### JOURNAL OF PROCEEDINGS

### **REGULAR MEETING** City Council of the City of Calumet City **Cook County, Illinois**

### **OCTOBER 11, 2018**

**Public Comment** 

The following individuals addressed the City Council during the Public Forum held at 7:30pm:

Johnny Jones of 1548 Wentworth regarding his alley being paved and would like to offer assistance from the precinct captain for the ward. He also commented about the sidewalk on Dolton project.

#### CALL TO ORDER

Pledge Of Allegiance

The City Council of the City of Calumet City met in the City Council Chambers at 7:42 p.m. in a regular meeting on October 11, 2018, with Mayor Michelle Markiewicz Qualkinbush, present and presiding.

ROLL CALL

PRESENT:

ALDERMAN: Patton, Williams, Tillman, Gardner, Smith, Navarrete, Wosczynski

ABSENT:

ALDERMAN:

Also present was, City Clerk Figgs, City Attorney Horvath, Police Chief Fletcher, Purchasing & Personnel Director Murray, Mayor's Assistant Bonato.

There being a quorum present, the meeting was called to order.

Approval of minutes

5/10/2018: Regular Meeting 5/24/2018: Regular Meeting

5/22/2018: Finance Committee of the Whole

Approval of minutes

Alderman Williams moved, seconded by Alderman Gardner, to approve the minutes

as so presented.

MOTION CARRIED

## REPORTS OF STANDING COMMITTEES

Finance

Alderman Wosczynski had no report.

Public Safety

Alderman Patton reported October 17, 2018 at 7 pm there will be a Public Safety

meeting in the Council Chambers.

Public Utilities

Alderman Williams had no report.

Regular Mtg. October 11, 2018

= 1=

6th Ward

Alderman Patton reminded residents that the leaf pickup program will begin November 1 through December 1 or the first snowfall of the year.

7<sup>th</sup> Ward

Alderman Smith encouraged residents to attend the Congresswoman Robin Kelly hiring event on October 19 from 9 AM to 12 PM. For additional information please call the congresswoman's office and Alderman Smith's office at 708-891-8197.

Mayor Michelle-Statement

"As everyone can tell by the pink ribbons on the street light poles, October is breast Cancer awareness month. I encourage everyone to get yearly screenings. Educate yourselves on possible risks and reduce risks through nutrition and just knowing what types of chemicals are in our beauty products, such as deodorants. This Saturday, from 11 to 1 at Pulaski Park it is the great pumpkin, pumpkin giveaway. Free pumpkins, hotdogs, candy, and the fire department will be passing out tea lights for your pumpkins. It will go on until we run out of pumpkins and we do have a lot of pumpkins! Please come out and enjoy. There will also be face painting for the little ones."

## INFORMATIONAL ITEMS TO BE ACCEPTED AND PLACED ON FILE

A. Department of Planning And Development

RE: 2018 Community Development Block Grant Project CDBG) Warren

Avenue Road Resurfacing Project

B. IDOT

RE: Agreement for the Maintenance of Municipal Streets

C. Mayor Michelle Markiewicz Qualkinbush RE: Proclaiming October as "Polish American Heritage Month"

in Calumet City

**D.** Comcast

RE: Beginning October 11<sup>th</sup>, truTV will be included as part of Instant TV.

E. City Treasurer Tarka

RE: Revenue & Expense Reports for the Month of August 2018.

F. City Clerk Figgs

RE: Revenue report for September 2018.

Accept & place on file

Alderman Gardner moved, seconded by Alderman Tillman, to approve the communication and place on file.

### MOTION CARRIED

#### **NEW BUSINESS**

#1 Approve promotion of Andre Black

Approve the Police Promotion of Andre Black promotion to Police Sergeant; Direct City Treasurer Tarka to make the necessary payroll adjustments.

Alderman Gardner moved, seconded by Alderman Tillman, to approve new business item #1 of 9.

#### ROLL CALL

Williams, Tillman, Gardner, Smith, Navarrete, Wosczynski 6 YEAS: 1 Patton NAYS: None 0 ABSENT: MOTION CARRIED Approve Police & Fire Commission to hire (3) police officers; to be hired at the #2 Approve Police & Fire appropriate time (Academy is in January, 2019). Commission to hire 3 officers Advising that the City Attorney has sent a letter to Honorable John R. Lausch, Jr. #3 Letter sent to Honorable United States Attorney regarding Request for Investigative Assistance John R. Lausch regarding the (prerecorded telephone calls (The Robocalls). Robocalls Advising that the City Attorney has sent a letter to Honorable Cook County #4 Letter sent to Honorable State's Attorney Kimberly M. Foxx regarding Request for Investigative Cook County State's Attorney Assistance (prerecorded telephone calls (The Robocalls). Kimberly M. Foxx regarding the Robocalls #5 Letter sent to Honorable Illinois. Advising that the City Attorney has sent a letter to Honorable Illinois Attorney General Lisa Madigan regarding Request for Investigative Assistance General Lisa Madigan regarding (prerecorded telephone calls (The Robocalls). The Robocalls. Direct the City Attorney to prepare a Resolution thanking The Barber Lounge #6 Direct the city Attorney to and its barbers John Hampton, Jay Hernandez, Martin Torres, Christopher prepare a Resolution thanking Trotter, and Richard Johnson for their partnership and assistance with the 2018 The Barber Lounge 3rd Ward Back to School Initiative. Motion to direct the City Engineer to prepare a feasibility study on paving all #7 Feasibility study on paving alleys, including a cost estimate. allevs Approve Amnesty Day for 2018 at a day to be announced. #8 Amnesty Day (Tabled) This was tabled and not to be placed on the agenda until Finance Committee submits a recommendation. Alderman Patton moved, seconded by Alderman Wosczynski, to approve new Approve #2 -7 business items 2-7 as presented and amended. ROLL CALL Patton, Williams, Tillman, Gardner, Smith, Navarrete, ALDERMEN: 7

0 NAYS:

ALDERMEN:

ABSENT:

YEAS:

ALDERMAN:

MOTION CARRIED

None

Wosczynski

#### **BUILDING PERMITS**

Privacy Fence

776 Newell

7th Ward

631 Hoxie

7th Ward

Approve Permits

Alderman Smith moved, seconded by Alderman Gardner, to approve building permits as presented.

