



City of Blue Island
13051 Greenwood Avenue
Blue Island, IL 60406
www.blueisland.org

AGENDA
REGULAR MEETING

City Council of the City of Blue Island, Illinois
November 26, 2013

Office of the Mayor
p (708) 597 8602
f (708) 597 1221

City Clerk
p (708) 597 8603
f (708) 396 7062

City Treasurer
p (708) 396 7067
f (708) 597 1807

Building & Zoning
p (708) 597 8606
f (708) 396 2686

Community Development
p (708) 396 7037
f (708) 597 1221

Community Relations
p (708) 396 7035
f (708) 597 1221

Senior Citizens
p (708) 396 7085
f (708) 396 7062

Finance
p (708) 396 7067
f (708) 597 1807

Water & Sewer
p (708) 597 8605
f (708) 396 7062

Public Works
3153 Wireton Road
Blue Island, IL 60406
p (708) 597 8604
f (708) 597 4260

1. **Call to Order**

2. **Pledge of Allegiance**

3. **Roll Call**

4. **Presentation of Journal of Proceedings**

Motion to approve minutes from November 12, 2013

5. **Public Comment**

THE MAYOR AND CITY COUNCIL WELCOME YOU AS OBSERVERS TO THIS PUBLIC MEETING. YOU ARE REMINDED THIS MEETING IS FOR THE DELIBERATIONS OF THE MAYOR AND COUNCIL REGARDING CITY BUSINESS AND GOVERNANCE. IF YOU INTEND TO SPEAK, PLEASE LIMIT YOUR COMMENTS TO THIS EVENING'S BUSINESS. ONCE RECOGNIZED BY THE MAYOR, PLEASE APPROACH THE PODIUM, ANNOUNCE YOUR NAME & ADDRESS AND DIRECT YOUR COMMENTS TO THE MAYOR AND CITY COUNCIL MEMBERS. IF YOUR COMMENTS REQUIRE A RESPONSE, THEY MAY BE FORWARDED TO THE APPROPRIATE PERSON FOR FOLLOW-UP.

6. **Report of City Officials/Presentations/Resolutions**

Mayor: Oath of Office – Fire Lt. Joseph Olson

Certificate of Gratitude for resident Richard H. Rodriguez

Arbor Day Proclamation

City of Blue Island Financial Presentation –Alderman Hawley, Mayor Pro-tem

Bids:

City Clerk:

City Treasurer:

City Attorney: An Ordinance Levying Taxes for the City of Blue Island for the current Fiscal Year Commencing May1, 2013 and ending April 30, 2014.

An Ordinance Authorizing and providing for the Issuance of \$1,100,000 General Obligation Judgment Funding Refunding Bonds of the City of Blue Island

An Ordinance authorizing Special Use Permit for Best Buy Auto, ? Ashland Avenue.

An Ordinance authorizing Special Use Permit for Skyline Restoration, ? Harrison St.

7. **Committee Reports**

- a. Community Development Committee
- b. Finance Committee
- c. Public Health and Safety
- d. Municipals Services Committee
- e. Judiciary Committee

8. **Motions**

- a. Motion to Approve Consent Agenda
 1. Approval of Payroll – November 8, 2013 for \$359,857.32
 2. Approval of Accounts Payable for \$518,053.03
 3. Committee Reports and Recommendations as presented.
 4. Approval of Ordinance rescinding Ordinance 2611 restricting parking along either side of Vincennes Avenue from 120th Street to 123rd Street.
 5. An Ordinance amending 13-219, Residential Permit Parking, to include the South Side of 135th Street from Old Western to Ann Street.
 6. An Ordinance Governing the Reorganization, Structure, and Administration of the Police Department in the City of Blue Island, Cook County, Illinois, and Repealing all previous Ordinances and Amendments Governing the Same.
 7. An Ordinance Restricting a Portion of a Certain Street for Handicapped Parking Only within the City of Blue Island, County of Cook, State of Illinois, and providing Penalties for the Violation Thereof.
 8. An Ordinance Rescinding Handicapped Parking Restrictions on a Portion of a Certain Street within the City of Blue Island, County of Cook and State of Illinois.

9. **Motion to Retire to Closed Session for consideration of:**

- a. Pending litigation
- b. Employment of Specific Employees

10. **Motion to Reconvene Regular Session**

11. **Motion for Adjournment**

**JOURNAL OF PROCEEDING
OF THE
MEETING, NOVEMBER 12, 2013**

CALL TO ORDER

The regular meeting of the City Council of the City of Blue Island was called to order by Mayor Vargas at 7:00 p.m. on November 12, 2013.

PLEDGE OF ALLEGIANCE

ROLL CALL

Roll Call indicates the following:

Present: 14 Ald. Frausto, Thompson, Johanson, Buckner,
Hawley, Vieyra, Bilotto, Rita, Donahue,
Stone, Carr, Ostling, Pittman, Johnson

Absent: 0

Present Also: Randy Heuser, City Clerk
ShawnTe Raines, City Attorney
Carmine Bilotto, City Treasurer

JOURNAL OF PROCEEDING

Moved by Ald. Rita, second by Ald. Hawley the Journal of Proceedings for the Regular Meeting on October 22, 2013 is accepted as printed.

Ayes: 14 Ald. Frausto, Thompson, Johanson, Buckner,
Hawley, Vieyra, Bilotto, Rita, Donahue,
Stone, Carr, Ostling, Pittman, Johnson

Nays: 0

Absent: 0

Abstain: 0

There being Fourteen (14) Affirmative Votes, the Mayor declared the motion carried.

**CITIZENS WISHING TO ADDRESS THE COUNCIL
REGARDING THIS EVENINGS BUSINESS**

Joan Davis of 2945 Everett protested a high water bill she received.

Several people expressed the importance of the Recreation Center to the community and their concerns for its future including: Mark Kuehner of 2250 Orchard St, Willie Scott of 11917 Longwood Dr, Pastor Samuel L. Day Jr, Marcus Day of 2801 142nd Place, Bertha Olaiwumi of 3032 W. 140th St, Ronald Young of 12440 Maple, Donna Lee of 2957 142nd Place,

The pastor of Brother Life Christian Center offered to partner with the City of Blue Island to keep valuable programs in the Rec Center.

The Mayor responded that they are looking to address the issue as soon as possible and it is a priority.

Denise Jackson of 13020 Honore expressed her concerns over a problem with drug use in her building.

Jane Healy of 12056 Maple Ave was pleased to see things being put up on the agenda and encouraged the need to maximize active transportation through out Blue Island.

Allan Stevo of 2324 Union St asked when he would receive the written legal opinion he requested last council meeting. Mr. Stevo also asked when a police chief would be appointed.

The Mayor responded they are working on it. As far as the police chief, the City is still reviewing its financial situation.

Mr. Stevo asked about lawsuits that could not be discussed because they were pending litigation.

REPORT OF CITY OFFICIALS**Mayor****State of the City – Mayor Vargas**

The Mayor presented the dire financial situation the City of Blue Island is currently in. They will be taking drastic actions in order to find a solution to this financial debacle. One of the biggest expenses is payroll related to benefits such as IMRF, pensions, and health insurance. Employees received a letter stating that they will be looking at potential furloughs and possible layoffs to get through the financial crisis.

Planning Update – Jason Berry

Mr. Berry gave an update on the different planning projects going on in the City.

Ald. Johnson asked what kind of businesses that will be coming will be bringing in jobs.

Mr. Berry replied there are two approaches: one is to try to get involvement in contracts like at Fay's point there will certain number of jobs. Another way to encourage job growth is to encourage Blue Island businesses to buy from other Blue Island businesses.

Jen-Care Presentation

Jen-Care is a specialized primary care center for seniors (65 and over) who are moderate to low income with and have chronic illnesses. They are looking to build their state of the art facility in the old Kline's building.

Fire Prevention Week Poster Winners

Winners of the poster contest (Mercado & Healy) were presented with certificates and informed that they would be picked up in a fire truck the following morning and given a ride to school.

BIDS

No Bids.

CITY CLERK**El Humanitario Award**

Clerk Heuser congratulated the Mayor for receiving the Humanitario Award. Last month, surrounded by friends, family, aldermen, and several council members, the Mayor Domingo Vargas was honored by Alvarez because of his commitment to the legal profession and dedication to the Hispanic American community.

Motion by Ald. Johanson, second by Ald. Johnson to approve a request from Neighborhood Watch Group #37 to use the East Annex for Black History Month celebration on February 21, 2014 from 6:30pm – 11:00 pm.

