

JOURNAL OF PROCEEDINGS

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

FEBRUARY 12, 2015

Public Forum

The following individuals spoke before the public forum held at 7:30 p.m.

George Grenchik, 457 Freeland, recognized the Lion's Club members present and thanked them for all their hard work. He also commended the public works department for the great job with snow removal.

CALL TO ORDER

Pledge of Allegiance

The City Council of the City of Calumet City met in the City Council Chambers at 7:33 p.m. on Thursday, February 12, 2015 with Honorable Mayor Michelle Markiewicz Qualkinbush present and presiding.

ROLL CALL

PRESENT:	7	ALDERMEN:	Schneider, Wosczyński, Jones, Williams, Munda, Manousopoulos, Collins
ABSENT:	0	ALDERMEN:	None

Also present were City Clerk Figgs, City Treasurer Tarka, City Engineer Roberts, City Attorney Horvath, Fire Chief Galgan, Finance Director Kasperek, Economic Development Coordinator and Deputy Clerk Bonato.

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

Approval of minutes

Alderman Munda moved, seconded by Alderman Wosczyński, to approve the minutes of 10/23/14 as presented.

MOTION CARRIED

Deviate - regular order
of business

Alderman Wosczyński moved, seconded by Alderman Schneider, to deviate from the regular order of business to present Resolution #6.

MOTION CARRIED

Res.#6: Honoring Calumet City Lions Club Resolution honoring the Calumet City Lions Club on their 75th Anniversary. (see attached page 2A)

Pass Resolution (Res. #15-6) Alderman Schneider moved, seconded by Alderman Wosczynski, to pass Resolution #6 as presented.

MOTION CARRIED

Moment of silence Mayor Michelle Markiewicz Qualkinbush requested a moment of silence for the passing of Al Parkhill Lion's Club member.

Present Resolution (Lion's Club) At this time in the meeting, Mayor Michelle Markiewicz Qualkinbush presented the Resolution to the Calumet City Lion's Club in honor of their 75 Anniversary.

Recess meeting Alderman Schneider moved, seconded by Alderman Williams, to recess the meeting for five minutes.

MOTION CARRIED

(The City Council recessed the meeting from 7:37 p.m. to 7:39 p.m.)

Return - regular order of business Alderman Manousopoulos moved, seconded by Alderman Schneider, to return to the regular order of business.

MOTION CARRIED

REPORTS OF STANDING COMMITTEES

Finance Alderman Wosczynski had no report.

Public Safety Alderman Manousopoulos had no report.

Public Utilities Alderman Jones had no report.

Ord. & Res. Alderman Collins had no report.

H.E.W. Alderman Williams had no report.

Permits & Licenses Alderman Schneider had no report.

Public Works Alderman Munda was absent.

Ald. Munda left meeting Alderman Munda left meeting at 7:39 p.m.

Ald. Munda returned to mtg Alderman Munda returned to the meeting at 7:40 p.m.

A resolution

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



Presented by Mayor Michelle and City Council on February 12, 2015

Whereas

the Calumet City Lions Club, having been chartered on October 16, 1939, is currently celebrating its 75th Year of Community Service as part of Lions Clubs International - the world's largest service organization with more than 1.3 million members worldwide; and,

WHEREAS, during those 75 years the club has raised more than \$1.5 million to aid the blind, visually handicapped, deaf and hearing impaired, as well as countless other worthwhile community projects and public events; and,

WHEREAS, the club boasts three Past Governors of District 1-A, home of the Lionism movement that formed in downtown Chicago in 1917, and 21 Calumet City club members have been recognized as Melvin Jones Fellows, the highest honor in Lionism; and,


WHEREAS, the current roster of club members has collectively amassed more than 1,000 years of service as Lions, with members - both male and female - ranging in age from 22 all the way up to 98-year-old Al Parkhill - who at the time of his recent passing and in terms of length of service - ranked #1 in District 1-A, #1 in the state of Illinois and #39 in the world; and,

NOW THEREFORE, BE IT RESOLVED BY THE Mayor and the City Council of the City of Calumet City, Cook County, Illinois, as follows:

SECTION 1: That Mayor Michelle and the City Council of Calumet City do hereby congratulate the Calumet City Lions Club on their 75 years of service, offer heartfelt gratitude for their decades of commitment to the Calumet City community and extend best wishes for a prosperous future.

SECTION 2: That the City Clerk be and she is hereby authorized and directed to forward a certified copy of this Resolution to the Calumet City Lions Club.

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


Michelle Markiewicz Qualkinbush, Mayor

ATTEST:


Nyota T. Figgs, City Clerk

CITY COUNCIL REPORTS

City Treasurer Tarka

City Treasurer Tarka: "Thank you Madam Mayor. I would request that item #7C under informational items be read in its entirety the attached email from Delia Rollins who is the Grant Research Specialist for the Chicago Police Department commending Commander Siems and Debi Costello on their exemplary work in terms of expending tracking and reporting on the city's J.A.G. Grants.

I further request that a copy of this email be placed in Debi Costello and Commander Siem's personnel file and extend our congratulations on a job well done to both."

Prepare resolution- Lillian Cloud - 100th Birthday

Alderman Wosczyński moved, seconded by Alderman Manousopoulos, to prepare a Resolution congratulating Lillian Cloud on her 100th Birthday on October 22, 2015.

MOTION CARRIED

2ND Ward Earth Day ward cleanup - 4/25/15

Alderman Wosczyński announced on Saturday, April 25, 2015 will be the 2nd Ward Earth Day ward cleanup. More information will be forthcoming.

Ald. Munda present

Mayor Michelle Markiewicz Qualkinbush: "I would like the record to reflect that Alderman Munda is present."

Well being check

Alderman Wosczyński requested residents to check on neighbors especially senior citizens during the cold weather.

Thank family flowers

Alderman Wosczyński thanked the family for the flowers. She wished everyone a Happy Valentine's Day.