MOTION CARRIED

### RESOLUTIONS AND ORDINANCE

Defer from regular order of business to read Resolution #2 in entirety

Alderman Wosczynski moved, seconded by Alderman Gardner, to defer from regular order of business to read the resolution in its entirety.

MOTION CARRIED

#2 Resolution: Mary E. Tyler (Res.#18-49)

Resolution Congratulating Mary E. Tyler for her Award from AARP Driver Safety as Volunteer of the Month.

(See attached 5A)

Pass Resolution/Adopt

Alderman Wosczynski moved, seconded by Alderman Gardner, to pass resolution 2 as presented, without the necessity of prior posting.

Ordinances (Res.#18-49)

MOTION CARRIED

At this time in the meeting Mayor Michelle presented a resolution of Mary E. Tyler congratulating her for receiving an award from the AARP.

#1 Resolution: Edelson PC Agreement (Res.#18-48)

Resolution approving a retention agreement with Edelson PC relative to its proposed representation of the City of Calumet City in a class action lawsuit against opioid manufacturers, distributors and related parties.

(See attached 5B) (Exhibit 1, 166 pages, is available upon request)

#3 Ordinance: Rezoning of 95 Paxton to Special Use R-3 (Ord.#18-60)

Ordinance Authorizing the Rezoning of Property Commonly Known as 95 Paxton Avenue from R-3 Multiple Family Residence District to a Special Use in an R-3 Zoning District in the City of Calumet City, Cook County, Illinois (See attached 5C)

#4 Ordinance - Nontransferable business licenses (Ord.#18-61)

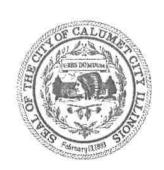
Ordinance of the City of Calumet City, Cook County, Illinois Amending Chapter Six of The Municipal Code of Ordinances of The City Of Calumet City Cook County, Illinois (See attached 5D)

#5 Ordinance: Adding 237 157th St. To the handicap ordinance (Ord.#18-62)

Ordinance Amending Handicapped Parking Ordinance Chapter 90 of the Municipal Code of the City of Calumet City, Cook County, Illinois Handicapped Parking by adding; 237 157th St. (See attached 5E)

# A resolution

## adopted by The City Council of the City of Calumet City, Illinois



Presented by Mayor Michelle Markiewicz Qualkinbush, on October 11, 2018

Whereas

WHEREAS, certain individuals unselfishly volunteer and provide numerous acts of community service for the benefit of the entire City; and

WHEREAS, these individuals deserve recognition and thanks because they volunteer and perform community services

selflessly; and WHEREAS, Mary E. Tyler, is one of these kind and generous persons who has volunteered for twenty (20) years to help make

the AARP Drive Safety Program a success and benefit to the citizens of Calumet City; and

WHEREAS, by her acts of community service, Mary E. Tyler has always exhibited how one person can make a difference in the lives of many people; and

WHEREAS, Mary E. Tyler has volunteered all of these years quietly and without any thought of recognition for herself; and WHEREAS, Mary E. Tyler was recently named Volunteer of the Month for July, 2018 by the AARP Driver Safety Program because of her dedication and hard work.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, by and through its Home Rule Powers, as follows:

Section 1. That the Mayor and Members of the City Council wish to commend and thank Mary E. Tyler for years of dedicated volunteer service to the community and her award from AARP Driver Safety as Volunteer of the Month of July 2018.

Section 2. That the City Clerk be and she is hereby authorized and directed to forward a certified copy of this Resolution to Mary E. Tyler.

Section 3. That this Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED by the City Council of the City of Calumet City, Cook County, Illinois and APPROVED by the Mayor of the City of Calumet City, Cook County, Illinois on this 11th day of October, 2018.

Michelle Markiewicz Qualkinbush, Mayor

ATTEST:

## THE CITY OF CALUMET CITY COOK COUNTY, ILLINOIS

## RESOLUTION

**NUMBER** 18-48

A RESOLUTION APPROVING A RETENTION AGREEMENT WITH EDELSON PC RELATIVE TO ITS PROPOSED REPRESENTATION OF THE CITY OF CALUMET CITY IN A CLASS ACTION LAWSUIT AGAINST OPIOID MANUFACTURERS, DISTRIBUTORS AND RELATED PARTIES

> MICHELLE MARKIEWICZ QUALKINBUSH, Mayor NYOTA T. FIGGS, City Clerk

> > DEJUAN GARDNER
> > MICHAEL NAVARRETE
> > JAMES PATTON
> > ANTHONY SMITH
> > DEANDRE TILLMAN
> > RAMONDE WILLIAMS
> > MAGDALENA J. "LENI" WOSCZYNSKI

Aldermen

Published in pamphlet form by authority of the Mayor and City Clerk of the City of Calumet City on 10-11-18 Odelson & Sterk, Ltd. - City Attorneys - 3318 West 95th Street - Evergreen Park, Illinois 60805