Upon a vote, the Mayor declared the motion carried.

Ald. Carr invited the public to attend St. Joseph's and St. Aiden's Episcopal Church gift drive that it is holding on December 8th starting at 4:00 pm.

Ald. Rita is collecting breakfast cereal for Angel's Touch up until November 30th.

Ald. Johanson announced that Evangelical Community Church is celebrating their 90th anniversary that weekend and wished them the very best.

CITY TREASURER

Motion by Ald. Donahue, second by Ald. Carr to accept the Treasure's Report for October 31, 2013 to be placed on file.

Ayes: 14 Ald. Frausto, Thompson, Johanson, Buckner, Hawley, Vieyra, Bilotto, Rita, Donahue, Stone, Carr, Ostling, Pittman, Johnson

Nays: 0

Absent: 0

Abstain: 0

There being Fourteen (14) Affirmative Votes, the Mayor declared the motion carried.

CITY ATTORNEY

Attorney Raines suggested that the two motions on the agenda be included in the consent agenda.

COMMITTEE REPORTS

Community Development – Ald. Hawley, Chairman

No Report.

Next Meeting – Wednesday, November 13, 2013, 7:00 pm – East Annex.

Finance Committee – Ald. Rita, Chairman

The meeting was called to order Tuesday, November 5, 2013.

Present: Ald. Hawley, Ald. Thompson, and Ald. Donahue.

Absent: Ald. Cheatle

Also Present: Treasurer Bilotto, Finance Supervisor Matt Anastasia, Director Terry Sullivan, Director John Rita, Ald. Carr, and Ald. Johnson

Accounts Payable for November 3, 2013 in the amount of \$604,266.49 was authorized by Ald. Hawley, second by Ald. Thompson and a voice vote with all in favor to approve. Motion carried.

A motion to send a Resolution to the city council which I previously asked for regarding the previous administration's corporate inter-fund borrowing was made by Ald. Donahue, second by Ald. Hawley. Voice vote all in favor. Motion carried.

Matt Anastasia announced and explained the 2013 Tax Levy in the amount of \$6,933,846.99 which is a 4.9% increase. A motion to authorize by Ald. Hawley, second by Ald. Donahue. Voice vote all in favor. Motion carried.

Next Meeting – Tuesday, November 19, 2013, 7:00 pm – East Annex

Public Health & Safety Committee – Ald. Carr, Chairman

The meeting was called to order Wednesday, November 6th.

Present were Director John Rita, Fire Chief Mark Luety, Deputy Chief Michael Cornell, Deputy Fire Chief James Klinker, Alderman Johanson, Alderman Vieyra, Alderman Johnson, and myself. Absent was Alderman Buckner. Also present were Alderman Marcia Stone, Fire Lieutenant Tom Zielinski, and Firefighter Adam Zielinski.

Citizens Concerns

A business owner from Olde Western Avenue came to address the issues they are having with the Island Bar and Grill, located at 13414 Olde Western Avenue.

A resident from Lincoln Street came to address issues that they are having with a neighbor.

Fire Department Grievance

Firefighter and President of Local 3547 Adam Staszewski presented the argument for payment of Firefighter David Haywood's reimbursement for classes taken, which had previously been denied.

Director John Rita and Fire Chief Mark Luety presented the argument for denying the grievance.

Presentation by Director John Rita for new Police Department position

Director John Rita presented the case for creating the appointed position of a Patrol Commander in the Police Department. The function of this office would be to review use of force incidents.

Fire Department Report

The Fire Department had 286 emergency calls in October, 193 were EMS calls
173 Patients were treated

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154 Patients were transported
40 Patients refused transport

They responded to 22 general fire alarms, and 21 minor fire alarms.

They responded to 25 auto aid calls.

They had 18 calls to man the firehouses.

They responded to 6 mutual aid calls.

There was one garage fire at 2415 Birdsall, the cause is undetermined.

The Fire Department collected \$26,116.56 in the month of October, net of the collection fees.

Marine II has been taken out of the water for the season.
Fire Engine #2133 will be sent out for repairs and preventative maintenance work next week.

The training division has completed 481.25 hours of training for the month of October. Deputy Fire Chief Jim Klinker, and Lieutenant Tony Kunz attended a seminar presented by Blue Card Command. They will be presenting this information to all the members of the department in training sessions.

Two new part-time firefighters, Tim Wopinek and Demetrius Nolan were sworn in at the City Council meeting on October 8th, 2013.

The Civil Service Commission has completed all the testing process for the position of entry level Firefighter and Lieutenant. At present we have two full time Firefighter positions open, one Lieutenant's position, and the Fire Prevention Officer position, which is going to arbitration.

The new SCBA air compressor was delivered Friday, November 1st and is in service. We are still waiting on the standard for certification and approval before we will receive the new Air Packs which were also included in this grant.

The Fire Department will be receiving twenty-two new radios from the FEMA Radio Grant within the next several weeks. Blue Island FD and Alsip FD will be the first two departments to receive and test the new radios for the MABAS division.

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The Fire Department will be submitting applications for two ambulances through the FEMA Assistance to Fire Fighter's Grant. Each ambulance would cost between \$160,000.00 and \$170,000.00. The City would have to match 10% of the cost if we are awarded the grant.

Fire Chief Luety discussed a new Auto Aid agreement with the Alsip Fire Department.

Fire Prevention Week

Fire Prevention Week was October 6th through October 12th. This year's theme was Kitchen Fire Safety. During the week, open house and tours were held at both fire stations. Presentations were made on Kitchen Fire Safety. The Fire Department also conducted a poster contest with all the grade schools and the winner will be presented at the City Council meeting of November 12th.

Police Department Report

The Police Department patrolled 16,452 miles for the month of October. 3010 calls answered.

525 Parking Citations
370 Moving Citations
225 Traffic Stops
 5 Felonies
 36 Misdemeanors
 19 Warrant Arrests
 22 Local Ordinance Violations (admin towing fees)
 49 Vehicles Impounded

Total Fees Collected: \$40,698.92

Detective Division

29 Case Assignments in October
25 Cases closed
11 Cases pending apprehension
24 Cases pending lab
109 Open cases
 5 Warrant Cases

Training/Seminars Attended

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Detective Nedved attended a one week Juvenile Specialist School. He is now a State Certified Juvenile Specialist.

Detective Murray attended a one week Gang Specialist School. He is now a State Certified Gang Specialist.

Sergeant Podbielniak, Detective Nedved and Detective Delgadillo all attended a two day Lead Homicide Conference. This is part of a mandatory continual education required to maintain Lead Homicide Investigator Status.

Sergeant Podbielniak and Detective Nedved attended the 8 Hour Rapid Deployment Class.

Aldermen Concerns

Alderman Vieyra expressed concern over juveniles presenting themselves as collecting money for the Untouchables, when no fundraising efforts are currently in effect. She also expressed concern over traffic problems around MetroSouth Medical Center.

Alderman Johnson expressed concern over the Rec Center still being closed. It would not be available for use if a public emergency occurred.

Closed Door Session

The committee went into closed door session to discuss the Fire Department grievance.

Next Meeting – Wednesday, December 4th at 7:00 in the East Annex.

Municipal Services Committee – Ald. Johanson, Chairman

The Special Meeting was called to order Thursday, November 7th.

Present: Ald. Donahue, Ald. Stone, Ald. Pittman, Ald. Frausto, Ald. Johanson, Treasurer Bilotto, Ald. Thompson, Water Superintendent Houlf, Director Rita, Mark Miller, Jason Berry, Theresa Malysa, John Malysa, and Ald. Frausto.

The Municipal Services Committee approved and agrees to send to the Judiciary Committee to rescind no parking ordinance on Vincennes from 123rd St to 121st St to add on street parking near the Blue Station Apartment Complex. Motion by Ald. Donahue, second by Ald. Stone.

No action was taken on the honorary street naming ordinance due to a lack of a second motion to adopt. Item declared tabled until next regular Municipal Services Committee.

Water Director Robert Houlf updated the committee on a high water billing for a resident at 12621 Artesian. Some plumbing issues were identified. The resident was not present, but issue will be addressed in executive session.

John and Theresa Malysa presented their appeal in regard to a sewer collapse issue at the properties at 12827-12833 Irving Ave. Their thought is that the collapse may have occurred during the street repairs that the city had done. Water Superintendent Houlf presented the history of the issue that dates back to former Superintendent Joe Werner and has been re-evaluated since. The property owner has received a bid of about \$8000. The city provided the name of a plumbing company that quoted a price not to exceed \$3,500. Matter will be addressed in executive session and a determination made to John Malysa within 5-10 days.

