

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff,

Case No. 2023 CH 5147

Judge Quish

Calendar 14

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as the Village Mayor,

Defendants.

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
Of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as Village Mayor,

Defendants/Counter-Plaintiffs,

v.

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff/Counter-Defendant.

VILLAGE DEFENDANTS/COUNTER-PLAINTIFFS' VERIFIED COUNTERCLAIM
FOR INJUNCTIVE RELIEF

Defendants/Counter-Plaintiffs, Village of Mount Prospect, Michael J. Cassady, William Cooney, William Schroeder and Paul Wm. Hoefert (collectively, the "Defendants/Counter-Plaintiffs"), by and through their attorneys, Klein, Thorpe and Jenkins, Ltd., file this Verified Counterclaim for Injunctive Relief against Prestige Feed Products, L.L.C. (the "Plaintiff/Counter-Defendant") and allege as follows:

BACKGROUND

1. The Defendants/Counter-Plaintiffs' counterclaim for injunctive relief against the Plaintiff/Counter-Defendant arises from a problem with noxious odors emitting from the Prestige Feed Products facility located 431 Lakeview Court, Suite A, in Mount Prospect, Illinois (the "Facility").

2. The Plaintiff/Counter-Defendant began operations at the Facility on March 19, 2019 and manufactures soy and cheese-based livestock feed products. Specifically, the Plaintiff/Counter-Defendant dehydrates raw materials to produce an animal feed ingredient.

3. From the beginning of Plaintiff/Counter-Defendant's operations at the Facility up to the present, businesses and residents located near the Facility have complained to the Village of Mount Prospect (the "Village") about noxious odors emitted during and after Facility operation.

4. The Plaintiff/Counter-Defendant has attempted to remedy the problem, but the Village continues to receive complaints about noxious odors during and after Facility operations.

5. The inability of the Plaintiff/Counter-Defendant to resolve the ongoing odor problem forces the Defendants/Counter-Plaintiffs to seek judicial relief by filing this action for injunctive relief.

The Parties

6. The Village of Mount Prospect is an Illinois home rule municipality located in Cook County, Illinois.

7. Michael J. Cassady ("Cassady") is the Mount Prospect Village Manager.

8. William Cooney ("Cooney") is the Mount Prospect Director of Community Development.

9. William Schroeder ("Schroeder") is the Mount Prospect Director of Building & Inspection Services.

10. Paul Wm. Hoefert ("Hoefert") is the Mayor of the Village of Mount Prospect.

11. Prestige Feed Products, LLC, ("Prestige") is an Illinois limited liability company operating a manufacturing facility at 431 Lakeview Court, Suite A, Mount Prospect, Cook County, Illinois.

12. Prestige is located in the Kensington Business Park area of Mount Prospect.

13. Prestige is located in an I-1 zoning district which is a "Limited Industrial District."

14. According to the Village Zoning Code, a Limited Industrial District allows for "Manufacturing, Light" as a permitted use.

15. The areas surrounding the Prestige operating facility are zoned as I-1 (west), I-1 (north), I-1 (east) and R-1 Single Family Residential (south).

The Facts Supporting The Village Defendants' Counterclaim For Preliminary Injunction

A. Prestige Begins Operations In The Village

16. On March 19, 2019, Mr. Joe Pesoli ("Pesoli") submitted to the Mount Prospect Community Development Department a business license application for Prestige Feed Products, LLC. See Business License/Certificate Application, attached and referred to as Exhibit A.

17. The application requested a license for a new business located at 431 Lakeview Court in the Village (the "Location").

18. The application included a detailed description of the business uses/services provided by Prestige that stated:

We will be processing cheese for animal feed in the facility. The cheese will be dried into powder form and then sold as a raw ingredient into swine feeds. This product will be solely for animal feed use.

19. Prestige began its operations at the Location as a claimed "Manufacturing, Light" permitted use.

B. The Village Receives Complaints About Odor Emitted By The Facility Shortly After Prestige Begins Operations At The Location

20. On May 23, 2019, the Village received a call from a resident living in a residential neighborhood in close proximity to the Location. The resident complained of a strong burning smell coming from the Facility.

21. On May 24, 2019, Brandon Allen ("Allen") of the Environmental Health Division of the Mount Prospect Community Development Department sent a written code violation notice to Prestige Feed Products, LLC at 431 Lakeview Court, Suite A, Mount Prospect, Illinois (the "May 24, 2019 Notice"). See Letter to Prestige Feed Products, LLC dated May 24, 2019, attached and referred to as Exhibit B.

22. The May 24, 2019 Notice indicated Allen inspected the Location and found a violation of section 14.2104 (G-6) of the Village Zoning Ordinance that states:

The release of odorous matter from any industrial district across residence or business district boundary lines shall be so controlled that, at ground level or at habitable elevations, the concentration shall not exceed the odor threshold level. Further, the release of odorous matter across lot lines shall not become a nuisance or source of discomfort to neighboring uses.

Id.

22. Allen also indicated in the May 24, 2019 Notice that Village staff and Prestige representatives met on April 19, 2019 in response to multiple concerns to discuss smells emitting from the Facility. *Id.*

23. Allen requested that Prestige provide written plans to remedy the smells emitting from the Facility within fourteen (14) days of the receipt of the May 24, 2019 Notice. *Id.*

24. The May 24, 2019 Notice requested that Prestige complete all repairs within thirty (30) days of receipt of the notice. *Id.*

25. On June 12, 2019, Cassady, sent a Notice of Violation and Imminent Legal Action ("June 12, 2019 Notice") to Prestige Feed Products, LLC to the attention of Pesoli. See Notice of Violation and Imminent Legal Action, dated June 12, 2019, attached and referred to as Exhibit C.

26. In the June 12, 2019 Notice, Cassady indicated Prestige was operating in violation of the Mount Prospect Village Code (the "Code") and that Prestige continued to violate Mount Prospect Village Code provisions despite having been previously informed of code violations. *Id.*

27. In the June 12, 2019 Notice, Cassady indicated Prestige is located in the Kensington Business Park that is designated as being within an I-1 District ("Limited Industrial District") by Chapter 14, Zoning, of the Code. *Id.*

28. Section 14.604 of the Code sets forth the permitted or conditional uses for each zoning district in the Village. An I-1 Limited Industrial District allows for "Manufacturing, Light" as a permitted use. *Id.*

29. An I-1 Limited Industrial District allows for "Manufacturing, Heavy" only as a conditional use. *Id.*

30. The Code defines "Manufacturing, Light" as follows:

MANUFACTURING, LIGHT: The assembly, fabrication or processing of goods and materials using processes that do not create noise, smoke, fumes, odors, glare or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials and includes processes that do not require extensive floor areas or land areas. "Light manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or conditional use.

Id.

31. The Code defines "Manufacturing, Heavy" as follows:

MANUFACTURING, HEAVY The assembly, fabrication or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not constitute "light manufacturing." Heavy manufacturing generally includes processing and fabrication of large or bulky products made from extracted or raw materials and processes that require extensive floor areas or land area for the fabrication and/or incidental storage of the products. "Heavy manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or conditional use.

Id.

32. The Code, at Chapter 14 Zoning, I-1 Limited Industrial District, Section 2104, "Bulk Regulations," subsection (G) provides that:

The release of odorous matter from any industrial district across residence or business district boundary lines shall be so controlled that, at ground level or at habitable elevations, the concentration shall not exceed the odor threshold level. Further, the release of odorous matter across lot lines shall not become a nuisance or source of discomfort to neighboring uses.

Id.

33. The Code, at Chapter 11 Merchants, Businesses, Occupations and Amusements, Article XXXIV, section 11.3401, "Nuisances," states: "No business, occupation or activity, licensed under this code or not, shall be conducted or operated so as to constitute a nuisance or so as to amount to a nuisance in fact." *Id.*

34. The June 12, 2019 Notice indicated the Village had received numerous complaints from nearby residential and commercial property owners expressing concerns about odors and fumes emitted from the Facility. *Id.*

35. The June 12, 2019 Notice represented that Village staff had corroborated the complaints from nearby residential and commercial property owners about odor levels that would be "disruptive to the normal enjoyment of the adjacent neighborhoods." *Id.*

36. The June 12, 2019 Notice indicated the odors emitting from the Facility bring its use within the definition of "Manufacturing, Heavy." *Id.*

37. The June 12, 2019 Notice indicated Prestige had not been issued a conditional use permit for "Manufacturing, Heavy" operations. As a result, Prestige was limited to "Manufacturing, Light" uses. *Id.*

38. Since Prestige had not been issued a conditional use for "Manufacturing, Heavy" operations at the Facility, it was operating in violation of the Code. *Id.*

39. The June 12, 2019 Notice indicated complaints from nearby residential and business areas, along with Village staff inspections, provided evidence that Prestige's business operations violated the above-stated Code provisions. *Id.*

40. The June 12, 2019 Notice requested that Prestige cease its processing operations immediately until the odor problem at the Facility was resolved. *Id.*

41. The Village closed down Prestige because its operations at the Facility violated Code provisions.

C. **Prestige Acknowledges The Odor Problem And Takes Remedial Steps**

42. Prestige acknowledged that odors were being emitted from the Facility during processing operations after the Village issued the June 12, 2019 Notice.