Thank residents attending crime watch meeting

Alderman Jones thanked the residents for attending the 3rd/4th Ward Crime Watch meeting on March 11, 2015 to discuss issues in the ward and programs for the upcoming year.

Crime Watch meeting 3/3/15 @ 6:30 p.m.

Alderman Jones announced the next Crime Watch Meeting on Tuesday, March 3, 2015 at 6:30 p.m.

Attorney/Cook County Bar Association present 3/3/15

Alderman Jones announced at the next crime watch meeting present will be attorneys from the Cook County Bar Association providing free legal advice. He encourages residents to attend. Contact his office at (708) 891-8193.

3rd Ward office hours

Alderman Jones announced 3rd Ward new office hours: Monday, Tuesday and Thursday and Friday from 9:00 a.m. to 4:00 p.m.; Wednesday nights from 9:00 a.m. to 7:00 p.m. Residents contact his office for appointments.

<u>Black History Month</u>	Alderman Jones encourages residents to learn about Black History month and visit programs honoring black history month. Contact his office at (708) 891-8193 for more information.
<u>3rd Ward Senior Snow Removal program</u>	Alderman Jones announced that he has 39 senior citizens participating in the 3 rd Ward Senior Snow Removal Program. He hopes to expand program next year. He encourages residents to check on their neighbors during cold weather.
<u>Christian Community Health Center grand opening 2/19/15</u>	Alderman Jones stated he attended this morning the Christian Community Health Center grand opening in South Holland. Alderman Jones encourages his residents to attend the grand opening of the Christian Community Health Center grand opening on Thursday, February 19, 2015 at 9:30 a.m. on Torrence Avenue
<u>John Mallee/hitting coach for Chicago Cubs</u>	Alderman Jones stated that the Mayor and himself took a picture a couple years ago with John Mallee who won two World Series rings with the Marlins. He is now the hitting coach with the Chicago Cubs. He stated when the Chicago Cubs win the World Series in 2015 that he will come and talk before the city council Alderman Jones congratulated John Mallee and his family.
<u>Give honor to God</u>	Alderman Williams gave an honor to God who makes all things possible.
<u>Thank residents attending crime watch meeting</u>	Alderman Williams thanked the residents for attending the 3rd/4th Ward Crime Watch Meeting. All concerns and issues should be addressed or will be in the near future.
<u>Job Fair end of March</u>	Alderman Williams announced a job fair at the end of March. More information will be announced at a future meeting.
<u>4th Ward Newsletter</u>	Alderman Williams announced that the 4 th Ward Newsletter will be going out to residents at the end of March.
<u>Commend public works department</u>	Alderman Williams commended the public works department for their response to the recent snow storm and concerns in his ward.
<u>Thank Victory Center</u>	Alderman Collins thanked the residents at the Victory Center for coming out on this past Tuesday.
<u>Contact ward office</u>	Alderman Collins announced residents should contact his office at (708) 891-8197 for service related requests or concerns in the ward.

INFORMATIONAL ITEMS TO BE ACCEPTED AND PLACED ON FILE

7A: City Clerk Figgs/
submitting monthly report
for January, 2015

Submitting Monthly Report for January, 2015.

7B: Zoning Board of
Appeals/hearing 2/19/15

Advising of Zoning Hearing for Thursday, February 19, 2015 for special use permit for 1158-60 Sibley Boulevard.

7C: Grants Research
Specialist Chicago Police
Department

Commending Commander Siems and Debi Costello.

7D: Nicor Gas/Pipeline
Integrity Management Plan

RE: Pipeline Integrity Management Plan.

7E: St. Victor Church/
advising of VictorFest
July 23-26, 2015

Advising of VictorFest on July 23-26, 2015.

Accept & place on file
read 7C entirety

Alderman Jones moved, seconded by Alderman Manousopoulos, to accept communications #7A thru #7E and place on file; read communication #7C in its entirety.

MOTION CARRIED

(see attached page 5A for communication #7C)

Place communication #7C
personnel file

Alderman Munda moved, seconded by Alderman Jones, to place communication #7C in Commander Siem's and Debi Costello's personnel file.

MOTION CARRIED

NEW BUSINESS

Approve tag day request
You Can Make It Ministry


Alderman Manousopoulos moved, seconded by Alderman Munda, to approve tag day request for You Can Make It Ministry on February 20-21, 2015 at various intersections as submitted in the communication; approved by the police department with proper documentation.

MOTION CARRIED



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GERALD A. TARKA
City Treasurer

TO: Mayor Michelle Markiewicz Qualkinbush & Members of the City Council
FROM: Gerald A. Tarka, City Treasurer 
DATE: February 12, 2015
RE: Informational Item

I am requesting that you read in its entirety the attached email received from Delia Rollins, Grants Research Specialist Chicago Police Department commending Commander Siems and Debi Costello on their exemplary work in terms of expending, tracking and reporting on the City's JAG Grants.

GAT/mh
Attachment
cc: George Vallis, Personnel Dept.
File

Gerry Tarka

From: Rollins, Delia S. [Delia.Rollins@chicagopolice.org]
Sent: Friday, January 23, 2015 4:57 PM
To: Gerry Tarka
Cc: Sachs, Larry E.; Calumet City: Commander Bill Siems; Debi Costello
Subject: RE: City of Calumet City Justice Assistance Grant (JAG) Partner

Good Day Mr. Tarka:

The Village of Dolton has a new Byrne Justice Assistance Grant (JAG) manager, a Deputy Chief of Police, who is in need of assistance and information on how to best manage and track these funds: from deposit accounts, to tracking expenditures. The City of Calumet City is one of Chicago's best partners in terms of expending, tracking and reporting these JAG awards, and I immediately thought of Calumet City's JAG managers, Commander William Siems and Debi Costello, as models. I am writing to ask if Calumet City would be willing to assist by sharing information on JAG management process and systems with our new JAG Partner? If so, I will email the Deputy Chief to make an introduction.

