

VILLAGE OF STICKNEY

6533 West Pershing Road
Stickney, Illinois 60402-4048
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Kathleen Fuentes
Mitchell Milenkovic

Village Trustees
Mary Hrejsa
Sam Savopoulos

James Lazansky
Jeff White



Deborah E. Morelli
Village President

Kurt Kasnicka
Village Treasurer

Audrey McAdams
Village Clerk

REGULAR MEETING BOARD OF TRUSTEES

Tuesday, February 2, 2016

7:00 p.m.

Meeting Agenda

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approve Minutes of Previous Regular Meeting
5. Authorize Payment of Bills
6. Accept the Village of Stickney Annual Financial Report for Fiscal Year Ending April 30, 2015
7. Pass and Approve Ordinance 2016-06, "An Ordinance Amending the Issuance of Liquor Licenses"
8. Pass and Approve Ordinance 2016-07, "An Ordinance Clarifying the Duties of the Village Attorney"
9. Report from the Mayor
10. Report from Clerk
11. Trustee Reports/Committee Reports
 - a. Accept the treasurer's report for the month of September, 2015
12. Reports from Department Heads
13. Audience Questions
14. Motion to Adjourn to Closed Session
 - a. Convening into executive session under Section 2 (c) (21) of the Open Meetings Act for discussion of minutes of meetings lawfully closed under this Act, whether for purposes for approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06
 - b. Discussion regarding the setting of a price for sale or lease of property owned by the public body. (Consideration of this matter held in Closed Meeting/Executive Session Pursuant to 5 ILCS 120/2 (c)(6)(2014)).
 - c. Discussion Regarding Probable and Imminent Litigation (Consideration of this matter held in Closed Meeting/Executive Session Pursuant to 5 ILCS 120/2 (c)(11)(2014)).
15. Motion to Return to Open Session
16. Adjournment

Posted January 28, 2016

January 19, 2016

**State of Illinois
County of Cook
Village of Stickney**

The Board of Trustees of the Village of Stickney met in regular session on Tuesday, January 16, 2016 at 7:00 p.m. in the Stickney Village Hall, 6533 W. Pershing Road, Stickney, Illinois.

**Upon the roll call, the following Trustees were present:
Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White**

Trustee Milenkovic moved, duly seconded by Trustee Savopoulos, to approve the minutes of the previous regular session on Tuesday, January 5, 2016.

**Upon the roll call, the following Trustees voted:
Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White
Nays: None
Mayor Morelli declared the motion carried.**

Trustee White moved, duly seconded by Trustee Savopoulos that the bills, approved by the various committees of the Board, be approved for payment, and to approve warrants which authorize the Village Treasurer to draw checks to pay the bills, to be signed by the authorized signers, as provided for by the Ordinances of the Village of Stickney.

**Upon the roll call, the following Trustees voted:
Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White
Nays: None
Mayor Morelli declared the motion carried.**

Trustee Lazansky moved, duly seconded by Trustee White to accept the report from the Illinois Department of Revenue for sales tax collected for the month of October, 2015 indicating the sum of \$37,182.47.

**Upon the roll call, the following Trustees voted:
Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White
Nays: None
Mayor Morelli declared the motion carried.**

Trustee White moved. Duly seconded by Trustee Savopoulos to accept the report from the Illinois Department of Transportation for the month of July, 2015 in the amount of \$15,315.27.

**Upon the roll call, the following Trustees voted:
Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White
Nays: None
Mayor Morelli declared the motion carried.**

At this time the mayor informed the audience that a presentation will be made from Kane, McKenna and Associates, Inc. Regarding Tax Increment Financing. Trustee Savopoulos introduced Charles L. Durham, Senior Vice President of Kane, McKenna.

We learned that Kane, McKenna submitted a proposal to us to determine if a TIF is appropriate and to assist us in evaluating different areas of the village that might be good candidates. They would provide guidance and help for our counsel. They would help in creating public hearings. They will help in analyzing different areas of the village. He named specific areas such as Pershing, Harlem and Hawthorne Race Course to make a determination whether they qualify. They will provide us with a draft proposal for our consideration. This firm will stay with us to configure the boundaries. The specific needs of Stickney will be met. The entire process takes approximately 16 to 22 weeks. If it started in February, it could be done by early summer.