43. In August 2019, Prestige informed the Village that it would install an odor reduction system that "will sufficiently reduce odors to comply with Village Code Requirements." See Letter from Joe Pesoli to Michael Cassady, dated August 28, 2019, attached and referred to as Exhibit

D.

44. In January 2020, Pesoli provided the Village with a status update regarding the efforts by Prestige to remedy the odor problem during processing operations.

45. Pesoli indicated that Prestige would run its processing operations at night until its odor reduction system was fully implemented and "we have this odor issue 100% behind us." See Email From Joe Pesoli to Michael Cassady, Bill Cooney, William Schroeder M., Nellie Beckner, Brandon Allen, Nick Papanicholas, Jr., Joe Ignoffo, dated January 21, 2020, attached and referred to as Exhibit E.

46. After the installation of the odor reduction system, Prestige reopened its processing operations at the Facility.

47. Despite Prestige installing its odor reduction system, the Village continued receiving complaints about odor emitted from the Facility from residents in the nearby residential neighborhood and from neighboring businesses.

48. Due to the ongoing odor problems at the Facility, the Village revoked the Prestige permitted use permit in March 2020.

49. Prestige took further steps to address the odor problem about which its residential and business neighbors complained to the Village.

50. It presented an odor control plan to the Village in April 2020 that the Village approved.

51. Prestige completed the enhanced odor reduction system in July 2020.

52. In October 2020 representatives of the Village and Prestige met at the Facility during processing operations and determined Prestige could resume regular processing operations with no restrictions.

53. In order to test the claim that the odors had been eliminated, bringing the use back to "Light Industrial" as defined by Village Code, Cooney allowed Prestige to resume operations under a temporary use permit that ran through mid-April 2021.

54. Although the efforts of odor mitigation improved the situation, odors were still emitted off-site and complaints continued.

D. The Village Determines Prestige Operations Continued To Violate The Mount Prospect Village Code

54. On March 1, 2021, Cassidy issued a Notice of Imminent Legal Action to Prestige ("March 1, 2021 Notice"). See Notice of Imminent Legal Action, dated March 1, 2021, attached and referred to as Exhibit F.

55. The March 1, 2021 Notice indicated that Prestige continued to operate in violation of the Code despite the Village having previously informed Prestige of the violations. *Id.*

56. The March 1, 2021 Notice reminded Prestige that it is in an I-1 zoning district ("Limited Industrial District") that allows for "Manufacturing, Light" as a permitted use. *Id.*

57. The March 1, 2021 Notice indicated that a Limited Industrial District allows for "Manufacturing, Heavy" only as a conditional use. *Id.*

58. The "Manufacturing, Heavy" definition includes processing of goods that affect the use and enjoyment of adjacent property due to odors and fumes. *Id.*

59. The March 1, 2021 Notice indicated that since Prestige had reopened for business the Village continued to receive "numerous and regular complaints from nearby residential and commercial areas of odors and fumes emitted from your business." *Id.*

60. The March 1, 2021 Notice indicated Village staff monitoring the situation at the Facility corroborated a level of odor that would disrupt the enjoyment of property in adjacent neighborhoods as well as the operation of adjacent commercial uses. *Id.*

61. The March 1, 2021 Notice informed Prestige that the ongoing odors emitted from the Facility bring its use within the "Manufacturing, Heavy" definition that requires a conditional use permit. *Id.*

62. The March 1, 2021 Notice further informed Prestige that it had not been issued a conditional use permit and was limited to "Manufacturing, Light" uses. *Id.*

63. Because Prestige operated its business without a conditional use permit, it violated the Code. *Id.*

64. The March 1, 2021 Notice also informed Prestige that it was conducting its business in a manner that constituted a nuisance in violation of the Code. *Id.*

65. The March 1, 2021 Notice indicated that Prestige's temporary use permit issued by Cooney was revoked and it had to cease operations until the odor problem was actually and effectively resolved or until Prestige was issued a conditional use permit by the Village Board. *Id.*

66. The March 1, 2021 Notice alerted Prestige that if it continued to operate in violation of the Code, "the Village will be forced to take immediate legal action to achieve compliance with the Village Code and protect neighboring property owners." *Id.*

E. Further Attempts By Prestige To Remedy The Odor Problem

67. On April 1, 2021, Prestige retained Mostardi Platt, an engineering and environmental compliance firm, to design and perform an odor investigation at the Facility.

68. Prestige agreed to operate the Facility for limited late night and early morning hours between 8:00 p.m. and 5:00 a.m.

69. On April 29, 2021, due to complaints the Village received from residents living in a neighborhood near the Facility about a strong unpleasant odor coming from the Facility, the Village required Prestige to cease and desist its operations until further notice. See Letter from Lance C. Malina to Anastas Shkurti, dated April 29, 2021, attached and referred to as Exhibit G.

70. Prestige again operated the Facility during limited late night and early morning hours with the Village's consent starting May 11, 2021.

F. The Tolling Agreements

71. After the March 1, 2021 Notice, the Village and Prestige negotiated a Tolling Agreement that ran from March 1, 2021 through June 4, 2021 ("Tolling Period"). Tolling Agreement, attached and referred to as Exhibit H.

72. The Village and Prestige agreed that during the Tolling Period Prestige would not file a lawsuit against the Village regarding any claims for violations of legal, contractual and constitutional rights it believed had against the Village Defendants. *Id.*

73. The Village and Prestige agreed that during the Tolling Period all applicable statute of limitations would be tolled as to any and all claims Prestige might have against the Village Defendants.

Id.

74. The intent of the Tolling Agreement was to provide the Village and Prestige an opportunity to resolve their disputes using informal means and without litigation. *Id.*

75. The Village and Prestige amended and restated the Tolling Agreement on numerous occasions so that the Tolling Agreement ran from March 1, 2021 until the Village terminated the Tolling Agreement effective May 11, 2023. See Letter from Lance C. Malina to Riccardo DiMonte, dated April 10, 2023, attached and referred to as Exhibit I.

G. The Village Receives Numerous Recent Complaints About Odor Emitting From The Facility

76. Since March 2023, the Village has received more than three dozen complaints or notices about noxious odors being released by the Facility.

77. The complaints have come from residents in nearby neighborhoods and from business owners located near the Facility.

78. The notices of noxious odors have come from Mount Prospect Police Department officers patrolling the area in the near vicinity of the Prestige during late night and early morning hours.

79. The number of complaints and notices to the Village of noxious odors released by the Facility has increased during July 2023.

COUNT I INJUNCTIVE RELIEF

80. The Village Defendants/Counter-Plaintiffs adopt and reallege the allegations set forth in Paragraphs 1-79.

81. The Village has a duty and obligation to preserve and protect the rights of owners of property located within the Village to the enjoyment of their property.

82. The Village has a clear interest in the enforcement of the Code provisions that preserve and protect the rights of owners of property located within the Village to the enjoyment of their property.

83. The conduct of Prestige in allowing noxious odors to be emitted from the Facility violates Chapter 14, Article VI, section 14.604 of the Code by engaging in "Heavy manufacturing" activity without a conditional use permit. This violation endangers the rights of property owners within the Village to the enjoyment of their property.

84. The conduct of Prestige in allowing noxious odors to be emitted from the Facility violates Chapter 14, Article VI, section 14.2104(G) of the Code and Chapter 11, Article XXXIV, section 11.3401 and creates a nuisance that endangers the rights of property owners within the Village to the enjoyment of their property.

85. The Illinois Environmental Protection Act (the "Act") at 415 ILCS 5/9(a) directs that no person shall "[c]ause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Board under this Act."

86. The Act, at 415 ILCS 5/3.115 defines "air pollution" as "the presence in the atmosphere of one or more contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant, or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property."

87. The conduct of Prestige in allowing noxious odors to be emitted from the Facility violates the Act prohibition on causing air pollution that unreasonably interferes with and endangers the rights of property owners within the Village to the enjoyment of their property.

88. The Village has a duty and obligation to protect its residents from the conduct of Prestige that subjects them to air pollution which unreasonably interferes with the enjoyment of their property.