Two appeals were discussed in the executive session.

The Municipal Services Committee has reviewed an appeal by a resident of an unusually high water billing and recommends/authorizes the City Clerk to remove the sewer and sanitary charges from the 9/28/13 billing to the resident at 12626 Artesian, therefore making the amount due \$398.12 that is to be made in six equal monthly payments of \$66.36. Motion by Ald. Stone, second by Ald. Johnson.

Municipal Services Committee rejected the appeal, will suggest the property owner contact several other area plumbers for a more competitive pricing. The city will open the street and repave the street as a means to help minimize the cost. Offer extended is good for only the next 90 days. Motion by Ald. Johnson, second by Ald. Donahue.

Ald. Johnson thanked Mario Gomez and asked for him to be able to go into the Recreation Center and see what is going on in there.

Ald. Rita thanked Frank Berrini for his help in the 3rd ward. She also reminded residents to put leaves on the parkway not on the street.

Regular Meeting – November 12, 2013

Ald. Buckner thanked Deputy Chief Cornell for the terrific job he and his department did on Halloween. Also, Ald. Buckner asked that the current administration stop looking at the negative of the old administration and look towards the future.

Judiciary Committee – Ald. Ostling, Chairman

The meeting was called to order on Monday, November 4th.
Present: Ald. Ostling, Stone, Bilotto, Pittman, and Frausto
Also present: Director Rita, Treasurer Bilotto, and Attorney Sullivan

Insurance loss and medical reimbursement

One claim due to ambulance hitting side mirror of a car on 10-21-2013 resident requesting \$278.00 to repair damage. Motion to approve by Ald. Stone, second by Ald. Pittman. Motion passed.

Handicap parking sign for 2153 121st Street was tabled due to lack of paper work. Motion to table by Ald. Stone, second by Ald. Frausto. Motion passed.

Rescind handicap parking signs at 12750 Francisco & 2456 Grove motion by Ald. Stone, second by Ald. Bilotto. Motion passed.

Committee discussed a noise or nuisance ordinance. Director John Rita suggested a nuisance ordinance if police are called to a residence more than once because loud music persists they should be fined due to repetitive calls losing time for the officer. Attorney Sullivan is looking into an ordinance for this.

Motion by Ald. Ostling, second by Ald. Bilotto to have a lawyer draft an ordinance for handicap parking at 2252 Collins.

Upon a vote, the Mayor declared the motion carried.

Motion by Ald. Ostling, second by Ald. Frausto to make an amendment on ordinance 13219 B7 permit parking to read no parking on south side from Old Western to Ann St.

Location: 135th Street

Upon a vote, the Mayor declared the motion carried.

Next Meeting – Monday, December 2, 2013, 6:00 pm – East Annex

MOTIONS

Motion by Ald. Ostling, second by Ald. Johnson to include under the Consent Agenda the committee reports as presented, the Cal Sag Trail IDOT agreement, IDC renewal agreement, Payroll for 10/25/13 in the amount of \$379,109.92, and Accounts Payable for 11/03/13 in the amount of \$604,266.49.

Upon a vote, the Mayor declared the motion carried.

Motion by Ald. Donahue, second by Ald. Hawley to approve the Consent Agenda.

Ayes: 14 Ald. Frausto, Thompson, Johanson, Buckner, Hawley, Vieyra, Bilotto, Rita, Donahue, Stone, Carr, Ostling, Pittman.

Nays: 0

Absent: 0

Abstain: 0

There being Fourteen (14) Affirmative Votes, the Mayor declared the motion carried.

CLOSED SESSION

Motion by Ald. Pittman, second by Ald. Rita to go into Executive Session.

Upon a vote, the Mayor declared the motion carried.

*****CLOSED SESSION*****

REGULAR MEETING

Motion by Ald. Frausto, second by Ald. Ostling to reconvene Regular Meeting.

Ayes: 14 Ald. Frausto, Thompson, Johanson, Buckner, Hawley, Vieyra, Bilotto, Rita, Donahue, Stone, Carr, Ostling, Pittman.

Regular Meeting – November 12, 2013

Nays: 0

Absent: 0

Abstain: 0

There being Fourteen (14) Affirmative Votes, the Mayor declared the motion carried.

ADJOURNMENT

Motion by Ald. Stone, second by Ald. Johnson to adjourn the meeting.

Upon a vote, the Mayor declared the motion carried.

The next regular meeting of the City Council is scheduled for November 26, 2013 at 7:00 p.m.

Randy Heuser, City Clerk

**APPROVED BY ME THIS
22ND DAY OF NOVEMBER, 2013.**

Domingo Vargas, Mayor

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR
THE ISSUANCE OF \$1,100,000 GENERAL OBLIGATION
JUDGMENT FUNDING REFUNDING BONDS OF THE
CITY OF BLUE ISLAND**

WHEREAS, the City of Blue Island (the "City") is a duly organized unit of local government located in Cook County, Illinois; and

WHEREAS, the City is created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Municipal Code ("Code") of the State of Illinois as supplemented and amended; and

WHEREAS, South Suburban Mayors and Managers has established a loan program ("The Program"), in an effort to help facilitate the funding needs of South Suburban Mayors and Managers Association ("SSMMA") participating municipal entities, and to provide a flexible, low cost, and responsive option to traditional funding alternatives; and

WHEREAS, the City Council pursuant to Ordinance No. _____ adopted on _____, 2013 authorized the borrowing of \$1,100,000 and the issuance of the \$1,100,000 General Obligation Judgment Funding Bonds (the "Prior Bonds"), all in accordance with the provisions of Section 8-4-1 of the Municipal Code, the aggregate outstanding bonds of the City issued pursuant to said Section for the purpose of paying an agreed judgment order entered in the Circuit Court of Cook County, Illinois on January 26, 2011, relating to a wrongful death settlement including interest thereon (the "Judgment Indebtedness") and related costs of issuance.

WHEREAS, the City Council finds that it is necessary that said City borrow the aggregate sum of \$1,100,000 and issue the General Obligation Judgment Funding Refunding Bonds (the "Bonds") to be purchased by Fifth Third Bank, an Ohio banking corporation (the

"Bank") to refund the Prior Bonds pursuant to the provisions of Section 8-4-1 of the Municipal Code; and

WHEREAS, the SSMMA, acting as a nominee for Fifth Third Bank, an Ohio Corporation will purchase the Bonds, and together with the proceeds of other bonds issued by other municipalities will redeem all of the \$50,000,000 Revenue Bonds, Series 1989 (Homewood Pool – South Suburban Mayors and Managers Association Program) (the "*Pool Bonds*"), issued pursuant to that certain Trust Indenture dated as of August 1, 1989, as amended and supplemented by that certain First Supplemental Trust Indenture, dated as of August 1, 1992 (together the "*Indenture*") between Oak Forest and American National Bank and Trust Company of Chicago (now known as The Bank of New York Mellon Trust Company, N.A.), as Trustee (the "*Trustee*"); and

WHEREAS, SSMMA will enter into an Agreement with the Bank, whereby the SSMMA will deposit an amount to be held by the Bank as a reserve fund (the "SSMMA Reserve Fund") for the Bonds with SSMMA subrogated to the rights of the Bank under the Bonds as provided in the Notification of Sale to the extent the SSMMA Reserve Fund is used to pay principal or interest on the Bonds; and

NOW, THEREFORE, BE IT ORDAINED, by the City of Blue Island, Cook County, Illinois, as follows:

Section 1. Incorporation of Preambles. The City Council hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and do hereby incorporate and make them part of this Ordinance by this reference.

Section 2. Definitions. In addition to such other words and terms used and defined in this Ordinance (the "Ordinance"), the following words and terms used in the Ordinance shall

have the following meanings, unless, in either case, the context or use clearly indicates another or different meaning is intended:

"Bank" means Fifth Third Bank, an Ohio banking corporation.

"Bond Order" is defined in Section 4 herein.

"Bonds" means the \$1,100,000 General Obligation Judgment Funding Refunding Bonds, Series 2013, authorized to be issued by the Ordinance, and any Bonds issued in exchange therefor pursuant to Sections 4 or 5 hereof.

"Bonds Register" means the books of the City kept by the Bonds Registrar to evidence the registration and transfer of the Bonds.

"Bonds Registrar" means the Treasurer of the City.