I greatly appreciate your reply.

Thanks,
Delia

Delia Rollins Muhammad
Grants Research Specialist
Research and Development
Chicago Police Department
3510 S. Michigan Ave - Unit 127
Chicago, IL 60653
312-745-5752 (HQ) 83215

*"Justice denied any where diminishes justice everywhere."
Dr. Martin Luther King, Jr. (1929-1968)*

RESOLUTIONS AND ORDINANCES

Res. #1: appropriating \$1,045,679.00 MFT funds Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code. (Appropriating \$1,045,679.00 for 2015-2016 MFT Funds) Traffic Signal Maintenance, Street Light Maintenance, Emergency Street Repair, Street Resurfacing and Sidewalk Concrete Removal/Replacement. (see attached page 6A for Resolution #1)

Res. #2: establishing Procedure Use Monies Series 2015 General Obligation Bonds Resolution of the City of Calumet City Establishing the Procedure for the Use of the Monies Allocated for the Project Account of the Series 2015 General (see attached page 6B for Resolution #2)

Ord. #3: providing issuance \$10,000,000 General Obligation Bonds, Series 2015 Ordinance Providing for the Issuance of Not to Exceed \$10,000,000 General Obligation Bonds, Series 2015 of the City of Calumet City, Cook County, Illinois and for the Levy of a Direct Annual Tax Sufficient to Pay the Principal and Interest on Said Bonds. (see attached page 6C for Ordinance #3)

Ord. #4: approving a Redevelopment Agreement 150 State St Ordinance of the City of Calumet City, Cook County, Illinois, Approving a for the Redevelopment of 150 State Street, Calumet City, Cook County, Illinois. (see attached page 6D for Ordinance #4)

Ord. #5: set date for public hearing for Sibley/East End Ordinance of the City of Calumet City, Cook County, Illinois to Set a Date for a Public Hearing for the Sibley/East End Avenue Business Development District. (see attached page 6E for Ordinance #5)

Pass Resolution #1 (Res. #15-4) Alderman Manousopoulos moved, seconded by Alderman Schneider, to pass Resolution #1 as presented.

MOTION CARRIED

Pass Resolution #2 (Res. #15-5) Alderman Wosczyński moved, seconded by Alderman Manousopoulos, to pass Resolution #2 as presented.

MOTION CARRIED

Alderman Schneider, Alderman Jones and Alderman Collins voted no.

Adopt ordinance #3 Alderman Manousopoulos moved, seconded by Alderman Munda, to adopt Ordinance #3 as presented without the necessity of prior posting.

ROLL CALL

YEAS:	3	ALDERMEN:	Munda, Manousopoulos, Wosczyński
NAYS:	4	ALDERMEN:	Williams, Collins, Schneider, Jones
ABSENT:	0	ALDERMEN:	None

MOTION DID NOT CARRY



BE IT RESOLVED, by the Mayor and City Council of the

(Council or President and Board of Trustees)

City Calumet City, Illinois, that there is hereby
(City, Town or Village) (Name)

appropriated the sum of \$1,045,679.00 of Motor Fuel Tax funds for the purpose of maintaining

streets and highways under the applicable provisions of the Illinois Highway Code from May 1, 2015
(Date)

to April 30, 2016
(Date)

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Schaumburg, Illinois.

I, Nyota T. Figs Clerk in and for the City
(City, Town or Village)
of Calumet City, County of Cook

hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by

the Mayor and City Council at a meeting on February 12, 2015
(Council or President and Board of Trustees) Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 12th day of February, 2015

(SEAL)

Nyota T. Figs

City Clerk
(City, Town or Village)

Approved

Regional Engineer
Department of Transportation

Date

THE CITY OF CALUMET CITY
COOK COUNTY, ILLINOIS

RESOLUTION
NUMBER 15-5

**A RESOLUTION OF THE CITY OF CALUMET CITY
ESTABLISHING THE PROCEDURE FOR THE USE OF THE
MONEYS ALLOCATED FOR THE PROJECT ACCOUNT OF
THE SERIES 2015 GENERAL OBLIGATION BONDS**

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

ANTOINE COLLINS
THADDEUS M. JONES
NICK MANOUSOPOULOS
ROGER MUNDA
ERIC W. SCHNEIDER
RAMONDE D. WILLIAMS
MAGDALENA J. "LENI" WOSZYNSKI

Aldermen

RESOLUTION NO. 15-5

**A RESOLUTION OF THE CITY OF CALUMET CITY
ESTABLISHING THE PROCEDURE FOR THE USE OF THE
MONEYS ALLOCATED FOR THE PROJECT ACCOUNT OF
THE SERIES 2015 GENERAL OBLIGATION BONDS**

WHEREAS, the City of Calumet City (the “City”) is proposing to issue its not to exceed \$10,000,000 General Obligation Bonds, Series 2015 (the “Series 2015 Bonds”) to be used for the refunding of its Series 2004B Bonds and its Series 2005 Bonds (the “Refunding”), and for various projects including, but not limited to, constructing a public works building; paying for the costs of land and demolition of structures thereon; construction of public improvements such as streetlights, streets, and sidewalks; purchasing public safety vehicles; and paying for the costs and expenses associated therewith and in connection with the issuance of the Bonds (the “Project”); and

WHEREAS, the Project Account has been established pursuant to the ordinance authorizing the Bonds into which moneys will be deposited for the costs of the Project; and

WHEREAS, the City Council must approve all contracts of the City, and therefore, all expenditures of moneys in the Project Account require the approval of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Calumet City, Cook County, Illinois, as follows:

Section 1

No expenditures shall be made from the Project Account without the formal approval of the City Council by motion action at a Board Meeting. Any expenditures so approved by the City Council shall be chargeable to the Project Account, and the City Treasurer and other officials are authorized to pay such expenditures.