Res.# 18-48

## RESOLUTION NO. 2018-48

A RESOLUTION APPROVING A RETENTION AGREEMENT WITH EDELSON PC RELATIVE TO ITS PROPOSED REPRESENTATION OF THE CITY OF CALUMET CITY IN A CLASS ACTION LAWSUIT AGAINST OPIOID MANUFACTURERS, DISTRIBUTORS AND RELATED PARTIES

WHEREAS, the City of Calumet City (the "City") is an Illinois home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, Edelson PC has approached the City with a proposal that it represent the City in a class action lawsuit filed on behalf of various municipalities against opioid manufacturers, distributors and related parties in Cook County Circuit Court (Exhibit 1) (the "Opioid Litigation"); and

WHEREAS, the Mayor and City Council of the City of Calumet City find it to be in the best interests of the City to retain Edelson PC to represent it in the Opioid Litigation according to the terms and conditions set forth in the Retention Agreement, a copy of which is attached hereto as Exhibit 2 and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION 1:** The recitals set forth above are incorporated by reference into this Section 1 as material terms.

**SECTION 2:** The Mayor and City Council of the City of Calumet City approve and authorize the retention of Edelson PC to represent the City in the Opioid Litigation, according to the terms and conditions set forth in the Retention Agreement, a copy of which is attached hereto as Exhibit 2 and made a part hereof. Further, the City Council authorize and direct the Mayor and City Clerk, or their designees, to execute the Retention Agreement, and to execute and deliver all

Res.# 18-48

other instruments and documents that are necessary to fulfill the City's obligations under the Agreement.

**SECTION 3:** This Resolution shall be effective immediately upon its passage and approval, or as provided by law.

(Intentionally left blank)

**ADOPTED** by the Mayor and City Council of the City of Calumet City, Cook County, Illinois this 11<sup>th</sup> day of October, 2018, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
GARDNER	X			
NAVARRETE	X			
PATTON	X			
SMITH	X			
TILLMAN	X			
WILLIAMS	X			
WOSCZYNSKI	X			
	7			
(MAYOR QUALKINBUSH)				

APPROVED by the Mayor of the City of Calumet City, Cook County, Illinois on this 11th day of October, 2018.

Michelle Markiewicz Quarkinbush

Mayor

ATTEST:

Nyota T. Figgs, City Clerk

Res.# 18-48

#### **Edelson PC**

350 North LaSalle Street, 14th Floor, Chicago, Illinois 60654 t 312.589.6370 | f 312.589.6378 | www.edelson.com

September 13, 2018

### VIA ELECTRONIC MAIL

Mayor Michelle Markiewicz Qualkinbush CITY OF CALUMET CITY 204 Pulaski Road Calumet City, Illinois 60409

Re: Proposed Retention Agreement

Dear Mayor Qualkinbush:

On behalf of Edelson PC ("EPC") and Odelson & Sterk, Ltd., thank you for considering our firms to represent the Calumet City ("City") with respect to its recovery efforts against the opioid manufacturers, distributors, and other related parties, whether through litigation, regulatory changes, or legislative efforts (the "Opioid Matter"). This letter details the scope of our representation of the City, as well as the method of compensation for such representation. By signing this retention agreement, you will have retained the law firms of Edelson PC and Odelson & Sterk, Ltd., as well as such attorneys as may work with us to represent you in the aforementioned matter.

### 1. Client; Scope of Representation

EPC will represent the City in its investigation into, and the potential litigation of, the Opioid Matter. The representation shall also include, as needed, providing advice to the City, City Board and other City governmental entities with respect to such investigation and litigation.

### 2. Opinions

Any beliefs or opinions that we express about the City's claims, various courses of action, or anticipated results are only our best professional estimates. They are necessarily limited by our knowledge of the relevant facts at the time the opinions are expressed and the law then in effect. Nothing in EPC's engagement with the City should be construed as a promise or guarantee of any particular outcome.

### Compensation

If we do file suit on behalf of the City, we will represent you on a contingent fee basis. The City shall have no obligation to pay EPC attorneys' fees or expenses unless the City achieves a recovery, settlement, and/or judgment in the Opioid Matter. In the event that the City achieves a recovery, settlement, or judgment in the Opioid Matter, the City agrees that Edelson PC will be entitled to recover attorneys' fees according to the following schedule:

• · 23% of the net recovery if the matter is resolved pre-complaint.

Chicago | San Francisco

## **EXHIBIT 2**

## RETENTION LETTER

- 28% of the net recovery if the matter is resolved after the complaint is filed but before summary judgment briefing is completed in either the City's lawsuit or in any related consolidated proceeding (e.g., federal MDL).
- 32% of the net recovery if the matter is resolved after summary judgment briefing is completed in either the City's lawsuit or in any related consolidated proceeding (e.g., federal MDL).

These calculations shall apply if the City achieves any recovery, settlement, and/or judgment in the Opioid Matter in any form of proceeding or process. It is also understood that for its role, Odelson & Sterk, Ltd. will receive as reasonable attorney fees an amount equal to thirty percent (30%) out of (and not in addition to) the net attorneys' fees recovered by EPC on account of the City's claims. You also agree, that to the extent there is a recovery, that you will reimburse EPC all reasonable costs. If the City does not achieve any recovery, the City will not be responsible for any costs or attorneys' fees. In no event will EPC's attorneys' fees and costs exceed any total recovery by the City in this action.