"Paying Agent" means Treasurer of the City.

"Tax-exempt" means, with respect to the Bonds, the status of interest paid and received thereon as not includible in the gross income of the owner thereof under the Code for federal income tax purposes except to the extent that such interest will be taken into account in computing an adjustment used in determining the alternative minimum tax for certain corporations.

Section 3. Authorization and Purpose. The purpose of this Ordinance is to express the City's intent to issue Obligations to authorize the City and authorized third parties to enter into agreements necessary to issue Obligations to anticipate the revenues that would be paid to the City by participating in the Program and to take all steps necessary to carry out the terms of this Ordinance.

In the event that the City issues Bonds, the City may reimburse itself and authorized third parties for costs incurred in connection with issuing the Bonds in accordance with the provisions

of the Code or any other applicable laws, provided that such reimbursements are lawfully permitted and practically available. The City Council hereby authorizes and directs the Mayor (the "Mayor") or the Mayor's designee to take all steps necessary to carry out the intent of this Ordinance. The City Council further authorizes the Mayor or the Mayor's designee to enter into and approve any applicable documentation necessary to carry out the intent of this Ordinance. The Clerk is hereby authorized and directed to attest to and countersign such documentation as may be necessary to carry out and effectuate the purpose of this Ordinance. The Clerk is also authorized and directed to affix the Seal of the City to any such documentation as is deemed necessary.

Section 4. Bonds Details. There be borrowed on the credit of and for and on behalf of the City the sum of \$1,100,000 for the payment of the cost of refunding of the Prior Bonds and the Bonds shall be issued in said amount and shall be designated "General Obligation Judgment Funding Refunding Bonds, Series 2013." The Bonds shall be dated the date of initial delivery (the "Dated Date") or as set forth in the hereinafter described Notification of Sale and Order, and shall also bear the date of authentication thereof. The Bonds shall be in fully registered form, shall be numbered in such fashion as shall be determined by the Bonds Registrar, and the principal amount thereof shall become due and payable in installments on the first day of January and July of each year, all as further detailed in the Notification of Sale and Order executed by the Mayor (the "Bond Order"). The Mayor is hereby given full authority to execute and deliver a Bonds Order for and on behalf of the City as herein provided. The Bonds Order shall be made a part of the transcript of the proceedings related to the issuance of the Bonds.

The unpaid principal amount of the Bonds shall bear interest from time to time from the later of their Dated Date as herein provided or from the most recent interest payment date to which interest has been paid or duly provided for, until the full principal amount of such Bonds is paid or duly provided for, such interest being payable on the 30th day of each month, commencing time and not to exceed 5% as provided pursuant to the Bond Order. The principal of and interest on the Bonds are payable in lawful money of the United States of America at the principal corporate trust office of the Paying Agent; *provided* that payment of interest on the Bonds shall be made to the owner thereof by check or draft mailed by the Paying Agent to such owner at the address of such owner as it appears on the Bonds Register or at such other address as is furnished to the Paying Agent in writing by such owner. At the option of the owner of the Bonds, the principal of and interest on the Bonds may be transferred by electronic transfer of immediately available funds to such owner pursuant to a written agreement between the owner and the Paying Agent.

The seal of the City shall be affixed to or printed on the Bonds, and the Bonds shall be signed by the manual or facsimile signature of the Mayor of the City and attested by the manual or facsimile signature of the City Clerk of the City, and in case any officer whose signature shall appear on any Bonds shall cease to be such officer before the delivery of such Bonds, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Bonds Registrar, as authenticating agent of the City for the Bonds and showing the date of authentication. No Bonds shall be valid or obligatory for any purpose or be entitled to any security or benefit under the Ordinance unless and until such

certificate of authentication shall have been duly executed by the Bonds Registrar by manual signature, and such certificate of authentication upon such Bonds shall be conclusive evidence that such Bonds has been authenticated and delivered under the Ordinance. The certificate of authentication on the Bonds shall be deemed to have been executed by the Bonds Registrar if signed by an authorized officer of the Bonds Registrar.

Section 5. Registration of Bonds; Persons Treated as Owners. The City shall cause the Bonds Register to be kept at the principal corporate trust office of the Bonds Registrar, which is hereby constituted and appointed the registrar of the City for this issue. The City is authorized to prepare, and the Bonds Registrar shall keep custody of, multiple Bonds blanks executed by the City for use in the transfer and exchange of the Bonds.

The Bonds may be transferred or exchanged in the manner and subject to the limitations as set forth in the Ordinance. The Bonds may be transferred to any Credit Enhancer as provided in the Indenture and in addition may be transferred to any other transferee if there is delivered to the City contemporaneously with such transfer an opinion of counsel experienced in securities laws matters to the effect that the Bonds may be transferred to the intended transferee without registration under the Securities Act of 1933, as amended, or any applicable state laws and regulations or that the Bonds has been registered thereunder.

Upon surrender for transfer of the Bonds at the principal corporate trust office of the Bonds Registrar, duly endorsed by, or accompanied by a written instrument, or Bonds of transfer in form satisfactory to the Bonds Registrar and duly executed by, the registered owner or his attorney duly authorized in writing, the City shall execute and the Bonds Registrar shall authenticate, date and deliver in the name of the transferee or transferees or, in the case of an exchange, the registered owner, a new fully registered Bonds of like tenor, of the same maturity,

bearing the same interest rate, of the authorized denomination, for a like aggregate principal amount.

The execution by the City of any fully registered Bonds shall constitute full and due authorization of such Bonds and the Bonds Registrar shall thereby be authorized to authenticate, date and deliver such Bonds, *provided, however,* that the principal amount of the Bonds authenticated by the Bonds Registrar shall not at any one time exceed the authorized principal amount of Bonds less the principal amount of the Bonds which has been paid.

The person in whose name the Bonds shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on the Bonds shall be made only to or upon the order of, the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bonds to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of the Bonds, but the City or the Bonds Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of the Bonds except in the case of the issuance of a Bond for the unredeemed portion of the Bonds surrendered for redemption.

Section 6. Form of Bonds. The Bonds shall be prepared in substantially the following form:

Registered
Number R-1

Registered
\$1,100,000

**UNITED STATES OF AMERICA
STATE OF ILLINOIS
CITY OF BLUE ISLAND
GENERAL OBLIGATION JUDGMENT FUNDING REFUNDING BONDS**

Maturity Date
January 1, 2022

Dated Date
December __, 2013

Registered Owner: South Suburban Mayors and Managers Association, as nominee for Fifth Third Bank, an Ohio corporation

Principal Amount: One Million One Hundred Thousand Dollars

KNOW ALL PERSONS BY THESE PRESENTS, that the City of Blue Island, a City of the State of Illinois (the "City"), hereby acknowledges itself to owe and for value received, promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, the Principal Amount identified above and to pay interest, only out of the taxes against which this Bond is drawn, to said Registered Owner or registered assigns on such Principal Amount from the Dated Date hereof at the Interest Rate per annum set forth herein on the Maturity Date hereof, and until said Principal Amount is paid in the following amounts:

<u>Date</u>	<u>Amount</u>
January 1, 2014	\$55,000
July 1, 2014	\$55,000
January 1, 2015	\$55,000
July 1, 2015	\$55,000
January 1, 2016	\$55,000
July 1, 2016	\$55,000
January 1, 2017	\$55,000
July 1, 2017	\$55,000
January 1, 2018	\$55,000
July 1, 2018	\$55,000
January 1, 2019	\$55,000
July 1, 2019	\$55,000
January 1, 2020	\$55,000
July 1, 2020	\$55,000
January 1, 2021	\$55,000

July 1, 2021	\$55,000
January 1, 2022	\$55,000

The principal of and interest on the Bonds are payable upon presentation in lawful money of the United States of America at the office of the City Treasurer, as Bonds registrar and paying agent (the "Bonds Registrar") on the Maturity Date or any earlier date at the option of the County.

The Bonds are issued pursuant to the Code, to provide funds for the purpose of redeeming the City's outstanding General Obligation Judgment Funding Refunding Bonds (the "Prior Bonds"), which financed an agreed judgment order entered in the Circuit Court of Cook County, Illinois on January 26, 2011 relating to a wrongful death settlement including interest thereon (the "Judgment Indebtedness") and related costs of issuance and are authorized by an Ordinance duly adopted by the City, and now in full force and effect. The Bonds are payable in the numerical order of their issuance solely from the tax against which they are issued and shall be received by any collector of taxes in payment of the tax against which they are issued.