Trustee Lazansky questioned the cost. Mr. Durham explained that the cost is based on size. The Trustee questioned the mention of Hawthorne. He said that they are still running. Mr. Durham said they would offer to evaluate it for us and determine if it qualifies. This is a policy decision. They could be something you could contemplate doing in the future. At least the analysis would be done. Mr. Durham informed us that they always try to keep their cost to the lower end. He explained that the process happens in phases. The first phase is eligibility, the second phase is a redevelopment plan and the third phase is the process itself.

Trustee Lazansky asked if we spend that money to have it re-evaluated and to check to see what businesses would come in there, how long would it take before we see a return on our investment? Mr. Durham explained that typically it will take three to five years before you see tax increment. It also depends on whether we can attract projects within the TIF district, the sooner you can see results. It is a slower project that is more of an incremental type of result.

Trustee Lazansky asked what happens if you can't get new businesses. Mr. Durham said that they would make an analysis and they may suggest that we wait. He explained that we could use marketing development. Trustee Lazansky mentioned that we are landlocked in comparison to other municipalities. Trustee Savopoulos informed us that we can collect these fees from the TIF itself. Mr. Durham explained that we could reimburse ourselves from the TIF. Mr. Durham clarified that what happens with the TIF district is it establishes a tax base and grows in subsequent years (2015 & 2016) and that tax rate is applied back to the growth in the EAV and the taxes generated from that EAV go straight to the village treasury. This can be utilized for redevelopment projects.

Trustee Fuentes asked if they would handle marketing strategies. They do not. They make recommendations. It is not their strength. There are ways to contact commercial developments to gauge interest. Trustee Fuentes was concerned about the Harlem Ave. district.

Village Attorney Del Galdo clarified that what is on the agenda tonight is whether or not to approve the contract. What happens next, is Kane, McKenna has to tell the

village what legally meets the criteria. The village just couldn't pick a geographic boundary and say this is a TIF area. It must meet legal requirements under the TIF statute. There is a study and they are experts at this. They will tell the village what qualifies and what doesn't. It is up to the village. However, how the board and the mayor decides is the appropriate process. It is up to the board as to what should or should not be included. Those would happen after you would determine what would qualify or not qualify. As to residential property, there are safeguards built into the TIF statute that require extra notices if there is residential housing impact studies. You could no longer exercise eminent domain power as part of a new TIF that is being developed for economic development purposes. The board by acting today is to simply engage Kane and McKenna to do a study and advise us whether it is legally appropriate to have the village have a TIF district and, with their input, would use that input as to where the boundaries should or should not be. There will be separate public hearings and ordinances that would be required to actually approve geographic areas.

Trustee Savopoulos moved, duly seconded by Trustee White to approve Resolution 03-2016, "A Resolution Authorizing and Approving a Certain Agreement with Kane, McKenna and Associates, Inc. for the Village of Stickney."

Upon the roll call, the following Trustees voted:

Ayes: Trustees Hrejsa, Milenkovic, Savopoulos and White

Present: Trustee Fuentes and Lazansky

Nays: None

Mayor Morelli declared the motion carried.

Trustee White moved, duly seconded by Trustee Lazansky to approve Resolution 04-2016, "A Resolution Amending a Certain Retirement Plan for the Village of Stickney."

Upon the roll call, the following Trustees voted:

Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White

Nays: None

Mayor Morelli declared the motion carried.