### 4. Staffing

Although EPC reserves the right to staff all matters as we see fit, we intend to assign at least the following attorneys to this matter: Jay Edelson, Eve-Lynn Rapp, Rafey Balabanian, Benjamin Richman, Ari Scharg, David Mindell, and Alfred K. Murray II. Additionally, from Odelson & Sterk, Ltd., Michael Stillman will participate. You understand that we may determine to associate with other attorneys to more efficiently and effectively represent the City in this matter and that we may share a percentage of any attorneys' fees awarded and/or costs and expenses reimbursed with such attorneys. Prior to doing so, we will inform the City of the same.

## 5. Confidentiality and Evidence Preservation

Should litigation in this matter ensue, the City understands that it may have to produce evidence to support its claims. We understand that the City may object to the opposing party's unchecked access to its information. We will vigorously oppose the production of any irrelevant information and seek protective orders that limit any defendant's access to any evidence that contains confidential information (including attorney-client communications). All information, documents, records, reports, data or other materials furnished by the City to EPC or other such information, documents, records, data or other materials to which EPC has access during the course of rendering services pursuant to this retention agreement that are deemed confidential shall be treated as such and shall remain the property of the City. EPC shall not make oral or

The costs shall include, without limitation: client expenses, travel costs, court costs, fees and expenses of consulting and testifying experts, court reporters, videographers, deposition and transcription costs, external document reproduction, coding and organization services, meeting expenses, travel expenses of experts, investigative services, jury consultants, costs of photography, exhibits, and graphic design or other media used to present or illuminate evidence or argument. EPC will seek the City's prior approval for any costs that exceed five thousand US dollars (\$5,000). Finally, we do not charge clients for in-house copying, long distance telephone calls, or in-service Westlaw/LEXIS charges.

written disclosure of any confidential information (other than as necessary for its performance under this retention agreement) without the prior written approval of the City.

Please be reminded that in order to protect the confidentiality of both the City's communications with us and our advice to the City under the attorney-client privilege, it is important that the City not divulge sensitive information to anyone who is not within the protection of the privilege.

Please also understand that the City has an obligation to preserve evidence, including electronic evidence such as its electronic communications with third parties. The City must preserve evidence that common sense would dictate is relevant to the claims and defenses in question. We should communicate prior to the City destroying or disposing of any evidence that might be relevant to the matter. The City should also suspend any routine document destruction policies that it has in place and refrain from implementing new document destruction policies while the matter is ongoing.

## Term of Engagement

EPC will endeavor to represent the City promptly and efficiently, and we anticipate a mutually satisfactory relationship. The City, however, has the right to terminate EPC's services upon written notice at any time. EPC also has the right to terminate its services upon written notice, if it discovers that the City has misrepresented or failed to disclose material facts to us, if it fails to cooperate with a reasonable request, or in the event EPC determines, in its sole discretion, that continuing services on behalf of the City would create a conflict of interest or be illegal, unethical, impractical, improper or otherwise inappropriate. Following such termination, any otherwise non-public information the City has supplied to EPC that is retained by us will be kept confidential in accordance with applicable rules of professional responsibility or returned to the City as the parties hereto may agree in writing.

#### 7. Conflict

EPC may represent other governmental entities (which could include municipalities, counties, and states) and private parties (which could include unions and self-insured companies) in opioid related litigation. While each matter will be brought as a separate suit or through separate claims, EPC will be seeking the maximum amount for each client from a finite pool of money. In the event of global or aggregate settlement discussions, you will be informed of all material terms of any such settlement, including what other EPC clients will receive if the settlement is accepted. In the unlikely event that any actual or potential conflicts do later emerge about the division of such monies or other conflicts, EPC will, at its own cost, bring in independent attorneys to represent each parties' interests.

## 8. Binding Nature of Agreement; Choice of Law; Lien and Termination

This retention agreement is meant to bind and benefit the heirs and successors of each of the parties to this agreement.

#### **Edelson PC**

This retention agreement shall be construed in accordance with the laws of the state of Illinois, without regard to rules governing conflicts of law.

The City hereby grants EPC a lien on any claims, causes of action, or recovery that it obtains, whether through settlement, judgment or otherwise, relating to the Opioid Matter. In the event that either party terminates this retention agreement, EPC will be entitled to enforce the lien against any net recovery ultimately obtained by the City related to the Opioid Matter, according to the following schedule:

- A lien on 10% of the net recovery vests upon execution of this agreement.
- An additional 5% vests upon the filing of the complaint.
- An additional 5% vests upon the completion of pleadings motions in this suit or in any related consolidated proceeding.
- An additional 5% percent vests upon the completion of summary judgment briefing in this suit or in any related consolidated proceeding.

If you have any questions about the terms of this retention agreement, please do not hesitate to contact me. We look forward to working with you on this matter.

Sincerely,
EDELSON PC
Ari J. Scharg
Agreed to by:
Calumet City
By (signature):
Name (printed):
 Its (title):
Datada

## THE CITY OF CALUMET CITY COOK COUNTY, ILLINOIS

## ORDINANCE NUMBER 18-60

AN ORDINANCE AUTHORIZING THE REZONING OF PROPERTY COMMONLY KNOWN AS 95 PAXTON AVENUE FROM R-3 MULTIPLE FAMILY RESIDENCE DISTRICT TO A SPECIAL USE ZONING CLASSIFICATION IN THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS

MICHELLE MARKIEWICZ QUALKINBUSH, Mayor NYOTA T. FIGGS, City Clerk

MICHAEL NAVARRETE
MAGDALENA J. WOSCZYNSKI
DEANDRE TILLMAN
RAMONDE WILLIAMS
DEJUAN GARDNER
JAMES PATTON
ANTHONY SMITH

Aldermen

Published in pamphlet form by authority of the Mayor and City Clerk of the City of Calumet City on 10-11-18 Odelson & Sterk, Ltd. - City Attorneys - 3318 West 95th Street - Evergreen Park, Illinois 60805