The City has designated the certificates as qualified tax-exempt obligations to qualify the bonds for the \$10,000,000 exception from the provisions of Section 265(b) of the Internal Revenue Code of 1986 relating to the disallowance of 100% of the deduction for interest expense allocable to tax-exempt obligations.

[1] Reference is hereby made to the further provisions of the Bonds set forth on the reverse hereof and such further provisions shall for all purposes have the same effect as if set forth at this place.

[2] It is hereby certified and recited that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of the Bonds did exist, have happened, been done and performed in regular and due form and time as required by law; that the indebtedness of the City, including the Bonds, does not exceed any limitation imposed by law;

and that provision has been made for the collection of a direct annual tax sufficient to pay the interest hereon as it falls due and also to pay and discharge the principal hereof at maturity.

[3] The Bonds shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bonds Registrar.

IN WITNESS WHEREOF, said City of Blue Island, Illinois, by its City Council, has caused the Bonds to be executed by the Mayor and Clerk of said City and to be registered and numbered as of the Dated Date identified above.

Mayor, City of _____

Clerk, City of _____

[Seal]

Registered, Numbered, and Countersigned:

Bonds Registrar and Paying Agent:

Treasurer, City of Blue Island

Date of Authentication: _____,
2013

CERTIFICATE OF AUTHENTICATION

The Bonds are one of the Bonds described in the within mentioned Ordinance and is one of the 2011 General Obligation Judgment Funding Refunding Bonds of the City of Blue Island, Cook County, Illinois.

Treasurer, City of Blue Island, as Bonds Registrar

By: _____
Authorized Officer

ASSIGNMENT

For Value Received, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

the within Bonds and does hereby irrevocably constitute and appoint

as attorney to transfer the said Bonds on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

Signature guaranteed: _____

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bonds in every particular, without alteration or enlargement or any change whatever.

Section 7. Sale of Bonds. The Bonds shall be delivered by the Treasurer to the purchaser thereof, namely, SSMMA, as nominee for the Bank, upon receipt of the purchase price for the Bonds, being the par value thereof. The sale of the Bonds is hereby determined to be in the best interests of the City.

Section 8. Use of Proceeds; Property Tax Extension Limitation Law. The proceeds of the Bonds shall be used to provide funds for the payment of necessary expenses incurred for Corporate purposes, and it is hereby certified that the Bonds constitute the only series of Bonds or notes issued to provide funds for the payment of necessary expenses for such purposes for the year 2013 by the County pursuant to the provisions of the Act.

The City acknowledges that it is subject to the requirements of the Property Tax Extension Limitation Law of the State of Illinois, as amended (the "*Tax Limitation Law*"). If the County Clerk of the County of Cook, Illinois, is required to reduce the County's aggregate extension (as defined in the Tax Limitation Law) for the years 2013 through 2021 in accordance with the Tax Limitation Law, the City agrees that, in accordance with the Tax Limitation Law, it will direct said County Clerk to not reduce the extension for such years for the corporate funds below the amount necessary to pay the principal of and interest on the Bonds.

Section 9. Tax Levy. In order to provide for the collection of a direct annual tax sufficient to pay the interest on the Bonds as it falls due and also pay and discharge the principal thereof at maturity, there shall be levied upon all the taxable property within the City a direct annual tax (the "Pledged Taxes") for each of the years while the Bonds or any of them are outstanding, in amounts sufficient for that purpose, and that there be and there is hereby levied upon all of the taxable property in the City, the direct annual tax, an amount not to exceed \$220,000 for each of the years 2013 through 2020 as provided in the Bond Order.

Principal or interest coming due at any time when there are not sufficient funds on hand from the foregoing tax levy to pay the same shall be paid from current funds on hand of the City, and the fund from which such payment was made shall be reimbursed out of the taxes hereby levied when the same shall be collected.

The City covenants and agrees with the Purchaser and the holders of the Bonds that so long as the Bonds remain outstanding, the City will take no action or fail to take any action which in any way would adversely affect the ability of the City to levy and collect the foregoing tax levy, unless the abatement of any particular tax levy amount has been provided for through the deposit of moneys in a segregated account, and the City and its officers will comply with all present and future applicable laws in order to assure that the foregoing taxes will be levied, extended and collected as provided herein and deposited in the Bond Fund (as such term is hereinafter defined) established to pay the principal of and interest on the Bonds.

The funds derived from the tax levy be and the same are hereby appropriated and set aside for the sole and only purpose of paying principal and interest on said Bonds when and as the same become due. The funds from the sale of said Bonds be and they are hereby appropriated and set aside for the purpose hereinbefore set out.

If the City deposits funds from any lawful source into the Bond Fund or if the amount levied in that year exceeds the requirement to pay principal of and interest on the Bonds, the City Clerk shall file written direction with the County Clerk to abate the taxes by the amount so deposited, and such deposits shall be made prior to any such abatement being filed with the County Clerk. No Pledged Taxes may be abated unless and until the proper amount of such abatement has been deposited irrevocably into the Bond Fund and dedicated to the payment of the Bonds.

The Issuer covenants and agrees with the registered owners of the Bonds that so long as any of the Bonds remain outstanding, and unless and to the extent funds are then on deposit in the Bond Fund, the Issuer will take no action or fail to take any action which in any way would adversely affect the ability of the Issuer to levy and collect the foregoing taxes, and the Issuer and its officers will comply with all present and future applicable laws in order to assure that the foregoing taxes will be levied, extended and collected as provided herein and deposited in the Bond Fund established in Section 19 below to pay the principal of and interest on the Bonds.

With the consent of the Bank, the City is authorized to issue from time to time additional limited bonds payable from the Base of the City, (the "Base," i.e., \$83,708.96 under Section 9 of Ordinance No. 94-284, adopted May 24, 1994, and filed with Cook County on June 3, 1994,) and additional non-referendum bonds payable from property taxes unlimited as to rate or amount, as permitted by law, and to determine the lien priority of payments to be made from the Base to pay the District's limited bonds.

Section 10. Filing of Ordinance. The City Clerk of the City is hereby directed to file a certified copy of the Ordinance with the County Clerk of Cook County.

Section 11. General Covenants. The City covenants and agrees with the registered owner of the Bonds that, so long as the Bonds remains outstanding and unpaid:

- a. The City will keep, or cause to be kept, proper books of record and accounts, separate from all other records and accounts of the City, in which complete and correct entries shall be made of all transactions relating to the Project.
- b. The City will furnish a copy of complete audited financial statements to the Bank promptly upon receiving the same, but in no event later than 10 days after such

financial statements become available. In addition the City will promptly furnish to the Bank such additional financial information as the Bank reasonably requests.

- c. The City will furnish the Bank a copy of the City's annual budget within 30 days after approval of such budget by the Corporate Authorities.
- d. Whenever the City is required to deliver financial statements under paragraph (d) of this Section 11, the City will furnish to the Bank a statement to the effect that it is in compliance (the "*Compliance Certificate*") with all of the terms and conditions of the Ordinance or, if that is not the case, stating the nature of the City's noncompliance and the measures taken by the City to remedy the same.
- e. The City will certify in its annual Compliance Certificate that no event has altered its home rule status.
- f. The City shall promptly give written notice to the Bank of any failure of the tax collection rate (determined as described below) to exceed 90% in any year.
- g. The property tax collection rate, defined as the amount of the levy collected in one year divided by the total levy in that year, shall exceed 90% in each year.
- h. The City will adopt, make, execute and deliver any and all such further ordinances, resolutions, Bonds and assurances as may be reasonably necessary or proper to carry out the intention of, or to facilitate the performance of, the Ordinance and for the better assuring and confirming unto the holder of the Bonds of the rights and benefits provided in the Ordinance.

- i. The City is a member of the South Suburban Mayors and Managers Association and is located within 10 miles of Oak Forest.

Section 12. General Arbitrage Covenants. The City hereby covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause the interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City acknowledges that, in the event of an examination by the Internal Revenue Service of the exemption from Federal income taxation for interest paid on the Bonds, under present rules, the City is treated as the "taxpayer" in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the Internal Revenue Service in connection with such an examination.

The City also agrees and covenants with the purchasers and holders of the Bonds from time to time outstanding that, to the extent possible under Illinois law, it will comply with whatever federal tax law is adopted in the future which applies to the Bonds and affects the tax-exempt status of the Bonds.