89. The Village will suffer irreparable harm if it cannot enforce its Code provisions and protect its citizens from the harm caused to them by Prestige's actions in operating the Facility in such fashion that they are denied the use and enjoyment of their property.

90. Due to the irreparable harm to the Village and its citizens caused by Prestige in its operation of the Facility that emits noxious odors which denies persons and businesses in the immediate vicinity the use and enjoyment of their property, the Village has no adequate remedy at law.

WHEREFORE, the Village Defendants/Counter-Plaintiffs pray this Court enter judgment in their favor and against the Plaintiff/Counter-Defendant and enter an Order that grants the following relief:

- A. An order enjoining Prestige from operating the Facility located at 431 Lakeview Court, Mount Prospect, Illinois until such time as the odors emitted by the Facility have been eliminated based on the evaluation of an independent expert selected by both the Village and Prestige to make such assessment; and

- B Direct that Prestige shall pay the costs for the independent expert evaluation of the Facility operations; or
- C. An order enjoining Prestige from operating the Facility located at 431 Lakeview Court, Mount Prospect, Illinois until such time as Prestige receives a conditional use permit to operate the Facility at its current location.

Respectfully submitted,

Village of Mount Prospect, Michael J.
Cassady, William Cooney, William
Schroeder and Paul Wm. Hoefert

By: /s/ Lance C. Malina
One of their attorneys

Lance C. Malina
Allen Wall
Klein, Thorpe and Jenkins, Ltd.
120 South LaSalle Street, Suite 1710
Chicago, Illinois 60603
(312) 984-6400
Atty. No. 90446
lcmalina@ktlaw.com
awall@ktlaw.com

STATE OF ILLINOIS)
COUNTY OF COOK)

SS

VERIFICATION

The undersigned, William Cooney, being first duly sworn on oath deposes and says that he is the Director of Community Development for the Village of Mount Prospect and he has read the above and foregoing Village of Mount Prospect's Verified Counterclaim For Injunctive Relief, and has knowledge of the contents thereof, and that the matters set out therein are true in substance and in fact to the best of his knowledge and belief.

William Cooney
William Cooney

SUBSCRIBED and SWORN to
before me this 7 day of
August, 2023

Karl A. [Signature]
Notary Public



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COUNTY DEPARTMENT, CHANCERY DIVISION

PRESTIGE FEED PRODUCTS, LLC, an Illinois
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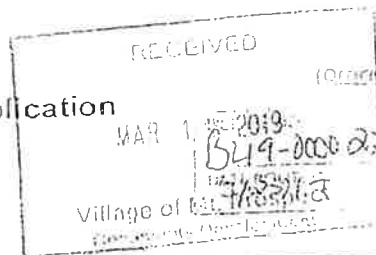
EXHIBIT A

Business License/Certificate Application



Business License/Certificate Application

Community Development Department
Village of Mount Prospect
50 S. Emerson Street
Mount Prospect, IL 60056 (847) 818-5328



CONTACT FOR BUSINESS LICENSE APPLICATION:		
Name: <u>Joe Pesoli</u>	Phone: <u>847-650-8164</u>	Email: <u>JCP@cercogroup.com</u>

THIS APPLICATION IS FOR (CHECK ONE):		
☒ New business	☐ Existing business - new location	☐ New ownership of existing business OTHER: _____
EXPECTED DATE OF OCCUPANCY: <u>5/1/2019</u>		
The applicant has had a business license revoked in another city or state. ☐ Yes ☒ No If yes, explain: _____		

I. BUSINESS INFORMATION:			
Is your business licensed/certified by the State of Illinois? ☐ Yes ☒ No		If Yes, State License # _____ (attach copy) 	
Example: Professionals required to be licensed by the state (i.e. Lawyers, Doctors, Real Estate Agents, Architects, etc...)			
Business Legal Name: <u>Prestige Feed Products, LLC</u>		Business Website Address: <u>www.prestigefeed.com</u>	
Doing Business As (Common Name): _____			
Detailed Description of All Business Uses/Services provided: <u>We will be processing cheese for animal feed in the facility. The cheese will be dried into powder form and then sold as a raw ingredient into swine feeds. This product will be solely for animal feed use.</u>			
Business Location Address: <u>431 Lakeview Court</u>		Suite #: <u>A</u>	City: <u>Mount Prospect</u> State: <u>IL</u> ZIP: <u>60056</u>
Illinois Business Authorization Number (Sales/Use Tax # or Exempt #): _____			
Federal Employee Identification Number (FEIN): <u>83-0945843</u>			
Square Footage of Space: <u>32,527</u>		# of employees: <u>8</u>	# of Commercial Vehicles: <u>0</u>
Business Phone: <u>847-818-1550</u>		Business Contact Name/Title: <u>Joe Pesoli- CEO</u>	Business Email: <u>JCP@cercogroup.com</u>

II. BILLING INFORMATION - IF DIFFERENT THAN SECTION I:			
Contact Person: _____	Address: _____	City: _____	State: _____ ZIP: _____
Phone Number: _____		Email Address: _____	

III. BUSINESS OWNERSHIP STRUCTURE - THIS BUSINESS IS A:			
☐ Sole Proprietorship	☐ Partnership	☐ Corporation	☒ Limited Liability Company ☐ Other: _____

IV. BUSINESS OWNER INFORMATION - RESIDENCE ADDRESS AND DATE OF BIRTH MUST BE COMPLETED:					
First: <u>Cereal Byproducts Co</u>	M.I.: _____	Last: _____	City: <u>Mount Prospect</u>	Date of Birth: _____	State: <u>IL</u> ZIP: <u>60056</u>
Home Address: <u>601 E. Kensington road</u>			Email: _____		
Home/Cell Phone (circle): _____					
First: _____	M.I.: _____	Last: _____	City: _____	Date of Birth: _____	State: _____ ZIP: _____
Home Address: _____			Email: _____		
Home/Cell Phone (circle): _____					

V. LANDLORD INFORMATION (IF THE SPACE IS RENTED):			
Company: <u>Pirna 4 LLC</u>	Contact Person: <u>Gina Bertolini</u>	City: <u>Mount Prospect</u>	State: <u>IL</u> ZIP: <u>60056</u>
Address: <u>1001 Feehanville Drive</u>	E-mail Address: <u>gina@nicholasquality.com</u>		
Phone Number: <u>847-394-6200</u>			



Business License Application



VI. BUSINESS DETAILS - ANSWER ALL QUESTIONS BELOW:

1. Is the business new or existing at this location when compared to the previous occupant? If YES, note previous use: Cash Counter ☒ Yes ☐ No

2. Does this business offer massage therapy to the general public? If Yes, Massage Therapy Addendum is required. ☒ Yes ☐ No

3. Does this business have cupfill slot or vending machine devices on the premises? If Yes, Vending Machine Addendum is required. ☒ Yes ☐ No

4. Will hazardous materials be stored at this location? If Yes, attach MSDS Addendum and note materials for each type. ☒ Yes ☐ No

5. Does your business use tow trucks in the operation of your business? If Yes, how many? _____ and attach proof of current Liability Insurance. ☒ Yes ☐ No

6. Does this business sell tobacco/e-cigarette products over the counter? ☒ Yes ☐ No

7. Please check the box if your business is any of the following:
☒ Gas Station ☐ Solid Waste Transfer Station ☐ Health Club/Gym ☐ Hotel/Motel ☐ Trailer or Coach Park

8. Will you or have you applied for a building permit? Work that adds, moves, or exposes water lines, gas, electricity or walls needs a building permit. ☐ Yes ☒ No

9. Does this business location have or will have a security alarm? Note: A Building Permit is required to install a security alarm. ☐ Yes ☒ No

10. Will you be making modifications/additions to signage? Note: A Sign Permit may be required. ☒ Yes ☐ No

11. If you answer YES to ANY OF THE QUESTIONS BELOW, REQUEST A FOOD & BEVERAGE PACKET & SUBMIT THE ACKNOWLEDGEMENT FORM WITH THIS APPLICATION. ☒ Yes ☐ No

a) Is more than 10% of the business floor area devoted to the sale and/or storage of food/beverages? ☐ Yes ☒ No

b) Does this business sell/serve prepared food or beverages directly to the general public? ☐ Yes ☒ No

c) Does this business use a vehicle to sell prepared food or beverages directly to the general public? ☐ Yes ☒ No

d) Have you applied or will you apply for a liquor license (Village Manager's office)? ☐ Yes ☒ No

e) Restaurants with a bar area, indicate number of seats/barstools: _____ ☐ Yes ☒ No

f) Does this business have a certified food handler? ☐ Yes ☒ No

If Yes, provide name of employee/s: _____ Date of certification: _____

VII. EMERGENCY CONTACT INFORMATION - OTHER THAN OWNER, CONTACTS SHOULD BE LOCAL & HAVE ACCESS TO THE BUILDING

First: Joe Last: Pesoli Role (i.e. Manager): CEO

Home Address: 601 E. Kensington Road City: Mount Prospect State: IL ZIP: 60056

Home/Cell Phone (circle): 847-650-8164 Email: JCP@cercogroup.com

First: Joe Last: Ignoffo Role (i.e. Manager): Manager

Home Address: 601 E. Kensington road City: Mount Prospect State: IL ZIP: 60056

Home/Cell Phone (circle): 773-617-6912 Email: JSI@prestige feed.com

ATTACHMENT CHECKLIST ☒ Please note your attachments below before submitting this application. (Note: Omitting attachments required with your application can delay issuance of the license. INCOMPLETE applications will NOT be accepted.)

