.
- (b) The application for transfer shall be in writing under oath and shall describe the new premises. The reasons for transfer shall be given, and it shall be shown that the new premises complies with the requirements of this Code and the state tobacco and related products acts.

Such location may be changed only upon a written request for a change of location made by the licensee to the tobacco control commissioner. Such request shall include a detailed floor plan of the proposed location, a detailed description of the proposed business operations and an identification of any proposed change of operations at the new location compared to the current location. The tobacco control commissioner shall review the request using the standards for a new tobacco dealer's license in section 4-228 of this division and shall either approve or deny the request within 30 days of receiving the request.

Sec. 4-237. Display.

Every licensee shall cause their license to be framed and hung in plain view in a conspicuous place on the licensed premises.

Sec. 4-238. Suspension, revocation and other penalties.

- (a) The local commissioner may suspend any local license issued by the village or impose a fine if it is determined that the licensee has violated any provision of this Code or the state tobacco and related products acts.
- (b) The local commissioner may revoke any local license issued by the village if it is determined that the licensee is guilty of any such violation on three separate occasions during any 12-month period. In such case there shall be no refund of the license fee.
- (c) The penalties in this section are in addition to any other penalties that may be assessed for a conviction of any such violation in a court of law.
- (d) When any license shall have been revoked, no license shall be granted to any person for the period of one year thereafter for the sale of tobacco products, tobacco related products, or alternative nicotine products or accessories on the premises described in the revoked license.

Secs. 4-239 – 4-267. Reserved.

DIVISION 3. OPERATION AND PREMISES RESTRICTIONS

Sec. 4-268. Peddling.

No person shall peddle tobacco products, tobacco related products, or alternative nicotine products or accessories in the village.

Sec. 4-269. Sale permitted by license.

A tobacco retailer licensee shall be allowed to sell any tobacco product or accessories in the original package, including sales from a vending machine.

Sec. 4-270. Credit sales.

No person shall sell or furnish tobacco products, tobacco related products, or alternative nicotine products or accessories at retail under terms contrary to this Code or the state tobacco and related products acts.

Sec. 4-271. Location restrictions; drive-through sales prohibited.

It is unlawful for any person to sell, offer for sale, give away or deliver tobacco products, tobacco related products, or alternative nicotine products within 100 feet of any school or other building used for education or recreational programs for persons under 21 years of age. It is unlawful for any person to sell, offer for sale, give away or deliver tobacco products, tobacco related products, or alternative nicotine products by the use of a drive-up or a drive-through window.

Sec. 4-272. Vending machine restrictions.

It is unlawful for any licensee to sell, offer for sale, give away, deliver, or keep with the intention of selling, giving away or delivering tobacco products, tobacco related products, or alternative nicotine products by the use of a vending machine, unless such vending machine has a manual, electric or electronic locking device controlled by the licensee to prevent its operation by persons under 21 years of age.

Secs. 4-273 – 4-294. Reserved.

DIVISION 4. PACKAGING

Sec. 4-295. Refilling original packages.

No licensee shall refill in whole or in part, any original tobacco product or accessories.

Sec. 4-296. Minimum size cigarette packaging.

- (a) No licensee shall sell or offer for sale any quantity of cigarettes smaller than which is packaged by the original manufacturers packaging of a single package of cigarettes. All single packages of cigarettes must be sold with the original manufacturers seal unbroken and with the original packaged quantity of cigarettes intact at the time of sale. (Single packages of cigarettes commonly packaged as 20 cigarettes and commonly called “a pack of cigarettes”).
- (b) Foreign and uncommon brands of cigarettes may be offered for sale in packages of quantities smaller than 20 cigarettes. However, foreign and uncommon brands of cigarettes must be sold in quantity no smaller than the manufacturers original single package of these brands of cigarettes, and with the original single packaging seal unbroken.

Sec. 4-297. Minimum size cigar packaging.

- (a) No licensee shall sell or offer for sale any quantity of cigars smaller than which is packaged by the original manufacturers packaging of a single sale of the particular cigar.
- (b) All single packages of cigars or individual sale cigars must be sold with the original manufacturers seal unbroken and with the original packaged quantity of cigars, (one or more), intact at the time of sale. Cigars for individual sale must remain individually wrapped as by the manufacturer, for sale as a single cigar.
- (c) This section shall not apply to retail tobacco stores as defined in 410 ILCS 82/10.