MAYOR'S REPORT: Mayor Deborah Morelli read the following: "On July 22, 2015 while working at the village hall, I went into the office of the building inspector/Trustee Milenkovic (a shared office) and discovered a newspaper article with a picture of me on your bulletin board with push pins placed in my breasts. The newspaper article and the push pins in my breasts was wide open and visible to employees and any resident in this area. I was both embarrassed and outraged by your actions. As the mayor and chief executive officer of the Village of Stickney, I have obligations to the employees of the village to ensure that the workplace is free of sexual harassment and is was not a hostile work environment. I and the citizens of the village demand that their elected officials not only adhere to the rules but lead by example. You failed in both regards. Your actions amounted to sexual harassment. In the manner in which you acted publically posting a picture of me with push pins in my breasts encouraged sexual harassment. As the mayor, I am disappointed. As a woman, I am appalled. On behalf of myself, all employees and the female residents of the village, I demand a written apology. Your actions and your inability to adhere to

the very rules you were elected to support demonstrate that you are not fit for office and you should resign. As the mayor, I have no authority to remove you from office. So I can only ask that you resign to show the employees and residents that there are consequences when you don't follow the rules. If you refuse to resign, at a minimum you need to enroll in sexual harassment class and get counseling so that you can learn right from wrong and change your behavior so that there are no more victims of your actions. And, I just want to say that I did come in and I confronted you on this after I had seen it, and you smirked in my face, and, didn't even offer an apology to me on that, you just had it hanging on your bulletin board with all the rest of your news. And, I am not going to pass this picture around, but if anybody wants to see it please come to my office. I would be happy to show you what I had to see. Thank you very much."

Trustee Hrejsa asked, "Who did it." "Do you have proof?" "Was it Dave Schmidt?" The mayor said, "No, it was on Mitch's bulletin board and I confronted him with it." Trustee Hrejsa remarked, "It is Dave Schmidt's office." The mayor said, "I knew that and that it is both of their offices." The mayor said, "I talked to Mitch (Trustee Milenkovic) about it."

Trustee Milenkovic asked if he could respond to this. "He said, 'I did put the picture up there (on the bulletin board).'" "But, I didn't do anything with the pins." "I didn't know who did it." He continued to say, "We did have this conversation." The mayor interrupted and said, "Not about that." Trustee Milenkovic continued to say, "That door is open most of the day." "It is a common area." "I don't know who has been in and out of there." "Things have disappeared in that office." And, he continued, "I told you I didn't do it and didn't know anything about it." The mayor disputed this by saying, "I did not hear that from you." Trustee Milenkovic said, "This was our conversation." Again, the mayor said, "No that was not my conversation with you." Trustee Milenkovic said, "Sorry, yes it was." The mayor said, "No, I didn't not hear that from you." Trustee Milenkovic said, "I am not going to apologize," "I didn't do anything." The mayor quipped, "I know you wouldn't do that," "You would not apologize." "That is just what I got from you originally." At this point, Trustee Savopoulos asked, "Are you going to apologize to Jeff (Trustee White)?" Trustee White interjected, "Maybe I could get an apology from you and your daughter after handing out this flyer door-to-door on Easter Sunday." The mayor said, "That was not a lie." "It's not like you had push pins stuck in your pants." At this point, Trustee Hrejsa stated, "You (the mayor) have no proof and why are you blaming somebody." "And that Dave Schmidt has that same office." "Thank you."

CLERK'S REPORT: The EPA notified the village concerning that Waste Management Transfer Station Cook County, 3815 S. Laramie Avenue. In addition, she provided information about the March 15, primary election.

TRUSTEE'S REPORTS: Trustee Fuentes gave information on recent laws that took effect on January 1.

Trustee Hrejsa informed us that there is a Parks and Recreation meeting on January 26, 2015 at 6:30 p.m. There will be discussion on Easter. She asked for a lot of people

to attend. There is only a few committee people attending. She asked for suggestions to help the community.

Trustee Lazansky gave the police report for the month of December, 2015. The total number of calls for service; 1,403; Total number of E911 calls received; 418; Arrest by type: Traffic: 87; Village Ordinance Offences: 25; Warrants and Complaints: 7; Parking violations: 145; Total number of arrests/citations issued: 264; Total number of squad miles: 9,538; Total amount of gasoline used: 1,130.4; Average gas mileage/squad: 8.438.