☐ State License ☒ Massage Therapy Addendum ☒ Slot/Vending Addendum

☐ MSDS Hazardous Materials ☒ Proof-of-Liability Insurance ☒ Food & Beverage Acknowledgement Form

Next step: Call the Fire Department at 847-818-5253 to schedule your Fire Inspection!

Note: If license has not been issued or picked up within six (6) months of the application date, this application will be considered VOID and a new application shall be submitted.

I DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION AND ADDENDUMS (IF APPLICABLE) HAS BEEN FURNISHED BY ME AND TO THE BEST OF MY KNOWLEDGE IS CORRECT. I UNDERSTAND THAT ANY UNTRUE, INCONSISTENT OR MISLEADING INFORMATION SHALL BE CAUSE FOR THE REFUSAL TO GRANT OR THE REVOCATION OF ANY LICENSE GRANTED PURSUANT TO THIS APPLICATION. I FURTHER CERTIFY THAT BY APPLYING IN WILLING FOR A LICENSE TO OPERATE IN THE VILLAGE OF MOUNT PROSPECT I HAVE READ AND UNDERSTAND MY OBLIGATIONS UNDER APPROPRIATE VILLAGE ORDINANCES RESPECTIVE TO THE LICENSE (S) FOR WHICH I AM APPLYING. I FURTHER CERTIFY THAT IF ANY OF THE FOREGOING INFORMATION CHANGES DURING THE COURSE OF THE LICENSE YEAR I WILL NOTIFY THE VILLAGE, IN WRITING, WITHIN SEVEN (7) DAYS OF SUCH CHANGE.

☐ I WILL CALL THE FIRE DEPARTMENT AT 847-818-5253 TO SCHEDULE THE FIRE INSPECTION NEEDED FOR THIS BUSINESS LICENSE. (Please schedule your inspection within 5 days of submitting this application.)

Signature: Joseph C. Pesoli Printed Name: Joseph C. Pesoli Date: 8/15/2023

VILLAGE OF MOUNT PROSPECT
50 SOUTH EMERSON STREET
MOUNT PROSPECT, IL 60056
847-392-6000

Date: 04/05/2019
License Type: Operating License
License Number: BL19-000022
Receipt: 8942
Cashier: Tracey Mahoney
Received From: - Joe Pesoli

Description	Total Cost
Class I Establishment	225.00
Annual License Fee	
Receipt Total:	225.00
Payment Type: ,	Credit
Reference:	M-26062Z

Total Remitted: 225.00

Total Received: 225.00

Balance Due: 0.00

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION**

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff,

v.

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as the Village Mayor,

Defendants.

Case No. 2023 CH 5147

Judge Quish

Calendar 14

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
Of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as Village Mayor,

Defendants/Counter-Plaintiffs,

v.

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff/Counter-Defendant.

Defendants/Counter-Plaintiffs'

EXHIBIT B

Letter to Prestige Feed Products, LLC dated May 24, 2019

MAYOR
Arlene A. Juracek

TRUSTEES
William A. Grossi
Elena Flatzis
Paul Wm. Hoefert
Richard E. Rogers
Colleen E. Saccotelli
Michael A. Zadel



VILLAGE MANAGER
Michael J. Cassidy

VILLAGE CLERK
Karen Agoratos

Phone: 847/392-6000
Fax: 847/392-6022

www.mountprospect.il.us

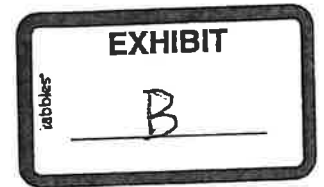
Village of Mount Prospect

50 South Emerson Street, Mount Prospect, Illinois 60056

May 24, 2019

File #: 19-001005

Prestige Feed Products, LLC
431 Lakeview Court suite A
Mount Prospect, IL 60056



RE: 431 Lakeview Ct # A

To Whom It May Concern:

I inspected the above referenced property and found the code violation that is listed below along with the applicable Village of Mount Prospect Zoning Ordinance code section.

Zoning Violation Code: 14.2104 (G-6) - Odorous Matter Limitations

Full Description: The release of odorous matter from any industrial district across residence or business district boundary lines shall be so controlled that, at ground level or at habitable elevations, the concentration shall not exceed the odor threshold level. Further, the release of odorous matter across lot lines shall not become a nuisance or source of discomfort to neighboring uses

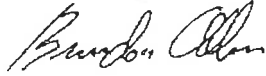
Comments: On April 30, 2019 in response to multiple concerns received, Village of Mount Prospect staff and representatives of your company met to discuss smells being emitted from the property. At that time you were to respond with written plans from and architect/engineer to remedy this issue. As of the date of this letter no plans have been received. Please provide written plans to remedy this issue within fourteen (14) days of this notice and please complete all repairs within thirty (30) days of this notice.

I will return to the property on **June 10, 2019** to verify written plans have been received. Also, I will return on **June 24,**

2019 to verify that the repairs have been completed.

If you should have any questions or wish to discuss any extensions, please contact me at the Environmental Health Division at (847) 818-5271.

Sincerely,

A handwritten signature in black ink, appearing to read "Brandon Allen". The signature is fluid and cursive, with the first name "Brandon" and the last name "Allen" clearly distinguishable.

Brandon Allen, LEHP
Village of Mount Prospect
Environmental Health Leader

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff,

v.

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as the Village Mayor,

Defendants.

Case No. 2023 CH 5147

Judge Quish

Calendar 14

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
Of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as Village Mayor,

Defendants/Counter-Plaintiffs,

v.

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff/Counter-Defendant.

Defendants/Counter-Plaintiffs'

EXHIBIT C

Notice of Violation and Imminent Legal Action, dated June 12, 2019

Michael J. Cassady
Village Manager



Phone: 847/818-5300
Fax: 847/392-6022
mcassady@mountprospect.org

Village of Mount Prospect

OFFICE OF THE VILLAGE MANAGER
50 South Emerson, Mount Prospect, Illinois 60056
www.mountprospect.org

June 12, 2019

Prestige Feed Products, LLC
Attn: Mr. Joe Pesoli
431 Lakeview Court, Suite # A
Mount Prospect, IL 60056

RE: Notice of Violation and Imminent Legal Action

Dear Mr. Pesoli,

This letter shall constitute notice that your business, Prestige Feed Products, LLC, is operating in violation of the Village of Mount Prospect Village Code. Prestige Feed Products, LLC, has been previously informed of the violations, yet continues to violate Village Code provisions.

Your business is located in the Kensington Business Park. Under Chapter 14 Zoning, Article VI Zoning Districts, Section 14.602 Zoning Map, this area is designated as being within an L-1 District ("Limited Industrial District)." In section 14.604, the Land Use Tables set out the permitted or conditional uses for each zoning district. According to the Village's Land Use Tables, an L-1 "Limited Industrial District" allows for "Manufacturing, Light" as a permitted use. However, an L-1 "Limited Industrial District" allows for "Manufacturing, Heavy" only as a conditional use. The definitions of "Manufacturing, Light" and "Manufacturing, Heavy" are set out in Article XXIV: Definitions.

MANUFACTURING, LIGHT: The assembly, fabrication or processing of goods and materials using processes that do not create noise, smoke, fumes, odors, glare or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials and includes processes that do not require extensive floor areas or land areas. "Light manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or conditional use.

MANUFACTURING, HEAVY: The assembly, fabrication or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not constitute "light manufacturing". Heavy manufacturing generally includes processing and fabrication of large or bulky products made from extracted or raw materials and processes that require extensive floor areas or land area for the fabrication and/or incidental storage of the products. "Heavy manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or conditional use.