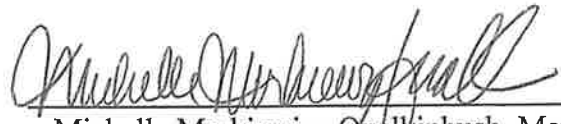
Section 2

This resolution shall be immediately in full force and effect from and after adoption and approval.

This resolution was adopted by the City Council of the City of Calumet City and deposited in the office of the City Clerk this 12th day of February, 2015, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Collins		X		
Jones		X		
Manousopoulos	X			
Munda	X			
Schneider		X		
Williams	X			
Woczynski	X			
(Mayor Qualkinbush)				
TOTAL	4	3		

APPROVED by the Mayor of the City of Calumet City, Cook County, Illinois on this 12th day of February, 2015.


 Michelle Markiewicz Qualkinbush, Mayor

ATTEST:


 Nyota T. Figgs, City Clerk

THE CITY OF CALUMET CITY
COOK COUNTY, ILLINOIS

ORDINANCE
NUMBER 15-1

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$6,500,000 GENERAL OBLIGATION BONDS, SERIES 2015, OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS, AND FOR THE LEVY OF A DIRECT ANNUAL TAX SUFFICIENT TO PAY THE PRINCIPAL AND INTEREST ON SAID BONDS

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

ANTOINE COLLINS
THADDEUS M. JONES
NICK MANOUSOPOULOS
ROGER MUNDA
ERIC W. SCHNEIDER
RAMONDE D. WILLIAMS
MAGDALENA J. "LENI" WOSZYNSKI

Aldermen

ORDINANCE NUMBER 15-1

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$6,500,000 GENERAL OBLIGATION BONDS, SERIES 2015, OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS, AND FOR THE LEVY OF A DIRECT ANNUAL TAX SUFFICIENT TO PAY THE PRINCIPAL AND INTEREST ON SAID BONDS

WHEREAS, the City of Calumet City, Cook County, Illinois (the "City"), pursuant to the provisions of Article VII, Section 6(a) of the Constitution of the State of Illinois, is a home rule unit and may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to tax and to incur debt payable from ad valorem tax receipts maturing within 40 years from the time it is incurred and without prior referendum approval;

WHEREAS, the City has heretofore issued its \$1,415,000 General Obligation Refunding Bonds, Series 2004B pursuant to Ordinance No. 04-25 of which the following maturities are outstanding (the "Series 2004B Bonds"):

MATURITY DATE	PRINCIPAL AMOUNT
12/1/2020	\$ 690,000
12/1/2021	\$ 725,000

WHEREAS, the City has heretofore issued its \$6,500,000 General Obligation Refunding Bonds, Series 2005 pursuant to Ordinance No. 05-42 of which the following maturities are outstanding (the "Series 2005 Bonds"):

MATURITY DATE	PRINCIPAL AMOUNT
3/1/2015	\$ 635,000
3/1/2016	\$ 955,000
3/1/2017	\$ 885,000
3/1/2018	\$ 880,000
3/1/2019	\$ 715,000
3/1/2020	\$ 580,000
3/1/2021	\$ 480,000

(the Series 2004B Bonds and the Series 2005 Bonds are the "Prior Bonds").

WHEREAS, the City Council has considered and determined that interest rates available in the bond market are currently more favorable for the City than they were at the time when the Prior Bonds were issued and that it is possible, proper and advisable to provide for the timely refunding of the Prior Bonds, and to provide for the payment and redemption thereof as same become due and at their respective earliest dates of redemption, to the end of taking advantage of the debt service savings which may result from such lower interest rates;

WHEREAS, the City Council has determined that all of the outstanding maturities of the Series 2004B Bonds and the March 1, 2016 through March 1, 2021 maturities of the Series 2005 Bonds (the "Refunded Bonds") shall be currently refunded (the "Refunding") in order to effect an interest rate savings on the Prior Bonds;

WHEREAS, it is in the judgment of the City Council necessary for the Refunding to issue general obligation bonds of the City;

WHEREAS, the estimated cost of the Refunding, including bond discount, bond issuance expenses and capitalized interest, is not more than \$6,500,000, plus investment earnings thereon, as heretofore reported to and determined by the City Council and there are insufficient funds of the City on hand and lawfully available to pay said costs, such that the City expects to pay such costs by borrowing such money and issuing its general obligation bonds in evidence thereof;

WHEREAS, as a home rule unit, the City by ordinance passed by the City Council is authorized to borrow money and in evidence thereof issue General Obligation Bonds of the City without referendum in an amount not to exceed \$6,500,000 for the purpose of paying all or a portion of the costs of the Refunding, and paying certain costs incurred in connection with the issuance of the Bonds, including but not limited to the costs of capitalized interest, if any, all to the extent provided for and allocated in the Bond Order; and

WHEREAS, the City Council does hereby determine that it is advisable and in the best interest of the City at this time to borrow money and in evidence thereof issue General Obligation Bonds of the City without referendum in an amount not to exceed \$6,500,000 for the purpose of paying all or a portion of the costs of the Refunding, and paying certain costs incurred in connection with the issuance of the Bonds, including but not limited to the costs of capitalized interest, if any, all to the extent provided for and allocated in the Bond Order, and in evidence of such borrowing, issue its full faith and credit bonds, in the principal amount not to exceed \$6,500,000.

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

Section 1. Definitions. Words and terms used in this Ordinance shall have the meanings assigned them unless the context or use clearly indicates another or different meaning is intended. Words and terms defined in the singular may be used in the plural and vice-versa. Reference to any gender shall be deemed to include the other and also inanimate persons such as corporations, where applicable.

“*Act*” means the home rule powers of the City, the Illinois Municipal Code, and the Local Government Debt Reform Act.

“*Authorized Denominations*” means \$5,000 and integral multiples of \$5,000.

“*Bond Counsel*” means, with respect to the original issuance of the Bonds, Louis F. Cainkar, Ltd., Chicago, Illinois, and thereafter, any firm of attorneys of nationally recognized expertise with respect to the tax-exempt obligations of political subdivisions, selected by the City.