Trustee Milenkovic provided a tree report. There was a tree board meeting on January 7. They discussed Arbor Day which is on April 29. We will be having assemblies at Edison and Home Schools. We will have a tree lottery in the fall. They wrote letters to two homes because they had some problems with their trees. Resident Ed Bartunek and Trustee Milenkovic attended a couple of tree seminars in East Hazel Crest on January 15. They learned about how to developing a winning grant proposal for ecology projects. There is another \$10,000 matching grant on incorporating oak ecosystem recovery goals. Beth Lukas and Trustee Milenkovic have been working on that. Trustee Milenkovic asked Treasurer Kurt Kasnicka how the installation of the new server is going. Kasnicka told the Trustee that there are still a few issues. He invited the Trustee to meet with him at a later time. Trustee Milenkovic then addressed Village Attorney Mike Del Galdo. The Trustee said, "Several times we have discussed merging the position of Village Prosecutor with the Village Attorney. The Trustee asked for Attorney Del Galdo to put this on the agenda.

Trustee Savopoulos stated, "That as a business owner that fills out applications and pays business licenses and pays taxes to this village, I would like to know when you are going to finally write that check to the Village of Stickney for running that illegal business in your basement." The mayor responded, "When Mitch gets through writing his out for his business." Trustee Savopoulos continued, "How about giving all the rest of the businesses a waiver for all the years that you ran a business illegally." The mayor raised her voice and said, "This is not something you are going to talk to me about right now." Trustee Savopoulos disagreed, "Well, I am talking to you about it." The mayor responded, "And, I am not listening." Trustee Savopoulos said, "I think all the rest of the businesses would appreciate not paying for a business license just like you did." "I could come up with fifty people who have had their hair cut there."

Trustee White didn't have a report but he did say that the mayor never cut his hair.

AUDIENCE QUESTIONS: Remarks were made by Richard Vachata (President of Sokol Stickney), Kimberly Elliot, Audrey Austrevich and Marie Vachata concerning the Sokol. Richard Vachata gave a history of Sokol. He referred to a letter he received on July 30, that he had until August 29, to apply for a permit to remodel the basement of the basement (of the Stickney Recreation Center). He paid for an asbestos study out of his own pocket. He waited for the permit. Building Inspector claimed that it is in the hands of the attorney. He complained that he finally met with Trustee Milenkovic about what needs to be done. On October 21, a letter comes that there is an addendum to supersede the original agreement. Again he was told to apply for a permit. He finally has the permit but couldn't do the work until he agrees to the

agreement. My spending \$14,000 (which he felt was on the high side) from FEMA to do the work. To get the work done he has to sign it. It doesn't have a term on it. All it says is, "If at any time, the village has a reason or any reason, the village has the right to kick us out. So, why would I sign this agreement? So why would I spend \$14,000 to do that? He continued to reiterate much that he already addressed to the board. Mr. Vachata stated that on November 30, he sent a letter saying he didn't agree with a couple of the things on the addendum. He never received a reply. He came to a meeting but got side-barred into another meeting. He was told he didn't get his letter in in time to make the agenda. He was told that he could have another chance to reply. To tell us what you really want. He wrote another letter on December 28, which said that they wanted something like they already had. Again he didn't get an official reply. He did claim that he spoke to Trustee Milenkovic.

Mr. Vachata now came forward to present the building permit #15-450. The permit was voluntarily surrendered by Sokol on January 19, 2016 at the Village Board Meeting. No work was performed prior to surrender.

Trustee White moved, duly seconded by Trustee Lazansky to adjourn to Closed Session at 7:55 p.m.

- A. Discussion only with no vote required regarding Probable and Imminent Litigation (Consideration of This Matter Held in Closed Meeting/Executive Session Pursuant to (5 ILCS 120/2 (c) (11) (2014))).

Upon the roll call, the following Trustees voted:

Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White

Nays: None

Mayor Morelli declared the motion carried.

Trustee Lazansky moved, duly seconded by Trustee Fuentes to return to Open Session.

Upon the roll call, the following Trustees voted:

Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White

Nays: None

Mayor Morelli declared the motion carried.

There being no further business, Trustee Lazansky moved, duly seconded by Trustee Savopoulos that the meeting be adjourned. Upon which the Board adopted the motion at 8:25 p.m.