438211.1



We draw your attention to the "Manufacturing, Heavy" definition, which includes processing of goods that have significant impacts on the use and enjoyment of adjacent property in terms of fumes and odors. The Village is in receipt of numerous complaints from nearby residential and commercial property owners expressing concerns about odors and fumes emitted from your business. Staff has corroborated a level of odor that would be disruptive to the normal enjoyment of the adjacent neighborhoods.

The odors created by Prestige Products, LLC bring the use within the definition of "Manufacturing, Heavy." Prestige Products, LLC has not been issued a conditional use permit for this use and, therefore, is limited to "Manufacturing, Light" uses. Thus, the business operates in violation of the Village Code.

Additionally, Mount Prospect Village Code, Chapter 14 Zoning, I-1 Limited Industrial District, Section 2104 Bulk Regulations, Subsection (G) provides that:

The release of odorous matter from any industrial district across residence or business district boundary lines shall be so controlled that, at ground level or at habitable elevations, the concentration shall not exceed the odor threshold level. Further, the release of odorous matter across lot lines shall not become a nuisance or source of discomfort to neighboring uses.

Section 11.3401 Nuisances states "No business, occupation or activity, licensed under this code or not, shall be conducted or operated so as to constitute a nuisance or so as to amount to a nuisance in fact."

Once again, complaints from nearby residential and business areas, along with the Village staff's inspections, evidence violation of these Village ordinances by Prestige Products, LLC.

The continued operation of your business is an ongoing violation of the Village Codes provisions cited above. We are aware that you are in the process of designing an environmental scrubbing solution to eliminate the current discharge of odors resulting from the dehydration process. We request that processing operations cease immediately until the odor concern is resolved. If the business continues to operate without regard to its violation of Village Code provisions, we will be forced to take further legal action. I can meet with you and your team on Thursday, June 13 or Friday, June 14 to discuss this violation and our request to cease operations. Your assistance in this matter is appreciated.

Sincerely,



Michael J. Cassidy
Village Manager
Village of Mount Prospect

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff,

v.

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as the Village Mayor,

Defendants.

Case No. 2023 CH 5147

Judge Quish

Calendar 14

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
Of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as Village Mayor,

Defendants/Counter-Plaintiffs,

v.

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff/Counter-Defendant.

Defendants/Counter-Plaintiffs'

EXHIBIT D

Letter from Joe Pesoli to Michael Cassady, dated August 28, 2019



PRESTIGE FEED PRODUCTS

431 N. Lakeview Court • Suite A • Mount Prospect, IL 60056
Phone: 847-818-1563 • www.prestigefeed.com

Joe Pesoli
Prestige Feed Products, LLC
431 Lakeview Court, Suite A
Mount Prospect, IL 60056
JCP@prestigefeed.com

August 28, 2019

Mr. Michael Cassidy
Village of Mount Prospect
50 S. Emerson Street
Mount Prospect, IL 60056

Dear Mr. Cassidy,

Per the request at our meeting at the Village Hall on Thursday August 15, 2019, I am providing you below a bullet point update of our plans in regards to our odor reduction system for Prestige Feed Products at 431 Lakeview Court, Mount Prospect, IL 60056. We at Prestige appreciate the open communication and willingness to resolve the issue collectively between Prestige and the Village of Mount Prospect. We look forward to having our odor reduction system installed and operational to comply with Village Code Requirements.

- We have moved forward with the purchase and installation of our odor reduction system. The system is manufactured by Byers Scientific & Manufacturing and will be installed jointly by Byers and Phoenix Engineering. All drawings for this system have been provided to the VoMP. We have provided to the VoMP the MSDS sheets on the vapor as well as 3rd party independent studies in regards to the Byers System. Information on how the system and vapor works has also been provided.
- We have applied for permits for the electrical work as well as the concrete pad that needs to be poured so that we can place our odor reduction system outside our building. When those permits are approved, we will begin that portion of work. We hope to have that completed no later than 9/6/2019, but hopefully sooner.
- Phoenix Engineering will be onsite over the next two weeks building the piping for the odor reduction system and getting it placed prior to the arrival of our distribution unit. The majority of this work will take place in our warehouse. Once it is built it will be secured to both the dryer and cooler cyclones as well as roof top runs on the East and North portions of building per the drawings provided to and approved by the VoMP.





PRESTIGE FEED PRODUCTS

431 N. Lakeview Court • Suite A • Mount Prospect, IL 60056
Phone: 847-818-1563 • www.prestigefeed.com

We at Prestige are committed to being part of the Kensington Business Center and we look forward to being fully operational again with our odor reduction system in place to solidify that our operation complies with Village Code Requirements.

Respectfully,

A handwritten signature in black ink, appearing to be "JP", with a long horizontal line extending to the right.

Joe Pesoli
CEO- Prestige Feed Products, LLC

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff,

v.

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as the Village Mayor,

Defendants.

Case No. 2023 CH 5147

Judge Quish

Calendar 14

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
Of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as Village Mayor,

Defendants/Counter-Plaintiffs,

v.

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff/Counter-Defendant.

Defendants/Counter-Plaintiffs'

EXHIBIT E

Email From Joe Pesoli to Michael Cassady, Bill Cooney, William M. Schroeder, Nellie Beckner, Brandon Allen, Nick Papanicholas, Jr., Joe Ignoffo, dated January 21, 2020

Jarosz, Doreen

Subject:

FW: Prestige Update

From: Joe Pesoli

Sent: Tuesday, January 21, 2020 1:39 PM

To: Cassidy, Michael ; Cooney, Bill ; Schroeder, William M. ; Beckner, Nellie ; Allen, Brandon ; Nick Papanicholas, Jr. ; Joe Ignoffo

Subject: Prestige Update

Good Afternoon,

Thank you all for your patience. I know that I was to send this update early last week, but I had to be out of town unexpectedly on business and did not return until yesterday, so I apologize for the delay.

After our meeting on 1/2/20 Bill Schroeder requested a status update about the work that has been done since our last meeting in Mid-October. Some of this we covered verbally in our meeting on 1/2/20, but here it is again in writing so that the VoMP can disseminate this information accordingly.

- Since we installed our Atomization units inside the cyclones on 10/28/19 we have run 12 times.
- Six (6) of those 12 dates we received no complaints of any kind.
- Two (2) of the 12 dates we received complaints at hours we were not in operation.
- One (1) of the dates we received a complaint, we notified the village that we had some frozen tubing outside. We shut down, cleaned/thawed the nozzles, started back up and did not receive any other complaints that day.
- Nine (9) of the 12 dates we ran we feel we achieved full efficacy.
- We do agree that at certain times our system has not worked 100% and some of the complaints received are most likely valid at those specific times. We did advise the Village that Byers Scientific said this could take up to 60 days of running to fully dial in the system. We have only run 12 so far. We are confident that this is not a consistent odor and although some claims from neighboring businesses are said to be so severe that they cannot work in their facilities, we do find this very hard to believe. There is a hockey arena across the street and our building has multiple tenants in it subject to the same potential odors as neighboring buildings. Our building owner is not receiving complaints from his tenants. We are taking all claims and complaints seriously, but we along with Byers Scientific question the extent/validity of some of the claims.
- We have identified that almost all of our complaints occur within two hours of our starting time. We are working with Byers Scientific to try and pinpoint why we are not getting the efficacy at start up that we achieve later in the day.
- As discussed in our meeting we believe we are combating 100% of the potential odor 80-85% of our running time. We would have liked to have seen higher efficacy numbers at this point and Byers Scientific has promised us better results.
- Per my email on 1/8/20 we have been vetting some air scrubbing companies and signed a letter of intent as well as sent a preliminary payment to have full scale engineered drawings completed for the potential purchase and installation of an air scrubbing system. The company we signed with is Tech Environmental. They are highly regarded in the industry throughout the U.S.A. and do extensive private contracting for the US government. A link to their website is attached. <https://www.techenv.com/>
- We expect to have preliminary drawings back sometime the week of 1/27/20 in regards to the air scrubber. When I have more information I will share it accordingly. We are looking at a capital investment of \$1,400,000-\$1,900,000 for this air scrubbing system.



- As discussed in our meeting on 1/2/20 our current plan is to run at night until we have the system completely dialed in or we install an air scrubbing unit to avoid any potential disruption to our business park neighbors. We are also running only to make orders that we have to fulfill, so our schedule will be sporadic until we have this odor issue 100% behind us.

Prestige is committed to this project and we look forward to getting this issue resolved.

Respectfully,

All offers are subject to confirmation and availability.

Thanks,



Joe Pesoli
431 N. Lakeview Court
Suite A
Mount Prospect, IL 60056

847-650-8164

JCP@prestigefeed.com

The information in this e-mail and in any attachments is confidential and intended solely for the attention and use of the named addressee(s). This information may be subject to legal, professional or other privilege or may otherwise be protected by work product immunity or other legal rules. It must not be disclosed to any person without our authority. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are not authorized to and must not disclose, copy, distribute, or retain this message or any part of it.