“*Bond Fund*” means the Series 2015 Bond Fund created in Section 12 of this Ordinance.

“*Bond Insurer*” is defined in Section 25 of this Ordinance.

“*Bond Order*” means that certain bond order, to be executed by the Mayor, and setting forth certain details of the Bonds as provided in this Ordinance and includes the levy of the Pledged Taxes.

“*Bond Purchase Agreement*” is defined in Section 11 of this Ordinance.

“*Bond Register*” means the books of the City kept by the Bond Registrar to evidence the registration and transfer of the Bonds.

“*Bond Registrar*” means the City Treasurer, or a successor thereto designated as bond registrar and paying agent; however, the Bond Registrar may be designated in the Bond Order.

“*Bonds*” or the “*Series 2015 Bonds*” means the not to exceed \$6,500,000 General Obligation Bonds, Series 2015, authorized to be issued by this Ordinance, including bonds issued in exchange for or upon transfer or replacement of bonds previously issued under this Ordinance.

“*Book Entry Form*” means the form of the Bonds as fully registered and available in physical form only to the Depository.

“*City*” means the City of Calumet City, Cook County, Illinois.

“*City Council*” means the Mayor and Aldermen of the City.

“*Code*” means the Internal Revenue Code of 1986, as amended.

"County Clerk" means the County Clerk of Cook County, Illinois.

"Defeasance Obligations" means: (a) direct and general full faith and credit obligations of the United States Treasury ("Directs"); (b) certificates of participation or trust receipts in trusts comprised wholly of Directs; or (c) other obligations unconditionally guaranteed as to timely payment by the United States Treasury or the Federal Deposit Insurance Corporation.

"Defeased Bonds" means such bonds as are described and defined by such term in Section 14 of this Ordinance.

"Depository" means The Depository Trust Company or successor depository duly qualified to act as a securities depository and acceptable to the City.

"Designated Officers" mean the officers of the City as follows: Mayor, City Clerk, and City Treasurer.

"Expense Account" means the account in the Proceeds Fund established hereunder and further described by Section 13 of this Ordinance.

"Global Book-Entry System" means the system for the initial issuance of the Bonds as described in Section 5.

"Municipal Bond Insurance Policy" is defined in Section 25 of this Ordinance.

"Ordinance" or *"Bond Ordinance"* means this Ordinance No. 15-1 passed by the City Council on the 12th day of February, 2015 and approved by the Mayor on that date.

"Outstanding" when used with reference to any bond, means a bond is outstanding and unpaid; provided, however, such term shall not include bonds: (a) which have matured or for which moneys are on deposit with proper paying agents, or are otherwise properly available, sufficient to pay all principal thereof and interest thereon; or (b) the provision for payment of which has been made by the City by the deposit in an irrevocable trust or escrow of funds or direct, full faith and credit obligations of the United States of America, or other obligations unconditionally guaranteed as to timely payment by the United States Treasury or the Federal Deposit Insurance Corporation, the principal of and interest on which will be sufficient to pay at maturity or as called for redemption all the principal of, redemption premium, if any, and interest on such bonds, and will not result in the loss of exclusion from gross income of the interest thereon under Section 103 of the Code.

"Paying Agent" means the City Treasurer, or a successor thereto designated as bond registrar and paying agent; however, the Paying Agent may be designated in the Bond Order.

"Pledged Taxes" is defined in Section 12 of this Ordinance.

"Prior Bonds" means the Series 2004B Bonds and the Series 2005 Bonds as described and defined by such terms in the Preambles of this Ordinance.

"Prior Project" means the facilities financed, directly or indirectly, with the proceeds of the Prior Bonds.

"Proceeds Fund" means the Proceeds Fund created in Section 13 of this Ordinance.

"Purchase Price" means the price to be paid by the Purchaser for the Bonds.

"Purchaser" means Mesirow Financial, Inc., Chicago, Illinois.

"Record Date" means the fifteenth day of the month next preceding any regular or other interest payment date occurring on the first day of any month and the fifteenth day preceding any interest payment date occasioned by the redemption of Bonds on other than the first day of a month.

"Refunded Bonds" is defined in the Preambles of this Ordinance.

"Refunding" is defined in the Preambles of this Ordinance.

"Refunding Account" means the account in the Proceeds Fund established hereunder and further described by Section 14 of this Ordinance.

"Representations Letter" means such agreement or agreements by and among the City, the Bond Registrar, and the Depository as shall be necessary to effectuate a book-entry system for the Bonds, and includes the Blanket Letter of Representations executed by the City and the Depository.

"Section 265 Tax-Exempt Obligations" are obligations the interest on which is excludable from gross income of the owners thereof under Section 103 of the Code, except for private activity bonds other than qualified 501(c)(3) bonds, both as defined in Section 141 of the Code.

"Series 2004B Bonds" is defined in the Preambles of this Ordinance.

"Series 2005 Bonds" is defined in the Preambles of this Ordinance.

"Stated Maturity" means, with respect to any Bond, the date specified in such Bond as the fixed date on which the principal of such Bond or such interest is due and payable, whether by maturity or otherwise.

"Tax-Exempt" means, with respect to all or any portion of the Bonds, the status of interest paid and received thereon as excludable from the gross income of the owners thereof under the Code for federal income tax purposes.

"Term Bonds" means Bonds subject to mandatory redemption by operation of the Bond Fund and designated as term bonds in the Bond Order.

Definitions also appear in the Preambles hereto or in specific sections, as appear below.

Section 2. 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 does incorporate them into this Ordinance by this reference.

Section 3. Authorization. It is hereby found and determined that the City Council has been authorized by law to borrow the sum of not to exceed \$6,500,000 upon the credit of the City and as evidence of such indebtedness to issue at this time bonds in the aggregate principal amount not to exceed \$6,500,000 (the "Bonds") in order to pay the costs of the Refunding. The Bonds shall be issued pursuant to the Act.