Sec. 4-298. Minimum size smokeless tobacco packaging.

No licensee shall sell or offer for sale any quantity of any smokeless tobacco product that is not in the original manufacturers packaging for single package sale, with the original manufacturers seal unbroken and with the original packaged quantity intact at the time of sale. The term “smokeless tobacco products, tobacco related products, or alternative nicotine products” includes, but is not limited to, any finely cut, ground, powdered, or leaf tobacco, intended to be placed in the oral cavity.

Sec. 4-299. Minimum size packaging of all tobacco products, tobacco related products, or alternative nicotine products and accessories.

- (a) All tobacco products, tobacco related products, or alternative nicotine products and accessories covered under this Code or the state tobacco and related products acts, shall only be offered for sale by licensees in the original manufacturers packaging for single package sale, with the original

manufacturers seal unbroken and with the original packaged quantity intact at the time of sale.

(b) This section shall not apply to retail tobacco stores, as defined in 410 ILCS 82/10.

Secs. 4-300 – 4-316. Reserved.

DIVISION 5. PERSONS UNDER AGE 21

Sec. 4-317. Sales or possession of tobacco or smokeless tobacco to or by minors.

No one under 21 years of age shall buy or possess any tobacco products, tobacco related products, or alternative nicotine products. No person shall sell, buy for, distribute samples of or furnish any tobacco products, tobacco related products, or alternative nicotine products to anyone under 21 years of age.

Sec. 4-318. Sales to persons under 21 years of age.

In connection with the sale or distribution of tobacco products, tobacco related products, or alternative nicotine products or accessories, to any person under 21 years of age, licensees shall be subject to all regulations, prohibitions and penalties in this Code and the state tobacco and related products acts.

Sec. 4-319. Employment of persons under 16 years of age.

- (a) No person under 16 years of age shall sell tobacco products, tobacco related products, or alternative nicotine products or accessories as an employee of any licensee, except as permitted by 720 ILCS 675/1. For purposes of this section, the terms “sale” or “sell” shall include, but not be limited to, operating the cash register, scanning device or any other equipment used to record the purchase of tobacco products, tobacco related products, or alternative nicotine products or accessories, and the receipt of money, checks, credit cards or any other form of payment for the purchase of tobacco products, tobacco related products, or alternative nicotine products or accessories.
- (b) The requirement for sales personnel to be 16 years of age or older may not be avoided by asking or permitting patrons to perform any part of the sale transaction.
- (c) No person under 16 years of age shall possess tobacco products, tobacco related products, or alternative nicotine products or accessories as an employee of a licensee other than as authorized by law.
- (d) No licensee shall permit any of the acts prohibited in this section.

Sec. 4-320. Prohibited transactions.

- (a) It is unlawful for any person to sell, offer for sale, give away or deliver tobacco products, tobacco related products, or alternative nicotine products and or accessories to any person under 21 years of age.
- (b) Any person to whom the sale, gift or delivery of any tobacco product or accessories is prohibited because of age, or for any other reason, except as an authorized agent for compliance enforcement, shall not purchase, or accept a gift of such tobacco products, tobacco related products, or alternative nicotine products or accessories or have such tobacco products, tobacco related products, or alternative nicotine products or accessories in their possession. All such persons shall be subject to all restrictions, prohibitions and penalties of this Code and the state tobacco and related products acts.

Sec. 4-321. Underage possession of tobacco.

No person under 21 years of age shall be in possession of any tobacco products, tobacco related products, or alternative nicotine products within the village, except as an authorized agent for compliance enforcement or as permitted by the state tobacco and related products acts.

Sec. 4-322. Responsibility of parents.

It is unlawful for any parent or guardian to knowingly suffer or permit their child under 21 years of age to violate any provision of this section of this Code or the state tobacco and related products acts.

Sec. 4-323. Responsibility of the owner or occupant of premises to ensure compliance.