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IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff,

v.

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as the Village Mayor,

Defendants.

Case No. 2023 CH 5147

Judge Quish

Calendar 14

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
Of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as Village Mayor,

Defendants/Counter-Plaintiffs,

v.

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff/Counter-Defendant.

Defendants/Counter-Plaintiffs'

EXHIBIT F

Notice of Imminent Legal Action, dated March 1, 2021

Michael J. Cassady
Village Manager



Phone: 847/818-5300
Fax: 847/392-6022
mcassady@mountprospect.org

Village of Mount Prospect
OFFICE OF THE VILLAGE MANAGER
50 South Emerson • Mount Prospect, Illinois 60056
www.mountprospect.org

March 1, 2021

Prestige Feed Products, LLC
Attn: Mr. Joe Pesoli
431 Lakeview Court, Suite # A
Mount Prospect, IL 60056

RE: Notice of Imminent Legal Action

Dear Mr. Pesoli,

This letter shall constitute notice that your business, Prestige Feed Products, LLC ("Prestige"), continues to operate in violation of the Village of Mount Prospect Village Code. Prestige has been previously informed of the violations, yet continues to violate Village Code provisions. While we understand that Prestige has previously ceased operations and invested funds in equipment to operate legally in the Village, those efforts, unfortunately have not succeeded.

As you know, your business is located in the Kensington Business Center. Under Chapter 14 Zoning, Article VI Zoning Districts, Section 14.602 Zoning Map, this area is designated as being within an L-1 District ("Limited Industrial District"). In section 14.604, the Land Use Tables set out the permitted or conditional uses for each zoning district. According to the Village's Land Use Tables, an L-1 "Limited Industrial District" allows for "Manufacturing, Light" as a permitted use. However, an L-1 "Limited Industrial District" allows for "Manufacturing, Heavy" only as a conditional use. The definitions of "Manufacturing, Light" and "Manufacturing, Heavy" are set out in Article XXIV: Definitions.

MANUFACTURING, LIGHT: The assembly, fabrication or processing of goods and materials using processes that do not create noise, smoke, fumes, odors, glare or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials and includes processes that do not require extensive floor areas or land areas. "Light manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or conditional use.

MANUFACTURING, HEAVY: The assembly, fabrication or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not constitute "light manufacturing". Heavy manufacturing generally includes processing and fabrication of large or bulky products made from extracted or raw materials and processes that require extensive floor areas or land area for the fabrication and/or incidental storage of the products. "Heavy manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or conditional use.



As you also know, the "Manufacturing, Heavy" definition includes processing of goods that have significant impacts on the use and enjoyment of adjacent property in terms of fumes and odors. Since reopening, first for testing and then under a temporary permitted use certificate, the Village has continued to receive numerous and regular complaints from nearby residential and commercial areas of odors and fumes emitted from your business. Staff has monitored the situation and has corroborated a level of odor that would be disruptive to the normal enjoyment of the adjacent neighborhoods as well as to the operation of adjacent commercial uses.

The ongoing odors created by Prestige continue to bring the use within the definition of "Manufacturing, Heavy." Prestige has not been issued a conditional use permit for this use and, therefore, is limited to "Manufacturing, Light" uses. Thus, the business remains in violation of the Village Code.

Additionally, Mount Prospect Village Code, Chapter 14 Zoning, I-1 Limited Industrial District, Section 2104 Bulk Regulations, Subsection (G) provides that:

The release of odorous matter from any industrial district across residence or business district boundary lines shall be so controlled that, at ground level or at habitable elevations, the concentration shall not exceed the odor threshold level. Further, the release of odorous matter across lot lines shall not become a nuisance or source of discomfort to neighboring uses.

Section 11.3401 Nuisances states "No business, occupation or activity, licensed under this code or not, shall be conducted or operated so as to constitute a nuisance or so as to amount to a nuisance in fact."

Once again, complaints from nearby residential areas and adjacent commercial properties, along with the Village staff's inspections, evidence violation of these Village ordinances by Prestige. The continued operation of your business is an ongoing violation of the Village Codes provisions cited above.

While the Village, through William Cooney, its Director of Community Development, allowed Prestige to resume general operations under a temporary permitted use certificate that would last to mid-August 2021, in light of the performance since reopening, that permit is being revoked, effective upon receipt of this letter/notice. Prestige must cease operation until the odor concern is actually and effectively resolved, or until it is issued a conditional use permit by the Village Board. You are also notified that without further improvements mitigating the odor issues, Village staff would oppose the issuance of a conditional use permit. If Prestige continues to operate without regard to its violation of Village Code provisions, the Village will be forced to take immediate legal action to achieve compliance with the Village Code and protect neighboring property owners.

Sincerely,



Michael J. Cassidy
Village Manager
Village of Mount Prospect

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff,

v.

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as the Village Mayor,

Defendants.

Case No. 2023 CH 5147

Judge Quish

Calendar 14

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
Of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as Village Mayor,

Defendants/Counter-Plaintiffs,

v.

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff/Counter-Defendant.

Defendants/Counter-Plaintiffs'

EXHIBIT G

Letter from Lance C. Malina To Anastas Shkurti, dated April 29, 2021



20 N. Wacker Drive, Ste 1560
 Oak Ridge, Illinois 60068-2903
 T 708 349 6400 F 312 954 6444

1500 S. Higgins Avenue, Ste 10
 Oakland Park, Illinois 60462-0353
 T 708 349 3888 F 708 349 1506

www.ktlaw.com

April 29, 2021

Via Email Transmission

Mr. Anastas Shkurti, Esq.
 DiMonte & Lizak, L.L.C.
 216 West Higgins Road
 Park Ridge, Illinois 60068
AShkurti@dimontelaw.com

Re: Prestige Feed Products, L.L.C.

Dear Mr. Shkurti:

The Village of Mount Prospect ("Village") very recently has received complaints about noxious odors emitted by Prestige Feed Products, L.L.C. ("Prestige") at its 431 Lakeview Court facility (the "Facility"). Over the last two evenings, persons living in the Fairview Gardens neighborhood have complained to the Village about a strong unpleasant odor coming from the Facility. One neighborhood resident contacted both Cook County and the newly elected Village President to voice complaints.

On March 30, 2021, Prestige and the Village executed a Tolling Agreement (the "Agreement") to give the parties time to resolve the odor problem caused by Facility operations. Since entering the Agreement, Prestige has engaged in limited overnight operations for business purposes and to complete needed testing so it can determine how to successfully abate the odor problem and comply with applicable Village Code provisions.

Due to the recent complaints regarding the noxious odors emitting from the Facility, the Village must require that Prestige cease and desist its operations entirely until further notice. Please contact me at your earliest convenience so we can discuss this matter further.

Very truly yours,

KLEIN, THOPRE AND JENKINS, LTD.

Lance C. Malina (by JAW)
 Lance C. Malina

cc: Michael J. Cassady, Village Manager
 William Cooney, Director of Community Development
 William Schroeder, Director of Building & Inspection Services



IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff,

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VILLAGE OF MOUNT PROSPECT, an Illinois
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in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
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HOEFERT, in his capacity as the Village Mayor,

Defendants.

Case No. 2023 CH 5147

Judge Quish

Calendar 14

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
Of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as Village Mayor,

Defendants/Counter-Plaintiffs,

v.

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff/Counter-Defendant.

Defendants/Counter-Plaintiffs'

EXHIBIT H

Tolling Agreement

TOLLING AGREEMENT

JP This Tolling Agreement (the "Agreement") is made this 30th day of March, 2021, by and between: 1.) Prestige ~~Food~~ ^{Feed} Products, LLC ("Prestige"), 2.) Joseph Pesoli ("Pesoli") and collectively with Prestige, the "Prestige Parties", and 3.) the Village of Mount Prospect (the "Village"), 4.) Michael J. Cassady, and 5.) William Cooney (collectively with the Village, the "Village Parties") (all parties referred to collectively as the "Parties").