Section 4. Bond Details. There shall be borrowed on the credit of and for and on behalf of the City the aggregate sum not to exceed \$6,500,000 for the Refunding. The Bonds shall be in fully registered form, and may be in book entry form. The Bonds shall be dated as of a date (the "Dated Date") no earlier than the date of passage of this Ordinance and no later than their initial date of issuance as shall be set forth in the Bond Order; each Bond shall also bear its respective date of authentication; and the Bonds shall be numbered consecutively in such fashion as shall be determined by the Bond Registrar. The Bonds shall become due or be subject to mandatory redemption (subject to right of prior redemption) on such date of each year as shall be designated as shall be set forth in the Bond Order. The Bonds shall be in Authorized Denominations, but no single such bond shall represent principal maturing on more than one date, and shall be numbered 1 and upwards. Each Bond shall bear interest from the later of its Dated Date or from the most recent interest payment date to which interest has been paid or duly provided for, commencing on a date within one year of the Dated Date, as shall be set forth in the Bond Order, and upon regular semiannual intervals thereafter, at the respective rates percent per annum provided, until the principal thereof shall be paid or duly provided for. So long as the Bonds are held in Book Entry Form, interest on each Bond shall be paid to the Depository by check or draft or electronic funds transfer, in lawful money of the United States of America, as may be agreed in the Representations Letter; and if the Bonds are in physical form to registered owners other than the Depository, interest on each Bond shall be paid by check or draft of the Paying Agent, payable upon presentation thereof in lawful money of the United States of America, to the person in whose name such Bond is registered at the close of business on the applicable Record Date, and mailed to the address of such registered owner as it appears on the Bond Register or at such other address as may be furnished in writing to the Bond Registrar. Interest shall be computed on the basis of a 360-day year of twelve 30-day months. The principal of the Bonds shall be payable upon presentation at the office designated for such purpose of the Bond Registrar.

Section 5. Global Book-Entry System. The Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities of the Bonds bearing the same rate of interest. Upon initial issuance, the ownership of each such Bond shall be

registered in the Bond Register in such name as may be provided by the Depository (the "Book Entry Owner") and, accordingly, in Book Entry Form as provided and defined herein. One of the Designated Officers is authorized to execute a Representations Letter or to utilize the provisions of an existing Representations Letter. Without limiting the generality of the authority given with respect to entering into a Representations Letter for the Bonds, it may contain provisions relating to: (a) payment procedures; (b) transfers of the Bonds or of beneficial interests therein; (c) redemption notices and procedures unique to the Depository; (d) additional notices or communications; and (e) amendment from time to time to conform with changing customs and practices with respect to securities industry transfer and payment practices. With respect to Bonds registered in the Bond Register in the name of the Book Entry Owner, neither the City nor the Bond Registrar shall have any responsibility or obligation to any broker-dealer, bank, or other financial institution for which the Depository holds Bonds from time to time as securities depository (each such broker-dealer, bank, or other financial institution being referred to herein as a "Depository Participant") or to any person on behalf of whom such a Depository Participant holds an interest in the Bonds. Without limiting the meaning of the immediately preceding sentence, neither the City nor the Bond Registrar shall have any responsibility or obligation with respect to: (a) the accuracy of the records of the Depository, the Book Entry Owner, or any Depository Participant with respect to any ownership interest in the Bonds; (b) the delivery to any Depository Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register or as expressly provided in the Representations Letter, of any notice with respect to the Bonds, including any notice of redemption; or (c) the payment to any Depository Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any amount with respect to principal of or interest on the Bonds. No person other than a registered owner of a Bond as shown in the Bond Register shall receive a Bond certificate with respect to any Bond. In the event that: (a) the City determines that the Depository is incapable of discharging its responsibilities described herein or in the Representations Letter; (b) the agreement among the City and the Depository evidenced by the Representations Letter shall be terminated for any reason; or (c) the City determines that it is in the best interests of the City or of the beneficial owners of the Bonds that they be able to obtain certificated Bonds; the City shall notify the Depository of the availability of Bond certificates, and such Bonds shall no longer be restricted to being registered in the Bond Register to the Book Entry Owner. The City may determine at such time that such Bonds shall be registered in the name of and deposited with a successor depository operating a book entry only system, as may be acceptable to the City, or such depository's agent or designee, but if the City does not select such successor depository, then such Bonds shall be registered in whatever name or names registered owners of Bonds transferring or exchanging Bonds shall designate, in accordance with the provisions hereof.

Section 6. Execution; Authentication. The Bonds shall be signed by the manual or duly authorized facsimile signatures of the Mayor and the City Clerk and may have impressed or imprinted thereon the corporate seal or facsimile thereof of the City. In case any such officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. All Bonds shall have thereon a certificate of authentication, substantially in the form hereinafter set forth, duly executed by the Bond Registrar as authenticating agent of the City and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Ordinance. The certificate of authentication on any Bond shall be deemed to have been executed by it if signed by an authorized signatory of the Bond Registrar, but it shall not be necessary that the same person sign the certificate of authentication on all of the Bonds issued hereunder.

Section 7. Redemption.

A. *Mandatory Redemption.* If so provided in the Bond Order, any Bonds may be issued as Term Bonds and be subject to mandatory redemption by operation of the Bond Fund, at a price of par, without premium, plus accrued interest to the date fixed for redemption, on such date of each year as may be provided in the Bond Order (the "Mandatory Redemption Date") and in the amounts and subject to such provisions as shall be set forth in the Bond Order. Bonds subject to mandatory redemption shall be deemed to become due on the Mandatory Redemption Dates except for any remainder to be paid at maturity. The City covenants that it will redeem any Term Bonds pursuant to the mandatory redemption requirement for such Term Bonds and levy taxes accordingly.