The Corporate Authorities hereby authorize the officials of the City responsible for issuing the Bonds, the same being the Mayor, Clerk and Treasurer of the City, to make such further covenants and certifications as may be necessary to assure that the use thereof will not cause the Bonds to be arbitrage bonds and to assure that the interest on the Bonds will be exempt from federal income taxation. In connection therewith, the City and the Board further agree: (a) through their officers, to make such further specific covenants, representations as shall be

truthful, and assurances as may be necessary or advisable; (b) to consult with counsel approving the Bonds and to comply with such advice as may be given; (c) to pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by their officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

Section 13. Registered Form. The City recognizes that Section 149 of the Code requires the Bonds to be issued and to remain in fully registered form in order to be and remain tax-exempt. In this connection, the City agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

Section 14. List of Bondsholders. The Bonds Registrar shall maintain a list of the names and addresses of the registered owner of the Bonds and upon any transfer shall add the name and address of the new registered owner and eliminate the name and address of the transferor.

Section 15. Duties of Bonds Registrar. If requested by the Bonds Registrar, the Mayor and City Clerk of the City are authorized to execute a standard form of agreement between the City and the Bonds Registrar with respect to the obligations and duties of the Bonds Registrar hereunder which may include the following:

- a. to act as Bonds registrar, authenticating agent, paying agent and transfer agent as provided herein;

- b. to maintain a list of the registered owner of the Bonds as set forth herein and to furnish such list to the City upon request, but otherwise to keep such list confidential;
- c. to give notice of redemption of the Bonds as provided herein;
- d. to cancel and/or destroy a Bond which has been paid at maturity or upon earlier redemption or submitted for exchange or transfer;
- e. to furnish the City at least annually a certificate with respect to Bonds cancelled and/or destroyed; and
- f. to furnish the City at least annually an audit confirmation of the principal installments of the Bonds paid, the principal installments of the Bonds outstanding and payments made with respect to interest on the Bonds.

Section 16. Assignment of SSMMA's Rights. A. As a source of security for the Bonds, SSMMA will assign to the Bank all SSMMA's rights under the Bonds and the Ordinance (except for the rights of SSMMA to receive payment of expenses and indemnity against claims set forth in the Ordinance).

Section 17. Indemnification. To the extent permitted by law, at any time that the Bonds is owned by the SSMMA or the Bank (collectively, the "Indemnified Parties") the City agrees to indemnify and hold the Indemnified Parties harmless from and against, and to pay on demand, any and all claims, damages, losses, liabilities, costs and expenses whatsoever (including without limitation any costs relating to subpoenas, discovery or other matters related to litigation arising in connection with the transactions contemplated by the Ordinance, the

Bonds and the Program insofar as the same relates to the Bonds and the Ordinance) which such Indemnified Parties may incur or suffer by reason of or in connection with the Bonds, the Ordinance or the Program (insofar as the same relates to the Bonds or the Ordinance), including, without limitation, the reasonable fees and expenses of counsel for such Indemnified Parties with respect thereto and with respect to advising such Indemnified Parties as to its rights and responsibilities with respect thereto and all reasonable fees and expenses, if any, in connection with the enforcement or defense of the rights of such Indemnified Parties in connection therewith or the collection of any monies due under the Bonds or the Ordinance; except, only if, and to the extent that any such claim, damage, loss, liability, cost or expense shall be caused by the willful misconduct or gross negligence of such Indemnified Parties. The City, upon demand by any Indemnified Parties at any time, shall reimburse such Indemnified Parties for any legal or other expenses incurred in connection with investigating or defending against any of the foregoing. The obligations of the City under this Section shall survive payment of any funds due under the Bonds or under the Ordinance.

C. If any law or any governmental rule, regulation, policy, guideline or directive (whether or not having the force of law) or the interpretation thereof, or compliance of any Bank with such, affects the amount of capital required or expected to be maintained by such Bank or any corporation controlling such Bank and such Bank determines the amount of capital required is increased by or based upon the existence of the Bonds or the Ordinance or Bonds of such types, then such Bank shall from time to time notify the City of the amount required which compensates it for any reduction in the rate of return on capital to an amount below that which it could have achieved but for such change in regulation, on an after tax basis (taking into account such Bank's policies as to capital adequacy) and the basis for such Bank's determination and the

City shall pay such amount to such Bank within 30 days of receipt of such notice by the City. The amount of such additional expense shall be determined by such Bank in good faith and shall be prima facie evidence of the same binding on the City absent manifest error.

Section 18. Creation of Bond Fund and Judgment Funding Fund. A. There is hereby created the "Bond and Interest Fund", a sub-account of the general fund (the "Bond Fund") for the Bonds, which shall be the fund for the payment of the Bonds. Collections of taxes herein levied in Section 9 of this ordinance shall be deposited into the Bond Fund as required by such Section and shall be used solely and only for the payment the Bonds when due. All amounts on deposit in the Bond Fund are hereby irrevocably pledged to and shall be used only for the purpose of paying the Bonds.

B. There is hereby established a special fund of the City as a sub-account of the City's general fund, known as the "Judgment Funding Refunding Fund" to be held by the Treasurer. There shall be deposited in the Judgment Funding Refunding Fund proceeds of the Bonds sufficient to pay the Prior Bonds. The Judgment Funding Refunding Fund shall be maintained separate and apart from all other accounts of the City and shall be used to pay costs of issuance and pay the Judgment Indebtedness.

Section 19. Designation as Qualified Tax-Exempt Obligation. The City Council recognizes that Section 265(b)(3) of the Code provides that a "qualified tax-exempt obligation" as therein defined may be treated by certain financial institutions as if it were acquired on August 7, 1986, for certain purposes. The City Council hereby designates the Bonds for purposes of Section 265(b)(3) of the Code as a "qualified tax-exempt obligation" as provided therein. In support of such designation, the City Council covenants, represents and certifies as follows:

- (a) the Bonds are not a "private activity bond" as defined in Section 141(a) of the Code,

(b) including the Bonds, the Village (including any entities subordinate thereto and any entities issuing obligations on behalf of the Village) has not issued and will not issue in excess of \$10,000,000 in tax-exempt obligations during the calendar year of issuance of the Bonds,

(c) for purposes of computing the amount of tax-exempt obligations issued by the Village during the calendar year of the issuance of the Bonds, "qualified 501(c)(3) bonds", as defined in Section 145 of the Code, have not been and will not be taken into account; private activity bonds other than qualified 501(c)(3) bonds have been and will be taken into account, and

(d) including the Bonds, the Village (including any entities subordinate thereto and any entities issuing obligations on behalf of the Village) has not and will not designate more than \$10,000,000 of its obligations as "qualified tax-exempt obligations" during the calendar year of issuance of the Bonds.

Section 20. 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 21. 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 22. 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 23. Publication and Effective Date. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. All ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby repealed. A full, true and complete copy of this ordinance shall be published in pamphlet form, by authority of the City Council as Corporate Authorities.

PASSED this 26th day of November, 2013.

**CITY CLERK OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS**

VOTING AYE: _____

VOTING NAY: _____

ABSENT: _____

ABSTAIN: _____

APPROVED: this 26th day of November, 2013.

**MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS**

ATTESTED and Filed in my office this

26th day of November, 2013.

CITY CLERK

PUBLISHED in pamphlet form this

_____ day of _____, 2013.

CITY CLERK

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

CERTIFICATE

I, _____, certify that I am the duly elected and acting municipal clerk of the City of Blue Island, Cook County, Illinois.

I further certify that on November 26th, 2013 the corporate authorities passed and approved an ordinance entitled: **AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$1,100,000 GENERAL OBLIGATION JUDGMENT FUNDING REFUNDING BONDS UNDER THE SOUTH SUBURBAN MAYORS AND MANAGERS PROGRAM ON BEHALF OF THE CITY OF BLUE ISLAND.** Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____ including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on _____ and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this ____ day of _____, 2013.

(SEAL)

Municipal Clerk

STATE OF ILLINOIS)
)
COUNTY OF COOK)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of Cook County, Illinois, and as such official I do further certify that on the ____ day of _____, 2013, there was filed in my office a duly certified copy of Ordinance No. _____ entitled:

AN ORDINANCE authorizing and providing for the issuance of \$1,100,000 General Obligation Judgment Funding Refunding Bonds Under the South Suburban Mayors and Managers Program On Behalf of the City of Blue Island

duly passed and approved by the Council of the City of Blue Island, Cook County, Illinois, on the 26th day of November, 2013, and that the same has been deposited in the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said County, this ____ day of _____, 2013.