RECITALS

- A. The Village has enacted its Zoning Ordinance (Ord. 4590, 9-21-1993) (the "Ordinance") as Chapter 14 of Village Code of Mount Prospect, Illinois.
- B. Prestige manufactures at 431 Lakeview Court, Suite A, Mount Prospect, Illinois 60056 (the "Property") a soy and cheese-based feed products for livestock ("Prestige's Use").
- C. The Village Parties authorized Prestige's Use at the Property on February 2018.
- D. On March 1, 2021, the Village Parties sent to Prestige a Notice of Imminent Legal Action (the "Village's Notice") alleging that Prestige's Use violates (i) the Ordinance and (ii) a Temporary Permitted Use Certificate that the Village states that it has issued to Prestige and that permits Prestige's Use only through August 2021 (the "Certificate").
- E. As a result of the Village's Notice, a dispute has arisen between the Prestige Parties and the Village Parties, which the Prestige Parties believe have caused violations of their legal, contractual, and constitutional rights, and other claims against the Village Parties.
- F. The Parties wish to attempt to resolve this dispute amicably prior to proceeding to litigation over these issues.
- G. The Village's Notice may constitute an administrative act by the Village Manager which may be reviewed judicially by filing an action in the Circuit Court within 35 days pursuant



to 735 ILCS 5/3-103. The Village's Notice may also constitute zoning act which may be reviewed judicially by filing an action in the Circuit Court within 90 days pursuant to 5 ILCS 5/11-13-25.

H. Accordingly, in an effort to delay the filing of a lawsuit and the costs of litigation, the Parties desire to enter into this Agreement to toll any potential statute of limitations deadlines that may expire while the Parties attempt to resolve their dispute.

TERMS

THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, including the mutual covenants and promises expressed herein, incorporating the above recitals herein by reference, the Parties covenant and agree as follows:

1. Incorporation of Recitals. The above Recitals are restated and incorporated in full herein.
2. Time Period. For the period of **March 1, 2021, through June 4, 2021**, ("Tolling Period"), the Prestige Parties and the Village Parties agree that all applicable statute of limitations, including those under 735 ILCS 5/3-103 and 5 ILCS 5/11-13-25, will be tolled as to any and all claims that the Prestige Parties may have against the Village Parties, whether such claim is identified to the Village Parties contemporaneously with this Agreement or not. During the Tolling Period, the Prestige Parties shall not file a lawsuit against the Village Parties regarding the matters contained in the recitals or any other related matters. The intent of the Tolling Period is for the Parties to attempt to resolve the pending dispute using informal means and without litigation.
3. Termination prior to expiration of Tolling Period. During the Tolling Period, if any Party determines that another Party is not attempting to resolve the dispute in good faith, any Party may terminate the Agreement upon 30 days written notice to counsel for all Parties. Notices to the Prestige Parties shall be sent to the attention of: **DiMonte & Lizak, LLC, Attn: Riccardo A. DiMonte, 216 W. Higgins Rd., Park Ridge, IL 60068**. Notices to the Village Parties shall be

sent to the attention of: The Village of Mount Prospect, Attn: Lance Malina, Village Attorney, Klein, Thorpe & Jenkins, 20 N. Wacker Drive, Suite 1660, Chicago, IL 60606.

4. Timing for Filing of Lawsuit. In the event that any Party terminates the Agreement or the Tolling Period expires without a settlement agreement being reached by the Parties, the Prestige Parties shall have 30 days from the date of notice of the termination or from the expiration of the Tolling Period. In other words, any statute(s) of limitation that may apply to the claims asserted by the Prestige Parties against the Village Parties shall be tolled from the date of this Agreement plus an additional 30 days after the Agreement is terminated by notice or the expiration of the Tolling Period.

5. Entire Agreement. This Agreement sets forth the entire agreement and understanding of the Parties relating to the subject matter contained herein and merges all prior discussions, agreements, contracts or other instruments between them and no party shall be bound by any subsequent instrument, agreement or representation pertaining to the subject matter contained herein unless expressed in writing and signed by the party to be bound thereby.

6. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall have the same force and effect as the other, as one and the same instrument. Signatures may be delivered by facsimile transmission or via email in PDF format.

7. Governing Law and Venue. This Agreement shall be governed by laws of the State of Illinois. The Circuit Court of Cook County, Illinois shall be the proper venue for any action regarding the Agreement.

8. Binding Agreement. Each signatory hereto warrants that he/she/it has read and understands this Agreement, that he/she/it intends to be legally bound by the same, that they have entered into this Agreement freely and voluntarily, and has the full right, power, authority and capacity to enter into and execute the same. The Parties hereto further warrant that this Agreement is entered into with no party relying upon any statement or representation made by any other party not embodied in this Agreement.

9. Representation. Each party to this Agreement is being represented by his/her/its own attorney and this Agreement represents the collaborative drafting of all Parties.

10. Compliance. For purposes of any deadline contained herein, compliance shall be measured by using the date of the postmark using United States mail, first class, or any courier service.

11. Integration Clause. This Agreement supersedes and controls over all prior agreements, understandings and discussions whatsoever. There are no other documents that supplement this Agreement or in any way constitute a part of this Agreement.

IN WITNESS WHEREOF, this Agreement has been read and signed by each of the Parties below.

The Prestige Parties

Jef
Feed
Prestige Feed Products, LLC
By: Cereal Byproducts Company,
as Manager

By: Joseph C. Pesoli
Its: Vice President

Joseph Pesoli

The Village Parties

Village of Mount Prospect

By: [Signature]
Name: [Signature]
Its: Authorized Agent

By: [Signature]
Michael J. Cassidy,
Village Manager

[Signature]
William Cooney,
Director of Community Development

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff,

v.

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
SCHROEDER, in his capacity as Village Director
of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as the Village Mayor,

Defendants.

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municipal corporation; MICHAEL J. CASSADY,
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Community Development; WILLIAM
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Of Building & Inspection Services; and PAUL
HOEFERT, in his capacity as Village Mayor,

Defendants/Counter-Plaintiffs,

v.

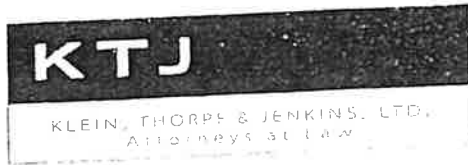
PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff/Counter-Defendant.

Defendants/Counter-Plaintiffs'

EXHIBIT I

Letter from Lance C. Malina to Riccardo DiMonte, dated April 10, 2023



20 N. Wacker Drive, Ste 1050
Chicago, Illinois 60606-2903
T 312 604 6400 F 312 924 6444

DD 312 984 0469
lmalina@kjtj.com

15010 S. Parkway Avenue Ste 100
Orland Park, Illinois 60462-5300
T 708 349 1898 F 708 349 1800

www.kjtj.com

April 10, 2023

Via FedEx

Robbins DiMonte, Ltd.
Attn: Riccardo DiMonte
216 W. Higgins Rd.
Park Ridge, IL 60068

RE: Notice of Termination of Tolling Agreement Between Prestige Feed Products, LLC, and the Village of Mount Prospect, Illinois (March 31, 2023-December 31, 2023)

Dear Mr. DiMonte:

Please be advised that the Village of Mount Prospect HEREBY exercises its right, under Section 3, to terminate the above referenced tolling agreement.

Very truly yours,
KLEIN, THORPE & JENKINS, LTD.

Lance C. Malina, Village Attorney

Cc: Anastas Shkurti AShkurti@robbinsdimonte.com
Michael Cassady mcassady@mountprospect.org
Bill Cooney bcooney@mountprospect.org
William Schroeder wschroeder@mountprospect.org



**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION**

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff,

v.

VILLAGE OF MOUNT PROSPECT, an Illinois
municipal corporation; MICHAEL J. CASSADY,
in his capacity as Village Manager; WILLIAM
COONEY, in his capacity as Village Director of
Community Development; WILLIAM
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HOEFERT, in his capacity as Village Mayor,

Defendants/Counter-Plaintiffs,

v.

PRESTIGE FEED PRODUCTS, LLC, an Illinois
limited liability company,

Plaintiff/Counter-Defendant.

Defendants/Counter-Plaintiffs'

EXHIBIT C

Business License/Certificate Application



Business License/Certificate Application

Community Development Department
Village of Mount Prospect
50 S. Emerson Street
Mount Prospect, IL 60056 (847) 818-5328

RECEIVED		(OFFICE USE ONLY)
MAR 1	APR 2019	LICENSE FEE \$ 225.00
Village of Mt. Prospect		DATE ISSUED

CONTACT FOR BUSINESS LICENSE APPLICATION:

Name: Joe Pesoli Phone: 847-650-8164 Email: JCP@cercogroup.com

THIS APPLICATION IS FOR (CHECK ONE):

☒ New business ☐ Existing business – new location ☐ New ownership of existing business OTHER: _____

EXPECTED DATE OF OCCUPANCY: 3/1/2019

The applicant has had a business license revoked in another city or state. ☐ Yes ☒ No If yes, explain: _____

I. BUSINESS INFORMATION:

Is your business licensed/certified by the State of Illinois? ☐ Yes ☒ No. If Yes, State License # _____ (attach copy). **A**

Example: Professionals required to be licensed by the state (i.e. Lawyers, Doctors, Real Estate Agents, Architects, etc...)