The principal amount of Bonds to be mandatorily redeemed on the Mandatory Redemption Date may be reduced through the earlier optional redemption thereof. In addition, on or prior to the 60th day preceding the Mandatory Redemption Date, the Bond Registrar may, and if directed by the City shall, purchase Bonds required to be retired on the Mandatory Redemption Date. Any such Bonds so purchased shall be cancelled and the principal amount thereof shall be credited against the mandatory redemption required on the Mandatory Redemption Date.

B. *Optional Redemption.* If so provided in the Bond Order, any Bonds may be subject to redemption prior to maturity at the option of the City, in whole or in part on any date, at such times and at such optional redemption prices as may be provided in the Bond Order. If less than

all of the Outstanding Bonds are to be optionally redeemed, the Bonds may be called in any order of their maturity as determined by the City (less than all of the Bonds of a single maturity to be selected by the Bond Registrar).

C. *General Redemption Terms.* The Bonds shall be redeemed only in the principal amount of \$5,000 and integral multiples thereof. The City shall, at least 30 days prior to any optional redemption date (unless a shorter time period shall be satisfactory to the Bond Registrar) notify the Bond Registrar of such redemption date and of the principal amount and maturity or maturities of Bonds to be redeemed. The Bonds subject to mandatory redemption shall be called by the Bond Registrar for redemption without any further action of the City. For purposes of any redemption of less than all of the Outstanding Bonds of a single maturity, the particular Bonds or portions thereof to be redeemed shall be selected by lot by the Bond Registrar from the Bonds of such maturity by such method of lottery as the Bond Registrar shall deem fair and appropriate; provided that such lottery shall provide for the selection for redemption of Bonds or portions thereof so that any \$5,000 Bond or \$5,000 portion of a Bond shall be as likely to be called for redemption as any other such \$5,000 Bond or \$5,000 portion. The Bond Registrar shall promptly notify the City in writing of the Bonds or portions thereof selected for redemption and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed.

Section 8. Redemption Procedures. The Bonds subject to redemption shall be identified, notice given, and paid and redeemed pursuant to the procedures as follows:

A. *Mandatory Redemption Procedure.* For a mandatory redemption, the Bond Registrar and Paying Agent shall proceed to redeem Bonds without any further order or direction from the City whatsoever.

B. *Optional Redemption Procedure.* Unless waived by any holder of Bonds to be redeemed, notice of the call for any such redemption shall be given by the Bond Registrar on behalf of the City by mailing the redemption notice by first class mail at least 30 days prior to the date fixed for redemption to each registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar. All notices of redemption shall state:

- (1) the redemption date;
- (2) the redemption price;
- (3) if less than all Outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed;
- (4) that on the redemption date the redemption price will become due

and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date;

(5) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the designated corporate trust office of the Paying Agent; and

(6) such other information then required by custom, practice or industry standard.

Unless moneys sufficient to pay the redemption price of the Bonds to be redeemed shall have been received by the Paying Agent prior to the giving of such notice of redemption, such notice may, at the option of the City, state that said redemption shall be conditional upon the receipt of such moneys by the Paying Agent on or prior to the date fixed for redemption. If such moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Bonds, and the Bond Registrar shall give notice, in the same manner in which the notice of redemption shall be given, that such moneys were not so received and that such Bonds will not be redeemed. Otherwise, prior to any redemption date, the City shall deposit with the Paying Agent an amount of money sufficient to pay the redemption price of all the Bonds or portions thereof which are to be redeemed on that date.

Subject to the provisions for a conditional optional redemption described above, notice of redemption having been given as aforesaid, the Bonds or portions thereof so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such Bonds or portions thereof shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Bond Registrar at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered holder a new Bond or Bonds of the same maturity in the amount of the unpaid principal.

If any Bond or portion thereof called for redemption shall not be so paid upon surrender thereof for redemption, the principal shall, until paid, bear interest from the redemption date at the rate borne by the Bond or portion thereof so called for redemption. All Bonds which have been redeemed shall be cancelled and destroyed by the Bond Registrar and shall not be reissued.

Section 9. Registration of Bonds; Persons Treated as Owners. The City shall cause books (the "Bond Register") for the registration and for the transfer of the Bonds as provided in this Ordinance to be kept at the office designated for such purpose of the Bond Registrar, which is hereby constituted and appointed the registrar of the City for the Bonds. The

City is authorized to prepare, and the Bond Registrar or such other agent as the City may designate shall keep custody of, multiple Bond blanks executed by the City for use in the transfer and exchange of Bonds. Subject to the provisions of this Ordinance relating to the Bonds in Book Entry Form, any Bond may be transferred or exchanged, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in this Ordinance. Upon surrender for transfer or exchange of any Bond at the office designated for such purpose of the Bond Registrar, duly endorsed by or accompanied by a written instrument or instruments of transfer or exchange in form satisfactory to the Bond Registrar and duly executed by the registered owner or an attorney for such owner duly authorized in writing, the City shall execute and the Bond 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 Bond or Bonds of like tenor, of the same maturity, bearing the same interest rate, of authorized denominations, for a like aggregate principal amount. The Bond Registrar shall not be required to transfer or exchange any Bond during the period of 15 days preceding the giving of notice of redemption of Bonds or to transfer or exchange any Bond all or a portion of which has been called for redemption. The execution by the City of any fully registered Bond shall constitute full and due authorization of such Bond, and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond; provided, however, the principal amount of Bonds and maturity authenticated by the Bond Registrar shall not at any one time exceed the authorized principal amount of the Bonds and maturity less the amount of such Bonds which have been paid. The person in whose name any Bond 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 any Bond shall be made only to or upon the order of the registered owner thereof or his (her) legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid. No service charge shall be made to any registered owner of Bonds for any transfer or exchange of Bonds, but the City or the Bond 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 Bonds.

Section 10. Form of Bond. The Bonds shall be in substantially the following form:

REGISTERED NO.