County Clerk of Cook County, Illinois

(SEAL)

ORDINANCE NO. _____
**AN ORDINANCE GOVERNING THE REORGANIZATION, STRUCTURE, AND
ADMINISTRATION OF THE POLICE DEPARTMENT IN THE CITY OF BLUE
ISLAND, COOK COUNTY, ILLINOIS, AND REPEALING ALL PREVIOUS
ORDINANCES AND AMENDMENTS GOVERNING THE SAME**

BE IT ORDAINED by the City Council of the City of Blue Island, Cook County, Illinois:

SECTION 1: ESTABLISHMENT OF DEPARTMENT

There is hereby created and established a police department, an executive department of the City of Blue Island, Cook County, Illinois which shall be known as the "Blue Island Police Department."

SECTION 2: PURPOSE

The purpose of the police department shall be to maintain law and order within the City of Blue Island and each and every officer, member and other personnel hereinafter provided shall constantly direct their best efforts, intelligently and efficiently toward that end.

SECTION 3: DEPARTMENTAL STRUCTURE

Section 3.1 Organization

The Chief of Police shall have authority and responsibility to organize the police department in order to effectively direct the patrol, investigative, administrative and law enforcement functions. The following grades shall constitute the members of the police department, in the number provided from time to time by the City Council, or its designated committee:

- a. Chief of Police.
- b. Deputy Chief.
- c. Commander.

The commanders of police shall be superior officers to sergeants, corporals, patrol officer and other members of the department and shall serve subject to the orders of the Director of Public Safety, Chief of Police or Deputy Chief, unless otherwise provided herein.

- d. Sergeant

The sergeants of police shall be superior officers to corporals, patrol officer and other members of the department and shall serve subject to the orders of the Chief of Police, the Deputy Chief, and the Commanders, unless otherwise provided herein.

- e. Corporal

The corporals of police shall be superior officers to patrol officer and other members of the department and shall serve subject to the orders of the Chief of Police, the Deputy Chiefs of Police, the Commanders and the Sergeants, unless otherwise provided herein.

- f. Patrol officer

The City Council, after recommendation by the Chief of Police, and the appropriate committee/s, may change the grades and numbers of any grade of the police department by resolution or ordinance.

The police department shall operate and function in accordance with the provisions of the statutes of the State of Illinois in such cases made and provided, the provisions of this ordinance or any ordinance amendatory hereto, the rules and regulations of the Civil Service Commission of the City of Blue Island, the rules and regulations of the police department and general orders issued and promulgated by the Chief of Police in accordance with his/her or her lawful authority.

Section 3.2 Establishment of Offices

The Offices of Chief of Police, Deputy Chief, Commander, Sergeant, Patrol Officer are hereby created.

Section 3.3 Other Personnel

Personnel for the purpose of this ordinance is hereby defined as civilian personnel who serve in the police department and consists of one or more desk clerks, record clerks, executive secretaries, part time patrol officers, crossing guards, community service officers and such other special patrol officers, night watchmen or part time personnel as may from time to time be deemed necessary.

Section 3.4-3.5 Reserved.

SECTION 4: APPOINTMENTS

Section 4.1 Appointment of Chief of Police and Deputy Chief

The Chief of Police and the Deputy Chief shall be appointed by the Mayor, by and with the consent of the City Council to serve for such time as may be provided in the appointment and as may otherwise be provided by law. The Chief and the Deputy Chief need not be appointed from the members of the police department and if the persons appointed are members of the police department, the appointments need not be from the rank next below the Chief of Police, or the Deputy Chief.

Persons appointed as Deputy Chiefs shall retain the Civil Service Rank which those persons last attained immediately prior to the effective dates of their appointments. The appointments of Deputy Chiefs shall not create any openings in the department to be filled by another full time member of the department nor shall they create any openings in the Civil Service Ranks the respective Deputy Chiefs held immediately prior to the effective dates of their respective appointments as Deputy Chiefs.

Section 4.2 Appointment of Commanders

The Commander shall be appointed after recommendation by the Chief of Police to the Public Health and Safety Committee of the City Council, and after such committee has evaluated or caused to be evaluated such person to determine eligibility to service for the department, taking into consideration the factors of health, experience and morals, but not excluding other considerations regarding adaptability for the type of service called upon to perform. If a majority of the committee approves such person or persons, it shall notify the Chief of Police to enroll such person or persons without further action on the part of the City Council. A copy of the notification shall be filed with the Mayor and City Clerk.

Section 4.3 Appointment of Officers and Members

Except for the Chief of Police, Deputy Chief and Commander, the officers and members of the Police department shall be appointed and classified for such position by the Civil Service Commission of the City of Blue Island in accordance with the rules and regulations thereof, and the provisions of the statutes of the State of Illinois providing for the administration of civil service in cities, now in effect or hereinafter amended.

Section 4.4 Appointment of Personnel

Personnel shall be appointed after recommendation by the Chief of Police to the Public Health and Safety Committee of the City Council, and after such committee has investigated or caused to be investigated such person or persons to determine eligibility to service for the department, taking into consideration the factors of health, experience and morals, but not excluding other considerations regarding adaptability for the type of service called upon to perform. If a majority of the committee approves such person or persons, it shall notify the Chief of Police to enroll such person or persons without further action on the part of the City Council. A copy of the notification shall be filed with the Mayor and City Clerk.

SECTION 5: POWERS AND DUTIES OF CHIEF OF POLICE

Section 5.1 General

The Chief of Police shall be the head and Chief Executive of the police department and shall have supervision, command and control of all officers and members and other personnel thereof and of all police equipment, apparatus, property, books and records belonging to said department. Unless otherwise provided by law, nothing herein shall be construed as a limitation on the Chief of Police's authority and discretion to assign to the Deputy Chief, or other designee the duties and powers hereinafter described. However, such delegation of powers or duties shall not relieve the Chief of Police from performing in accordance with the same.

Section 5.2 Operation of Department

The Chief of Police shall be responsible for the performance of the police department in all of its operations and functions and all officers and members and other personnel of the police department shall serve subject to his or her orders. He/She shall be responsible for the training of the officers and members in modern methods of crime prevention, detection and investigation and of the laws of the State of Illinois relating to criminal and motor vehicle offenses and of the ordinances of the City of Blue Island.

Section 5.3 Authority to Promulgate Rules and Regulations

The Chief of Police shall promulgate and prescribe from time to time such rules, regulations and general orders concerning the operation, organization, training and discipline of the police department, its officers and members and other personnel as hereinabove defined as he deems necessary to accomplish efficient performance in the operation of the department. The rules, regulations and general orders shall not be inconsistent to or in conflict with the rules and regulations of the Civil Service Commission and shall cover the conduct of the officers and members and other personnel, the uniform and equipment to be worn or carried, hours of service, vacations and all other departmental related matters.

Section 5.4 Custodian of Property

The Chief of Police shall receive and take care of and be custodian of all property delivered to the police department and shall provide receipts therefor.

Section 5.5 Property Held as Evidence

The Chief of Police shall provide for the safekeeping of all property which is to be used as evidence in any court proceeding and shall relocate the same only upon orders of the court, the State's Attorney of Cook County, District Attorney of any federal court district or City Attorney of Blue Island, as the case may be and then only for presentation in court as evidence. The order for release shall be in writing and a receipt shall be given therefor. Unless otherwise provided for by court order, the property shall be returned to the Chief of Police when its use as evidence is terminated.

Section 5.6 Disposition of Unclaimed, Stolen or Abandoned Property

The Chief of Police shall dispose of abandoned, lost or stolen or otherwise illegally possessed property coming into his/her possession, in accordance with the provisions of the Illinois Law Enforcement Disposition of Property Act (765 ILCS 1030) or any amendment thereto.

A report of disposition of such property including the receipt of net proceeds thereof shall be made to the Public Health and Safety Committee for reporting to City Council.

Section 5.7 Custodian of City Jail

The Chief of Police shall be the custodian of the city jail and shall have custody of all persons incarcerated therein.

Section 5.8 Keeper of Records

The Chief of Police shall keep, or cause to be kept in separate books provided for that purpose:

- a. A true and complete inventory and record of all police equipment, apparatus, property belonging to the police department and transactions concerning the same;
- b. A true and complete inventory and record of all other property belonging to other persons which has come into his/her custody, including property which is to be used in evidence and abandoned, lost, stolen or otherwise illegally possessed property. The record shall show the day that he/she received it, its description and value, name and address of the owner, if known, and place where found, or person from whom it was taken, name of officer on the case and the general circumstances connected therewith;
- c. A roster of officers and members of the police department and other personnel as herein defined and a daily duty or assignment record;
- d. Complaint, investigative and arrest reports;
- e. Accident, stolen motor vehicle, juvenile and coroner's case reports;
- f. Shift reports, radio log records, fingerprinting records, and court case dispositions;
- g. Such other reports and records as he/she may deem advisable in the operation of the department.