Business Legal Name: Prestige Feed Products, LLC

Business Website Address: www.prestigefeed.com

Doing Business As (Common Name): _____

Detailed Description of All Business Uses/Services provided:

We will be processing cheese for animal feed in the facility. The cheese will be dried into powder form and then sold as a raw ingredient into swine feeds. This product will be solely for animal feed use.

Business Location Address: 431 Lakeview Court Suite #: A City: Mount Prospect State: IL ZIP: 60056

Illinois Business Authorization Number (Sales/Use Tax # or Exempt #): _____

Federal Employee Identification Number (FEIN): 83-0945843

Square Footage of Space: 32,527

of employees: 8

of Commercial Vehicles: 0

Business Phone: 847-818-1550

Business Contact Name/Title: Joe Pesoli- CEO

Business Email: JCP@cercogroup.com

II. BILLING INFORMATION – IF DIFFERENT THAN SECTION I:

Contact Person: _____ Address: _____ City: _____ State: _____ ZIP: _____

Phone Number: _____ Email Address: _____

III. BUSINESS OWNERSHIP STRUCTURE – THIS BUSINESS IS A:

☐ Sole Proprietorship ☐ Partnership ☐ Corporation ☒ Limited Liability Company ☐ Other: _____

IV. BUSINESS OWNER INFORMATION - RESIDENCE ADDRESS AND DATE OF BIRTH MUST BE COMPLETED:

First: Cereal Byproducts Co M.I.: _____ Last: _____ Date of Birth: _____

Home Address: 601 E. Kensington road City: Mount Prospect State: IL ZIP: 60056

Home/Cell Phone (circle): _____ Email: _____

First: _____ M.I.: _____ Last: _____ Date of Birth: _____

Home Address: _____ City: _____ State: _____ ZIP: _____

Home/Cell Phone (circle): _____ Email: _____

V. LANDLORD INFORMATION (IF THE SPACE IS RENTED):

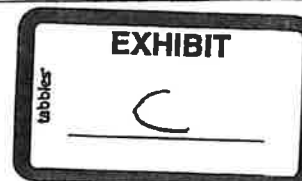
Company: Pima 4 LLC Contact Person: Gina Bertolini

Address: 1001 Feehanville Drive City: Mount Prospect State: IL ZIP: 60056

Phone Number: 847-394-6200 E-mail Address: gina@nicholasquality.com



Business License Application



VI. BUSINESS DETAILS – ANSWER ALL QUESTIONS BELOW:

1. Is the business a <u>new use in this location</u> when compared to the previous occupant? <i>If YES, note previous use: Call Center</i> <i>Example: Opening a restaurant in a location that was previously an office is a new use.</i>	☒ Yes ☐ No ☐ Unsure
2. Does this business offer <u>massage therapy</u> to the general public? <i>If Yes, Massage Therapy Addendum is required.</i>	☐ Yes ☒ No E
3. Does this business have coin-in-slot or vending machine devices on the premises? <i>If Yes, Vending Machine Addendum is required.</i>	☐ Yes ☒ No C
4. Will hazardous materials be stored at this location? <i>If Yes, attach MSDS Addendum and note materials for each type.</i>	☐ Yes ☒ No D
5. Does your business use tow trucks in the operation of your business? <i>If Yes, how many? _____ and attach proof of current Liability Insurance.</i>	☐ Yes ☒ No E
6. Does this business sell <u>tobacco/e-cigarette</u> products over the counter?	☐ Yes ☒ No
7. Please check the box if your business is any of the following: ☐ Day Care ☐ Solid Waste Transfer Station ☐ Health Club/ Gym ☐ Hotel/Motel ☐ Trailer Coach Park	
8. Will you or have you applied for a <u>building permit</u> ? <i>Work that adds, moves, or exposes water lines, gas, electricity or walls needs a building permit.</i>	☐ Yes ☒ No
9. Does this business location have or will have a <u>security alarm</u> ? <i>Note: A Building Permit is required to install a security alarm.</i>	☐ Yes ☒ No
10. Will you be making modifications/additions to <u>signage</u> ? <i>Note: A Sign Permit may be required.</i>	☐ Yes ☒ No
11. If you answer YES to ANY of the questions below, REQUEST A <u>FOOD & BEVERAGE PACKET</u> & SUBMIT THE <u>ACKNOWLEDGEMENT FORM</u> WITH THIS APPLICATION. F	
a) Is <u>more than 10% of the business floor area</u> devoted to the sale and/or storage of food/beverages?	☐ Yes ☒ No
b) Does this business <u>sell/serve prepared food or beverages</u> directly to the general public?	☐ Yes ☒ No
c) Does this business <u>use a vehicle to sell</u> prepared food or beverages directly to the general public?	☐ Yes ☒ No
d) Have you applied or will you apply for a <u>liquor license</u> (Village Manager's office)?	☐ Yes ☒ No
e) Restaurants with a <u>bar area</u> , indicate number of seats/barstools _____	
f) Does this business have a <u>certified food handler</u> ?	☐ Yes ☒ No
If Yes, provide name of employee/s: _____ Date of certification: _____	

VII. EMERGENCY CONTACT INFORMATION – OTHER THAN OWNER, CONTACTS SHOULD BE LOCAL & HAVE ACCESS TO THE BUILDING

First: Joe	Last: Pesoli	Role (i.e. Manager): CEO	
Home Address: 601 E. Kensington Road		City: Mount Prospect	State: IL ZIP: 60056
Home/Cell Phone (circle): 847-650-8164		Email: JCP@cercogroup.com	
First: Joe	Last: Ignoffo	Role (i.e. Manager): Manager	
Home Address: 601 E. Kensington road		City: Mount Prospect	State: IL ZIP: 60056
Home/Cell Phone (circle): 773-617-6912		Email: JSI@prestigefeed.com	

ATTACHMENT CHECKLIST ☒ Please note your attachments below before submitting this application.

(NOTE: Omitting attachments required with your application can delay issuance of the license. INCOMPLETE applications will NOT be accepted.)

☐ A State License	☐ B Massage Therapy Addendum	☐ C Slot/Vending Addendum
☐ D MSDS Hazardous Materials	☐ E Proof of Liability Insurance	☐ F Food & Beverage Acknowledgement Form

Next step: Call the Fire Department at 847-818-5253 to schedule your Fire Inspection!

Note: If license has not been issued or picked up within six (6) months of the application date, this application will be considered VOID and a new application shall be submitted.

☒ I DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION AND ADDENDUMS (IF APPLICABLE) HAS BEEN FURNISHED BY ME AND TO THE BEST OF MY KNOWLEDGE IS CORRECT. I UNDERSTAND THAT ANY UNTRUE, INCONSISTENT OR MISLEADING INFORMATION SHALL BE CAUSE FOR THE REFUSAL TO GRANT OR THE REVOCATION OF ANY LICENSE GRANTED PURSUANT TO THIS APPLICATION. I FURTHER CERTIFY THAT BY APPLYING IN WRITING FOR A LICENSE TO OPERATE IN THE VILLAGE OF MOUNT PROSPECT I HAVE READ AND UNDERSTAND MY OBLIGATIONS UNDER APPROPRIATE VILLAGE ORDINANCES RESPECTIVE TO THE LICENSE (S) FOR WHICH I AM APPLYING. I FURTHER CERTIFY THAT IF ANY OF THE FOREGOING INFORMATION CHANGES DURING THE COURSE OF THE LICENSE YEAR I WILL NOTIFY THE VILLAGE, IN WRITING, WITHIN SEVEN (7) DAYS OF SUCH CHANGE.

☐ I WILL CALL THE FIRE DEPARTMENT AT 847-818-5253 TO SCHEDULE THE FIRE INSPECTION NEEDED FOR THIS BUSINESS LICENSE. (Please schedule your inspection within 8 days of submitting this application.)

Signature: _____
Printed Name: Joseph C. Pesoli

3/19/2019
Date



Business License Application

Page 2 of 2

VILLAGE OF MOUNT PROSPECT
50 SOUTH EMERSON STREET
MOUNT PROSPECT, IL 60056
847-392-6000

Date: 04/05/2019

License Type: Operating
License

License Number: BL19-000022

Receipt: 8942

Cashier: Tracey Mahoney

Received From: - Joe Pesoli

Description	Total Cost
-------------	---------------

Class I Establishment	225.00
-----------------------	--------

Annual License Fee	
--------------------	--

Receipt Total: 225.00

Payment Type: Credit

Reference: M-26062Z

Total Remitted: 225.00

Total Received: 225.00

Balance Due: 0.00