## ORDINANCE NUMBER 18-60

AN ORDINANCE AUTHORIZING THE REZONING OF PROPERTY COMMONLY KNOWN AS 95 PAXTON AVENUE FROM R-3 MULTIPLE FAMILY RESIDENCE DISTRICT TO A SPECIAL USE ZONING CLASSIFICATION IN THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS

WHEREAS, the City of Calumet City, Cook County, Illinois (the "City") is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the "Home Rule Powers"); and

WHEREAS, Tom Miller (the "Applicant"), owner of the property commonly known as 95 Paxton Avenue, Calumet City, Illinois, which is legally described on Exhibit A (the "Property"), a copy of which is attached hereto and made a part hereof, filed a petition requesting a map amendment to rezone the Property from R-3 Multiple Family Residence District to the Special Use Zoning Classification; and

WHEREAS, the Zoning Board of Appeals (the "Zoning Board") caused the appropriate notices to be published and mailed in accordance with the City Code; and

WHEREAS, on August 21, 2018, the Zoning Board held a public hearing to hear testimony and consider said petition, along with all other requested and supporting documents submitted by the Applicant; and

WHEREAS, after an examination of the issues and exhibits as well as the testimony presented before the Zoning Board, the members of the Zoning Board deliberated and recommended the zoning map amendment to the Mayor and City Council of the City of Calumet City (the "Corporate Authorities").

Ord.# 18-60

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, by and through its Home Rule Powers, as follows:

**Section 1.** That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The written findings of fact and recommendation of the Zoning Board relative to the petition to rezone the Property are hereby accepted and incorporated herein and made a part hereof, as <a href="Exhibit B">Exhibit B</a>, as if fully set forth in their entirety. All documents and exhibits submitted at the aforesaid public hearing are also incorporated by reference into this Ordinance.

Section 3. The Property, in accordance with the findings of fact and recommendations of the Zoning Board as herein set forth, is hereby rezoned from R-3 Multiple Family Residence District to the Special Use Zoning Classification and the zoning map of the City is hereby amended in accordance thereof.

Section 4. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

**Section 5**. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 6**. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)

**ADOPTED** by the Mayor and City Council of the City of Calumet City, Cook County, Illinois this 11th day of October, 2018, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
NAVARRETE	Х			
WOSCZYNSKI	X	ja ja		
TILLMAN	X			
WILLIAMS	X			
GARDNER	X			
PATTON	X			
SMITH	X			
(MAYOR QUALKINBUSH)				
TOTAL	7	ч н		*

**APPROVED** by the Mayor of the City of Calumet City, Cook County, Illinois on this 11th day of October, 2018.

Michelle Markiewicz Qualkinbush

Mayor

ATTEST

Nyota T. Vggs, City Clerk

## **EXHIBIT A**

## Legal Description

LOT 29 IN BLOCK 2 IN SAWYER'S SUBDIVISION OF BLOCK 3 IN 1<sup>ST</sup> ADDITION TO KENSINGTON, A SUBDIVISION OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number (PIN):

25-22-309-014-0000

Common Address: 95 Paxton Avenue, Calumet City, Illinois, 60409

## EXHIBIT B

Findings of Fact and Recommendation

## CITY OF CALUMET CITY, ILLINOIS ZONING BOARD OF APPEALS

August 27, 2018

Honorable Mayor Michelle Markiewicz Qualkinbush Members of the City Council Administration Building 204 Pulaski Road Calumet City, Illinois 60409

RE: 95 Paxton Avenue
Calumet City, Illinois
Petition for Zoning Classification

Change from R3 Residential to Special Use

Dear Mayor and Members of the City Council:

Please be advised that a Petition was filed by Tom Miller, petitioner and property owner for 95 Paxton Avenue, Calumet City, IL, 60409, requesting a zoning classification change from R3 (Multiple-Family Residential) to Special Use. Pursuant to a Notice published in a newspaper of general circulation, a meeting of the Zoning Board of Appeals was held on August 21, 2018, at 7:00 p.m.

Board member, Guy Eveland, questioned whether the property taxes were up to date. Mr. Miller confirmed taxes paid on the property were up to date. There were zero (0) witnesses present in opposition of the petition. The members of the Zoning Board, after an examination of the issues, exhibits and the zoning ordinances of the City of Calumet City, favorably recommend that a rezoning from R3 (Multiple-Family Residential) to Special Use be granted to Tom Miller by the Mayor and City Council.

Attached hereto, please find the Zoning Board's Finding of Fact and Recommendations resulting from said open and public hearing.

Very truly yours,

Mark Nykowski Chairman FINDING OF FACT AND RECOMMENDATIONS RESULTING FROM AN OPEN AND PUBLIC HEARING, HELD ON AUGUST 21, 2018, RELATIVE TO THE PETITION FILED BY TOM MILLER, PROPERTY OWNER, 95 PAXTON AVENUE, CALUMET CITY, IL, 60409.

## NOTICE TO THE MAYOR AND MEMBERS OF THE CITY COUNCIL

It is the determination of the Zoning Board of Appeals, made at the hearing on August 21, 2018, that the petition for a zoning classification change from R3 (Multiple-Family Residential) to Special Use for the property located at 95 Paxton Avenue, Calomet City, Illinois be granted. Situated on the property is a two story, two family brick and frame building with commercial space on the ground floor and parking in the front of property for twelve (12) vehicles with no accessory structure (garage). Mr. Miller has requested the rezoning classification to Special Use as the underlying zoning is inconsistent with the use of the property and wishes to have it reflect its land use. Mr. Miller is also wanting to open a hair salon on the ground floor of the property. Board member, Guy Eveland, questioned whether property taxes were up to date on the property. Mr. Miller confirmed that the payment of taxes on the property were up to date.