- (a) It is unlawful for any owner or occupant of any premises, residential or otherwise, within the village, to knowingly allow any person under 21 years of age to remain on such premises while in the possession of tobacco products, tobacco related products, or alternative nicotine products or accessories, or while using any tobacco products, tobacco related products, or alternative nicotine products in violation of section 4-321.
- (b) It is unlawful for any such owner or occupant on such premises to knowingly sell or give tobacco products, tobacco related products, or alternative nicotine products or accessories to any person under 21 years of age or to knowingly allow tobacco products, tobacco related products, or alternative nicotine products or accessories to be given to any person under 21 years of age while on such premises, in violation of section 4-321.

Sec. 4-324. Signs.

Signs informing the public of the age restrictions provided for herein shall be posted by every licensee at or near every display of tobacco products, tobacco related products, or alternative nicotine products or accessories and on or upon every vending machine that offers tobacco products, tobacco related products, or alternative nicotine products for sale. Each sign shall be plainly visible and shall state: "The sale of tobacco products, tobacco related products, or alternative nicotine products to persons under 21 years of age is prohibited by law."

ORDINANCE NO. M- 2226

**AN ORDINANCE AMENDING THE BUSINESS LICENSE SECTION
OF THE VILLAGE OF HOMewood FEE SCHEDULE**

WHEREAS, the Board of Trustees for the Village of Homewood adopted a master fee schedule by passage of Ordinance M-2189; and

WHEREAS, the Board of Trustees has determined that it is necessary to revise the charges for tobacco licenses.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, as follows:

SECTION ONE – FEE SCHEDULE REVISIONS:

The “Business License” section of the Village of Homewood Fee schedule is attached to this Ordinance as Exhibit A with additions underlined and deletions ~~struckthrough~~.

All other sections of the master fee schedule not amended by this Ordinance remain in force.

SECTION TWO – EFFECTIVE DATE:

This ordinance shall be in full force and effect after its passage, approval, and publication under law.

PASSED and APPROVED on August 9, 2022.

Village President

ATTEST:

Village Clerk

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____

Business License

Item 8. C.

Business Type	Fee (Annually unless otherwise stated)
Amusement	\$75.00 for less than 60 days / \$100.00 under 5000 s.f./\$200.00 over 5000 s.f. for over 60 days
Athletic Contest	\$75.00 for 60 days or less
Billiard Table/Pool Table Hall	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Bowling Alley	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Circus or Carnival	\$75.00 per day
Coin Operated Amusement Device	\$75.00 per machine
Video Gaming Terminal	\$250.00 per terminal
Electronic Game Rooms	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Motion Picture Theater	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Theatrical Exhibition	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Theatrical Ticket Brokers	\$40.00
Public Dances	\$40.00 per day
Shooting Gallery	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Skating Rink	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Raffles - Single	\$5.00
Raffle - Multiple or Serial	\$100.00
Tobacco Application Processing	\$100.00
Tobacco Retailer <u>License</u> <u>Class 1</u>	\$600.00
Tobacco Retailer <u>License</u> <u>Class 2</u>	\$1,200.00
Kennel	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Business License	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Change of Location	\$25.00
Exhibition	\$40.00 per day
Auctioneer	\$40.00 per day
Filling Station	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Food Dealer	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Food Dealer Reinspection	\$75.00
Food Delivery Vehicle	\$75.00 per vehicle
Food Vending Machine	\$50.00 per machine
Laundry Establishment/Dry Cleaners/Laundromat	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Laundry Delivery Vehicle	\$25.00 per vehicle
Hotels or Motels	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Roominghouse	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Nursing Home	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Adult Use Application and Investigation	\$300.00
Adult Uses	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Going Out of Business Sale	\$75.00 for 60 days or less
Liquefied Petroleum Gas Storage	\$50.00
Business Operation Certificate-inspection fee	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Mobile Home Park	\$500.00
Itinerant Merchant	\$75.00 for 90 consecutive days or less
Secondhand Goods Dealers	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Pawnbroker	\$100.00 under 5000 s.f./\$200.00 over 5000 s.f.
Limited Scavenger	\$300.00

Business License

Item 8. C.

Business Type	Fee (Annually unless otherwise stated)
Scavenger	\$500.00