Respectfully submitted,

Audrey McAdams, Village Clerk

Approved by me this day of , 2016

Deborah E. Morelli, Village Mayor

ORDINANCE NO. 2016-06

AN ORDINANCE AMENDING CHAPTER 6, SECTIONS 6-43, 6-45 AND 6-57 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING LIQUOR

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the effectiveness and efficiency of Village business; and

WHEREAS, in connection therewith, the Corporate Authorities have determined that it is necessary and in the best interests of the Village to amend Chapter 6, Sections 6-43, 6-45 and 6-57 of the Municipal Code, Village Of Stickney, Illinois (the "Village Code") regarding the issuance of liquor licenses as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

ARTICLE I. IN GENERAL

SECTION 1. INCORPORATION CLAUSE.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to amend Chapter 6, Sections 6-43, 6-45 and 6-57 of the Village Code regarding the issuance of liquor licenses and to authorize the President or his or her designee to take all actions necessary to carry out the intent of this Ordinance.

ARTICLE II. AMENDMENT OF CHAPTER 6, SECTIONS 6-43, 6-45 AND 6-57 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS

SECTION 3.0. AMENDMENT OF CHAPTER 6, SECTION 6-43.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 6, Section 6-43, which Section shall be amended as follows:

There shall be the following classes of local liquor licenses:

(5) *Class G.* A class G beer and wine license authorizes the sale of beer and wine only, for consumption on the premises only, not for the retail sale of beer and wine for consumption or use outside the premises ~~shall be repealed in its entirety.~~

SECTION 3.1. AMENDMENT OF CHAPTER 6, SECTION 6-45.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 6, Section 6-45, which Section shall be amended as follows:

There shall be issued in the village no more than six class C licenses; provided, however, that satellite stations existing under any class C licenses issued to the Hawthorne Race Track or any concessionaire connected therewith shall not be included in or considered a part of the six class C licenses. There shall be issued in the village no more than three class D licenses. There shall be issued in the village no more than two class E licenses. There shall be issued in the village no more than three class F licenses. There shall be issued in the village no more than six class G licenses. There shall be issued in the village no more than one class H license.

SECTION 3.2. AMENDMENT OF CHAPTER 6, SECTION 6-57.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 6, Section 6-57, which Section shall be amended as follows:

Sec. 6-57. Reserved. Classification Changes.

No person, during the period of the license issued under this chapter, shall change the classification of his or her business without paying therefor the highest license fee required of such classification. No rebate will be given to any applicant during the period of such license if a change occurs to a lower classification during the period of such license.

SECTION 3.3. OTHER ACTIONS AUTHORIZED.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

ARTICLE III. HEADINGS, SAVINGS CLAUSES, PUBLICATION, EFFECTIVE DATE

SECTION 4. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective and in full force ten (10) days after its passage, approval and publication in accordance with applicable law.

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

PASSED this ____ day of _____, 2016.

AYES:

NAYS:

ABSENT:

ABSTENTION:

APPROVED by me this ____ day of _____, 2016.

Deborah Morelli, President

ATTESTED AND FILED in my
office this ____ day of _____, 2016.

Audrey McAdams, Village Clerk

ORDINANCE NO. 2016-07

**AN ORDINANCE ADOPTING CHAPTER 2, ARTICLE III, DIVISION 6 AND AMENDING
CHAPTER 2, SECTION 2-260 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY,
ILLINOIS REGARDING THE VILLAGE ATTORNEY**

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the efficiency of the Village and its operations; and

WHEREAS, the Municipal Code, Village of Stickney, Illinois (the "Village Code") does not currently set forth the duties of the Village Attorney (the "Village Attorney"), such as the Village Attorney's authority to prosecute claims, including administrative adjudication proceedings, on the Village's behalf; and

WHEREAS, the position of Village Prosecutor (the "Village Prosecutor") is not established in the Village Code, nor are the duties of the Village Prosecutor set forth therein; and