#### LEGAL DESCRIPTION:

LOT 29 IN BLOCK 2 IN SAWYER'S SUBDIVISION OF BLOCK 3 IN 1<sup>ST</sup> ADDITION TO KENSINGTON, A SUBDIVISION OF THE SOUTHWEST ½ OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PIN # 25-22-309-014-0000

Common Address: 95 Paxton Avenue, Calumet City, Illinois 60409

Be advised that, with the forwarding by the Zoning Board of Appeals, this Finding of Fact and Recommendations to the Mayor and City Council, which recommendations was to approve by an affirmative vote of seven (7) ayes, zero (0) nays and zero (0) members absent. This concludes the function of the Zoning Board of Appeals.

## FINDING OF FACT AND RECOMMENDATIONS

Having deliberated and considered all the evidence on record, in the matter of granting a Zoning Classification Change from R3 Residential to Special Use for the property located at 95 Paxton Avenue, Calumet City, Illinois, the Zoning Board of Appeals finds as follows:

That the granting of a zoning classification change will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;

That the circumstances are not of the applicant's making;

That the granting of a zoning classification change mitigates unusual site conditions in that the property in question is presently a two family residential building with commercial space on the ground floor and not a multiple-family residential building;

That the granting of a zoning classification change would not reduce property values of the surrounding neighborhood;

That the property in question is not incongruous with the existing uses of property within the general area;

That the description of the property reflects a Special Use zoning classification rather than the current R3 Residential zoning classification;

That the granting of a zoning classification change is consistent with the spirit and intent of the Calumet City Zoning Ordinances;

That without the granting of a zoning classification change, the petitioner would experience hardship should be ever deem to sell the property;

That without the granting of a zoning classification change, the petitioner would experience hardship in attempting to open a hair salon in the ground floor commercial space;

That with the granting of a zoning classification change, the property shall in all other respects conform to the applicable regulations of the rezoning, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Zoning Board of Appeals;

THEREFORE, recognizing that the granting of a zoning classification change from R3 (Multiple-Family Residential) to Special Use for the property located at 95 Paxton Avenue, Calumet City, Illinois, would not traditionally affect the public interest in an untoward manner, the Board finds that the petitioner has submitted sufficient evidence favoring the granting of a zoning classification change.

Having determined that the granting of a zoning classification change from R3 Residential to Special Use is appropriate and the Findings of Fact and the evidence presented support the petition, the Board voted in open session with seven (7) ayes, zero (0) nays and zero (0) members absent. The Zoning Board of Appeals hereby recommends to the Mayor and City Council, that a zoning classification change from R3 Residential to Special Use be granted for the property located at 95 Paxton Avenue, Calumet City, Illinois, this 27th day of August, 2018.

DATED: August 27, 2018

ZONING BOARD OF APPEALS

MARK NYKOWSKI, CHAIRMAN

## THE CITY OF CALUMET CITY COOK COUNTY, ILLINOIS

## ORDINANCE NUMBER 18-61

AN ORDINANCE OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS AMENDING CHAPTER SIX OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS

MICHELLE MARKIEWICZ QUALKINBUSH, Mayor NYOTA FIGGS, City Clerk

MICHAEL NAVARRETE
LENI WOSCZYNSKI
DEANDRE D. TILLMAN
RAMONDE WILLIAMS
DEJUAN M. GARDNER
JAMES PATTON
ANTHONY A. SMITH

Aldermen

Published in pamphlet form by authority of the Mayor and City Council of the City of Calumet City on 10/11/18 Odelson & Sterk, Ltd. - City Attorneys - 3318 West 95th Street - Evergreen Park, Illinois 60805

### ORDINANCE No. 18-61

# AN ORDINANCE OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS AMENDING CHAPTER SIX OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS

**BE IT ORDAINED** by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, in the exercise of its home rule powers, as follows:

Section 1. That Sec. 6-83 of Chapter 6 of the Municipal Code entitled "Limitaion of Number of Licenses" is hereby amended by deleting subsection 6-83(a) in its entirety and replacing it with the following:

"Sec. 6-83(a)
(a) The total number of licenses for the indicated classification to be issued under this chapter shall not exceed the indicated number:

Class	Number
В	12
C	8
C-B	1
D	4
E	5
R	6
R-E	0
W	0
W-R-E	0
B-E	1 (B-E licenses are non-transferable)
B-A	1
R-B-W	2
В-Н	_ 0

Section 2. That all ordinances and regulations contrary to this ordinance are hereby repealed as such conflicts exist.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

**ADOPTED** by the City Council of the City of Calumet City, Cook County, Illinois on this 11th day of October, 2018, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Navarrete	X			
Tillman	X			
Patton	X			
Smith	X		*	
Gardner	X			
Williams	X			
Wosczynski	X			
(Mayor Qualkinbush)				
TOTAL	7			

APPROVED	by the	Mayor	on	October	11,	2018.