Section 5.9 Monthly and Yearly Reports

The Chief of Police shall report or cause to be reported to the City Council, directly or through the Public Health and Safety Committee, at least monthly at a regular meeting thereof, all monies received from the settlement of violations, claims, the number of traffic, misdemeanor and felony arrests, the number of traffic, misdemeanor and felony convictions, the amount of fines or penalties imposed by court on arrests made by the department, or on any other matter concerning the operation of the department. He/she shall as soon after the close of the fiscal year as practicable make a written report to the City Council showing the condition of the department and a summary of information required by him/her to be kept by records and reports. The yearly report shall be subscribed to by the Chief of Police and filed with the City Clerk, with copies of the same provided to the Mayor and Chairman of the Public Health and Safety Committee.

Section 5.10 Delivery of Records, Reports and Equipment to Successor

On expiration of his/her term of office or resignation or removal therefrom, the Chief of Police shall deliver to his/her successor in office all records, reports, books, apparatus and equipment, and property of every description in his/her control and custody belonging to the City pertaining to said office.

Section 5.11 Rewards

The Chief of Police, for meritorious service rendered by any member of the police department in due discharge of his/her duty, may permit such member to retain for his/her own benefit so far as he/she may be permitted by law, any reward or present tendered him/her therefor, and it shall be cause for removal for any member of the department to receive any such reward or present without notice thereof to the Chief of Police, and without his/her permission.

Section 5.12 Reserved.

Section 5.13 Other Powers and Duties

The Chief of Police shall have such other and further duties and powers as have been or may be granted under the statutes of the State of Illinois, or the ordinances of the City of Blue Island and the rules and regulations of the Civil Service Commission of the City of Blue Island.

Section 5.14 Tenure in Office

The Chief of Police may be removed from office in the manner provided for removal of appointed city officers. In the event any officer or member of the police department holding rank within the classified service thereof, shall be appointed Chief, then upon the expiration of his/her term or the termination of his/her services as Chief, he/she shall resume his/her status and rank within the classified service.

Section 5.15 Reserved.

SECTION 6: GENERAL POWERS AND DUTIES OF DEPUTY CHIEF OF POLICE AND COMMANDER

Section 6.1 Deputy Chief

The Deputy Chief shall serve at the direction of the Chief of Police and, upon delegation of the same by the Chief of Police, may exercise the powers and be assigned the duties as identified in Section 5 herein, in addition to those duties provided for by applicable law.

Section 6.2 Commander

The Commander shall serve at the direction of the Chief of Police or Deputy Chief and shall be responsible for internal investigations, use of force incidents, and all other assignments or matters that may be assigned by the Deputy Chief, Chief of Police or Director of Public Safety.

SECTION 7: POWERS AND DUTIES OF OFFICERS AND MEMBERS

Section 7.1 General

The officers and members of the Blue Island police department shall have such powers and perform such duties as are promulgated by the statutes of the State of Illinois, the ordinances of the City of Blue Island, the rules and regulations of the Civil Service Commission and the rules, regulations and general orders of the police department.

Section 7.2 Law Enforcement

The officers and members of the police department shall enforce all of the ordinances of the City of Blue Island and the statutes of the State of Illinois applicable therein and to maintain and preserve law and order and for this purpose have the power to arrest any of the violators thereof.

Section 7.3 Witness Fee

Every officer and member of the police department shall appear as a witness whenever necessary in the prosecution of any ordinance or of any state or federal Law. In every case in which the City is a party, all witness fees shall be turned over to the Chief of Police who shall deposit the same with the City Treasurer.

Section 7.4 Cooperation with Other Law Agencies

It shall be the duty of the Chief of Police and all officers and members of the police department to cooperate with all law enforcement agencies including federal, state, county and municipal agencies.

Section 7.5 Searches of Female Prisoners

Female prisoners shall be searched by female officers only, and they shall in every instance carefully search for drugs, weapons, or any other property which the prisoner may not be permitted to keep while in custody. Such officer must make an inventory and record of all property taken from the prisoner's person, and deliver to the desk clerk who shall receipt for the same. A copy of the inventory and record so receipted shall be given to the prisoner.

Section 7.6 Sick Prisoner

When a prisoner is found to be ill or portrays any symptoms which may require medical treatment, the officer or member in charge of such prisoner shall report at once to his/her superior, or may call a physician and have such prisoner examined without delay, or may deliver

said prisoner to a hospital for treatment. No prisoner shall be placed in city jail while unconscious without having first been examined by a physician.

Section 7.7 Part-time Police

Part-time patrol officers shall be temporally employed and commissioned to do limited police work. They shall have such duties as may be prescribed by the Chief of Police and shall serve subject to the rules, regulations and general orders of the police department relating to part-time police.

Section 7.8 Special Patrol officers and Night Watchmen

The Mayor, upon request of any private individual, firm or corporation, is hereby authorized and empowered to appoint one or more special patrol officers or night watchmen to serve for such time as he/she may designate at the time of such appointment. During such tenure, the special patrol officers or night watchmen shall not be members of the Blue Island police force but shall have the powers of arrest. The individual, firm or corporation shall, prior to any appointment, furnish to the City good and sufficient surety bond in an amount to be determined by the Mayor, by the terms of which bond the principal and the sureties thereon shall agree to protect and save harmless the City of Blue Island for any and all claims and demands whatsoever, including court costs and attorney's fees arising out of and in connection with the with the appointment of such special patrol officers or night watchmen and their acts and doings as such. The bond must be approved and filed with the Judiciary Committee of the City Council, The appointment may be revoked at any time by the Mayor.

Section 7.9 Typist, Clerks, Crossing Guards and Other Personnel

Typists, clerks, crossing guards, and other personnel shall perform such duties as may be assigned to them by a commanding officer and as provided for in the rules, regulations and general orders of the police department.

SECTION 8: ESTABLISHMENT OF DIVISIONS

Section 8.1 Detective Division

There is hereby created a division within the police department to be known as the detective division. The detective division shall consist of at least one sergeant of detectives. The Chief of Police shall assign to such division sworn full time police officers within the police department who shall be assigned at the sole discretion of the Chief of Police or the Director of Public Safety and those that are considered the most qualified to properly perform the duties and functions of said Division, The detectives shall solely be responsible to the Chief of Police or Deputy Chief in the performance of said duties.

Section 8.2 Other Divisions

With the approval of the Public Health and Safety Committee of the City Council, the Chief of Police may establish other divisions within the police department assigning such police department members to such divisions and designating duties as he/she may deem necessary when there is no additional fiscal impact to the City. Any additional divisions or assignments that could have an impact in the City budget shall be approved by the Finance Committee.

Section 8.3 Reserved

SECTION 9: COMPENSATION OF OFFICERS AND MEMBERS

All members and other personnel of the police department shall receive for their service such salary and compensation, and where applicable, as agreed upon by the City Council and collective bargaining unit.

SECTION 10: RESERVED

SECTION 11: CONTINUANCE IN OFFICE

Sergeants, corporals and patrol officers classified in such positions by the Civil Service Commission, shall continue in office in such position and the enactment of this ordinance will not affect tenure in such office or position. The Chief of Police and Deputy Chief shall continue in office in such position. The presently serving part-time patrol officers, special patrol officers, and other personnel shall continue in such positions.

SECTION 12: RETIREMENT, SUSPENSION AND REMOVAL

All officers and members of the police department who are in the classified service shall be retired, suspended, removed or demoted in accordance with the laws of the State of Illinois and with the rules and regulations of the Civil Service Commission relating to the same.

SECTION 13: REPEAL OF ORDINANCES

The following ordinances of the City of Blue Island are hereby expressly repealed, to wit:

Ordinance No. 890

Ordinance No. 1174

Ordinance No. 14441

Ordinance No. 2017

Ordinance No. 2038

Ordinance No. 86-16

Ordinance No. 96-412

Ordinance No. 02-391

All other ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed.

SECTION 14: VALIDITY AND SEPARABILITY

Should any portion of this ordinance be declared for any reason to be invalid, such invalidity shall not affect the validity or enforceability of any other portions.

SECTION 15: EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and approval and publication, as provided by law.