WHEREAS, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to eliminate the position of Village Prosecutor and to authorize the Village Attorney to exercise all powers and perform all duties previously assigned to the Village Prosecutor as of the effective date of this Ordinance; and

WHEREAS, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to establish and clarify the duties of the Village Attorney; and

WHEREAS, in order to establish the of duties for the Village Attorney, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to adopt Chapter 2, Article III, Division 6 and to amend Chapter 2, Section 2-260 of the Village Code as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

**ARTICLE I.
IN GENERAL**

SECTION 1. INCORPORATION CLAUSE.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to eliminate the position of Village Prosecutor and to authorize the Village Attorney to exercise all powers and perform all duties previously assigned to the Village Prosecutor, to adopt Chapter 2, Article III, Division 6 and to amend Chapter 2, Section 2-260 of the Village Code to clarify the duties of the Village Attorney and to authorize the President or his or her designee to take all actions necessary to carry out the intent of this Ordinance.

ARTICLE II.

ADOPTION OF CHAPTER 2, ARTICLE III, DIVISION 6 AND AMENDMENT OF CHAPTER 2, SECTION 2-260 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS

SECTION 3.0 ADOPTION OF CHAPTER 2, ARTICLE III, DIVISION 6

DIVISION 6. – VILLAGE ATTORNEY

SECTION 3.1. AMENDMENT OF CHAPTER 2, SECTION 2-260.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 2, Section 2-260, which Section shall be amended as follows:

Sec. 2-260. - ~~Reserved.~~ Appointment; Duties.

(a) Appointment: The president, with the advice and consent of the board of trustees, may appoint an attorney to serve as village attorney and advise the president and board of trustees and to serve as a legal advisor to the village government, as well as perform the duties as specified herein.

(b) Advice. The village attorney shall be a legal advisor to the president, the village board and any village official and shall render advice on all legal questions affecting the village, whenever requested to so do by the president, a member of the board of trustees or any village official. Upon request by the president, a member of the board of trustees or a village official, the village attorney shall reduce any such opinion to writing.

(c) Suits and actions. The village attorney shall prosecute or defend any and all suits or actions at law or equity, including administrative adjudication proceedings, to which the village may be a party or in which it may be interested, or which may be brought against or by any officer of the village on behalf of the village or in the capacity of such person as an officer or employee of the village whenever directed to do so by the president and the village board and shall be entitled to the fair and reasonable value for his or her services.

(d) Judgments: The village attorney shall see to the full enforcement of all judgments or decrees rendered or entered in favor of the village, and of all similar interlocutory orders.

(e) Attend meetings: The village attorney shall attend board meetings and such other village-related meetings as directed by the president or the village board.

(f) Special assessments and economic development: The village attorney shall direct legal services in connection with all special assessment proceedings, special service

district proceedings, condemnation proceedings, bond issues, tax increment financing districts, all economic or tax related incentives or measures necessary for economic development or financial support of the village, and all other such related litigation or services.

(g) *Ordinances, resolutions and documents:* The village attorney shall draft or supervise the phraseology of any contract, lease or other documents or instruments, to which the village may be a party and upon request of the president or a member of the board of trustees, and draft or revise ordinances and resolutions covering any subject within the power of the village.

(h) *Compensation and authority:* The village attorney shall receive compensation set by the village board in its annual budget ordinance pursuant to hourly billing at a rate to be determined by the village board taking into consideration experience as a municipal attorney. The village attorney shall not be an employee of the village, but be compensated as an independent contractor.

SECTION 3.2. OTHER ACTIONS AUTHORIZED.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

ARTICLE III. HEADINGS, SAVINGS CLAUSES, PUBLICATION, EFFECTIVE DATE

SECTION 4. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective and in full force after its passage, approval and publication in accordance with applicable law as of the first day of the next fiscal year, which shall be May 1, 2016.

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

PASSED this ____ day of _____, 2016.

AYES:

NAYS:

ABSENT:

ABSTENTION:

APPROVED by me this ____ day of _____, 2016.

Deborah Morelli, President

ATTESTED AND FILED in my
office this ____ day of _____, 2016.

Audrey McAdams, Village Clerk