Michelle MAYOR

ATTEST

Nyota T. Figgs, CITY CLERK

## THE CITY OF CALUMET CITY COOK COUNTY, ILLINOIS

## ORDINANCE NUMBER

18-62

AN ORDINANCE AMENDING CHAPTER 90 OF THE MUNICIPAL CODE OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS

MICHELLE MARKIEWICZ QUALKINBUSH, Mayor NYOTA T. FIGGS, City Clerk

MIKE NAVARRETE
MAGDALENA J. "LENI" WOSCZYNSKI
DEANDRE D. TILLMAN
RAMONDE WILLIAMS
DEJUAN GARDNER
JAMES PATTON
ANTHONY SMITH
Aldermen

Published in pamphlet form by authority of the Mayor and City Clerk of the City of Calumet City Office of the City Clerk - 204 Pulaski Road, Calumet City, Illinois 60409

11/11 18.00

### **ORDINANCE NO.: 18-62**

## AN ORDINANCE AMENDING CHAPTER 90 OF THE MUNICIPAL CODE OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS

**BE IT ORDAINED** by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, by and through its home rule powers, as follows:

Section 1. That Section 90-317 (Handicapped parking) of Article V [Stopping, Standing and Parking] of Chapter 90 [Traffic and Vehicles] of the Municipal Code of Calumet City, Illinois, is hereby amended by adding the following language to subsection G (Signed areas) to read, as follows:

### 237 157th St

Section 2. The Commissioner of Streets and Alleys is hereby authorized and directed to install the proper signs in accordance with the terms and conditions of this Ordinance.

Section 3. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 4. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 5.** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

ADOPTED by the Mayor and City Council of the City of Calumet City, Cook County, Illinois this 11th of October, 2018 pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Navarrete	x			
Wosczynski	x			
Tillman	X			
Williams	X			
Gardner	х			
Patton	x			
Smith	X			
(Mayor Qualkinbush)				
TOTAL	7			

APPROVED by the Mayor of the City of Calumet City, Cook County, Illinois on this 11th day of October 2018.

Michelle Markiewicz Qualkinbush

MAYOR

ATTEST:

Nyota T. Figgs CITY CLERK

#6 Ordinance : Adding 506 Warren St. to the handicap ordinance (Ord.#18-63) Ordinance Amending Handicapped Parking Ordinance Chapter 90 of the Municipal Code of the City of Calumet City, Cook County, Illinois Handicapped Parking by adding; 506 Warren St.

(See attached 6A)

#7 Ordinance : Adding 100 156<sup>th</sup>
Pl. to the handicap ordinance
Ord.#18-64

Ordinance Amending Handicapped Parking Ordinance Chapter 90 of the Municipal Code of the City of Calumet City, Cook County, Illinois Handicapped Parking by adding; 100 156<sup>th</sup> Pl.

(See attached 6B)

#8 Ordinance: Removing 379
Luella from the handicap

Ordinance Amending Handicapped Parking Ordinance Chapter 90 of the Municipal Code of the City of Calumet City, Cook County, Illinois Handicapped Parking by removing; 379 Luella.

ordinance Ord.#18-65

(See attached 6C)

Pass Resolution/Adopt Ordinances Alderman Patton moved, seconded by Alderman Smith, to pass the resolution and adopt the ordinances 1 through 8 as presented, without the necessity of prior posting.

ROLL CALL

YEAS: 7

ALDERMEN: Patton, Williams, Tillman, Gardner, Smith, Navarrete, Wosczynski

NAYS: 0

ALDERMEN: None

ABSENT:

0

ALDERMAN:

MOTION CARRIED

#### FINANCIAL MATTERS

#1 Approve replacement of Fence at City Hall / \$9,927.00

Approve the replacement of the City Hall parking lot fence in the amount not to exceed \$9,927.00; direct the City Treasurer remit payment to Lansing Fence; to be charged to account #01099-52990.

#2 Micro-Eye equipment and installation / \$4,920.00 (security city buildings)

Approve the attached Micro-Eye Equipment and Installation Quote in the amount of \$4,920.00 and direct the City Treasurer's Office to remit payment and charge account #01099-52990.

#3 Micro-eye equipment and installation / \$7,210.00 (security city buildings)

Approve the attached Micro-Eye Equipment and Installation Quote in the amount of \$7,210.00 and direct the City Treasurer's Office to remit payment and charge account #01099-55100.

#4: Payroll / \$850,973.86

Approve Payroll (\$850,973.86).

#5: Bill listing / \$1,432,754.85

Approve Bill Listing (\$1,432,754.85).

## THE CITY OF CALUMET CITY COOK COUNTY, ILLINOIS

## ORDINANCE NUMBER

18-63

## AN ORDINANCE AMENDING CHAPTER 90 OF THE MUNICIPAL CODE OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS

## MICHELLE MARKIEWICZ QUALKINBUSH, Mayor NYOTA T. FIGGS, City Clerk

MIKE NAVARRETE
MAGDALENA J. "LENI" WOSCZYNSKI
DEANDRE D. TILLMAN
RAMONDE WILLIAMS
DEJUAN GARDNER
JAMES PATTON
ANTHONY SMITH
Aldermen

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6 A

ORD. #18-63

#### **ORDINANCE NO.: 18-63**

## AN ORDINANCE AMENDING CHAPTER 90 OF THE MUNICIPAL CODE OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS

**BE IT ORDAINED** by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, by and through its home rule powers, as follows:

Section 1. That Section 90-317 (Handicapped parking) of Article V [Stopping, Standing and Parking] of Chapter 90 [Traffic and Vehicles] of the Municipal Code of Calumet City, Illinois, is hereby amended by adding the following language to subsection G (Signed areas) to read, as follows:

#### 506 Warren St

Section 2. The Commissioner of Streets and Alleys is hereby authorized and directed to install the proper signs in accordance with the terms and conditions of this Ordinance.

Section 3. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 4. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

ADOPTED by the Mayor and City Council of the City of Calumet City, Cook County, Illinois this 11th of October, 2018 pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Navarrete	X		13	
Wosczynski	X			
Tillman	X			
Williams	X		(P	
Gardner	X			
Patton	X			n
Smith	X			
(Mayor Qualkinbush)				
TOTAL	7		14	

APPROVED by the Mayor of the City of Calumet City, Cook County, Illinois on this

11th day of October 2018.

Michelle Markiewick Qualkinbush

MAYOR

CITY CLERK

ORD. #18-63

Regular Mtg. October 11, 2018



## THE CITY OF CALUMET CITY COOK COUNTY, ILLINOIS

## ORDINANCE NUMBER

18-64

## AN ORDINANCE AMENDING CHAPTER 90 OF THE MUNICIPAL CODE OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS

MICHELLE MARKIEWICZ QUALKINBUSH, Mayor NYOTA T. FIGGS, City Clerk

MIKE NAVARRETE
MAGDALENA J. "LENI" WOSCZYNSKI
DEANDRE D. TILLMAN
RAMONDE WILLIAMS
DEJUAN GARDNER
JAMES PATTON
ANTHONY SMITH
Aldermen

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1

ORD. #18-64

### **ORDINANCE NO.: 18-64**

## AN ORDINANCE AMENDING CHAPTER 90 OF THE MUNICIPAL CODE OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS

**BE IT ORDAINED** by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, by and through its home rule powers, as follows:

Section 1. That Section 90-317 (Handicapped parking) of Article V [Stopping, Standing and Parking] of Chapter 90 [Traffic and Vehicles] of the Municipal Code of Calumet City, Illinois, is hereby amended by adding the following language to subsection G (Signed areas) to read, as follows:

## 100 156<sup>th</sup> Pl

Section 2. The Commissioner of Streets and Alleys is hereby authorized and directed to install the proper signs in accordance with the terms and conditions of this Ordinance.

Section 3. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 4. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**ADOPTED** by the Mayor and City Council of the City of Calumet City, Cook County, Illinois this 11th of October, 2018 pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Navarrete	X			
Wosczynski	X			
Tillman	X			
Williams	X			
Gardner	X			
Patton	X			
Smith	X			
(Mayor Qualkinbush)				
TOTAL	7		14	

APPROVED by the Mayor of the City of Calumet City, Cook County, Illinois on this

11th day of October 2018.

fichelle Markiewicz Qualkinbush

MAYOR

ATTEST:

Nyota T. Figgs

CITY CLERK

3

ORD. #18-64

## THE CITY OF CALUMET CITY

**COOK COUNTY, ILLINOIS** 

## **ORDINANCE**

**NUMBER 18-65** 

AN ORDINANCE AMENDING CHAPTER 90 OF THE MUNICIPAL CODE OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS

MICHELLE MARKIEWICZ QUALKINBUSH, Mayor NYOTA FIGGS, City Clerk

MIKE NAVARRETE
MAGDALENA J. "LENI" WOSCZYNSKI
DEANDRE D. TILLMAN
RAMONDE WILLIAMS
DEJUAN GARDNER
JAMES PATTON
ANTHONY SMITH
Aldermen

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#### **ORDINANCE NO.: 18-65**

## AN ORDINANCE AMENDING CHAPTER 90 OF THE MUNICIPAL CODE OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS

BE IT ORDAINED by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, by and through its home rule powers, as follows:

Section 1. That Section 90-317 (Handicapped parking) of Article V [Stopping, Standing and Parking] of Chapter 90 [Traffic and Vehicles] of the Municipal Code of Calumet City, Illinois, is hereby amended by deleting the following language in subsection G (Signed areas), as follows:

### 379 Luella

- Section 2. The Commissioner of Streets and Alleys is hereby authorized and directed to remove such signs in accordance with the terms and conditions of this Ordinance.
- Section 3. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.
  - Section 4. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.
- Section 5. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**ADOPTED** by the Mayor and City Council of the City of Calumet City, Cook County, Illinois this 11th day of October, 2018, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Navarrete	X			
Wosczynski	X		21	
Tillman	X			
Williams	X			
Gardner	X			
Patton	X			
Smith	X			
			7	
(Mayor Qualkinbush)				
TOTAL	7			

APPROVED by the Mayor of the City of Calumet City, Cook County, Illinois on this day of October 2018.

Michelle Markiewicz Qualkinbush, Mayor

ATTEST:

Nyota T. Figgs, City Clerk

Ord.# 18-65

#6	Emergency	Bill	Listing /
\$80	0.00		

Approve Emergency Bill Listing (\$80.00).

Approve financial items

Alderman Wosczynski moved, seconded by Alderman Patton, to approve financial items #1 thru #10 as presented.

ROLL CALL

YEAS:

7

ALDERMEN:

Patton, Williams, Tillman, Gardner, Smith, Navarrete,

Wosczynski

NAYS:

0

ALDERMEN:

None

ABSENT:

ALDERMAN:

**MOTION CARRIED** 

**UNFINISHED BUSINESS** 

Business Meeting 3rd Ward

Alderman Tillman announced that on October 20 at 10 AM there will be a business meeting at Don Pedro's restaurant at 312 Torrence Ave.

Business Meeting 4th Ward

Alderman Williams announced that on October 20 at 10 AM there will be a business meeting at Don Pedro's restaurant at 312 Torrence Ave.

Job fair 7th Ward

Alderman Smith encouraged residents to register for the job fair at register@RobinKelly.com or call his office for additional information at 708-891-8197.

**ADJOURNMENT** 

Adjournment was at 8:06 p.m. on a motion made by Alderman Patton, seconded by Alderman Williams.

**MOTION CARRIED** 

/kt