REGISTERED \$

UNITED STATES OF AMERICA, STATE OF ILLINOIS, COUNTY OF COOK

CITY OF CALUMET CITY

GENERAL OBLIGATION BOND, SERIES 2015

Interest Rate: %

Maturity Date:

Dated Date:

Registered Owner:

Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS, that the City of Calumet City, Cook County, 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 (computed on the basis of a 360-day year of twelve 30-day months) on such Principal Amount from the Dated Date identified above or from the most recent interest payment date to which interest has been paid or duly provided for, at the Interest Rate per annum identified above on _____ 1 and _____ 1 each year, commencing _____, until said Principal Amount is paid or duly provided for, except as the hereinafter stated provisions for redemption prior to maturity may be and become applicable hereto. The principal of this Bond is payable in lawful money of the United States of America upon presentation hereof at the office designated for such purpose of Amalgamated Bank of Chicago, Chicago, Illinois, as paying agent (the "Paying Agent") and bond registrar (the "Bond Registrar"). Payment of interest shall be made to the Registered Owner hereof as shown on the registration books of the City maintained by the Bond Registrar, at the close of business on the Record Date for each interest payment date and shall be paid by check or draft of the Paying Agent, payable upon presentation at the Bond Registrar in lawful money of the United States of America, mailed to the address of such Registered Owner as it appears on such registration books, or at such other address furnished in writing by such Registered Owner to the Bond Registrar, or as otherwise agreed by the City and Cede & Co., as nominee, or successor, for so long as this Bond is held by The Depository Trust Company, New York, New York, the depository, or nominee, in book entry only form as provided for same. Record Date means the 15th day of the month next preceding any regular or other interest payment date occurring on the first day of any month and the 15th day preceding any interest payment date occasioned by the redemption of Bonds on other than the first day of a month.

The Bonds shall be direct and general obligations of the City. For the prompt payment of this Bond, both principal and interest at maturity, the full faith, credit and resources of the City are hereby irrevocably pledged.

[Mandatory redemption and optional redemption provisions, as applicable, to be inserted here.]

[Notice of any optional redemption shall be sent by first class mail not less than 30 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books of the City maintained by the Bond Registrar or at such other address as is furnished in writing by such registered owner to the Bond Registrar. When so called for redemption, this Bond will cease to bear interest on the specified redemption date, provided funds for redemption are on deposit at the place of payment at that time, and shall not be deemed to be outstanding.]

This Bond is one of the Bonds issued by the City to pay for the costs of the Refunding, all as authorized pursuant to the provisions of Illinois law, including, specifically, the Illinois Municipal Code, as amended, the Local Government Debt Reform Act, as amended, and as further supplemented and, where necessary, superseded, by the powers of the City as a home rule unit under the provisions of Section 6 of Article VII of the Illinois Constitution of 1970 under Ordinance No. 15-1, duly passed by the City Council on the 12th day of February, 2015 authorizing the Bonds (the "Bond Ordinance") as supplemented by a Bond Order executed by the Mayor.

The Bonds are secured by the general obligation of the City for the payment of which the City in the Bond Ordinance has pledged its full faith and credit and levied ad valorem taxes, unlimited as to rate or amount, upon all taxable property within the City sufficient to pay the principal and interest thereon. The City reserves the right to issue obligations on a parity basis with the Bonds.

The Bonds shall initially be issued in a Global Book Entry System (as provided in the Bond Ordinance). The provisions of this Bond and of the Bond Ordinance are subject in all respects to the provisions of the Representations Letter between the City and The Depository Trust Company, or any substitute agreement, affecting such Global Book-Entry System.

The City and the Bond Registrar may deem and treat the person in whose name any Bond shall be registered in the Bond Register as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of or on account of the principal of or interest thereon, and for all other purposes whatsoever; all such payments so made to any such registered owner or upon such registered owner's order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid; and neither the City nor the Bond Registrar shall not be affected by any notice to the contrary. This Bond may be transferred or exchanged, but only in the manner, subject to the limitations and upon payment of the charges as set forth in the Bond Ordinance.

The City has designated each of the Bonds as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986.

It is hereby certified and recited that all acts, conditions, and things required by law to exist or to be done precedent to or in the issuance of this Bond 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 issuance of the Bonds of which this is one, does not exceed any limitation imposed by law, and that provision has been made for the collection of a direct annual tax to pay the interest hereon as it falls due and also to pay and discharge the principal hereof at maturity.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar.

IN WITNESS WHEREOF, the City of Calumet City, Cook County, Illinois, by its City Council, has caused this Bond to be signed by the duly authorized manual or facsimile signatures of the Mayor and the City Clerk, all as appearing hereon and as of the Dated Date as identified above.

Mayor

City Clerk

Date of Authentication:

CERTIFICATE
OF
AUTHENTICATION

Bond Registrar
and Paying Agent: Amalgamated Bank of Chicago
Chicago, Illinois

This Bond is one of the bonds issued in the within mentioned Bond Ordinance.

By _____

Unless this bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the City or its agent for registration of transfer, exchange, or payment, and any bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address and Social Security or other identifying number of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____ as attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

Signature of Assignee

Signature guaranteed: _____

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

Section 11. Sale of Bonds. The Mayor and City Treasurer are hereby authorized to proceed, without any further authorization or direction from the City Council, to sell and deliver the Bonds to the Purchaser as herein provided. The Bonds shall be sold as shall be set forth in the Bond Order relating to same. The Designated Officers are hereby authorized and directed to sell the Bonds to the Purchaser at not less than the purchase price. Upon the sale of the Bonds, any of the Designated Officers and any other officers of the City as shall be appropriate shall be and are hereby authorized and directed to approve or execute, or both, such documents of sale of the Bonds as may be necessary, including, without limitation, the Bond Order, the Bond Purchase Agreement and closing documents including such certification and documentation as may be required by counsel approving the Bonds, including, specifically, a tax agreement, to render their opinion as to the Tax-Exempt status of the interest on any Tax-Exempt Bond pursuant to the Code. It is hereby found that no person holding any office of the City, either by election or appointment, is in any manner financially interested, either directly, in his or her own name, or indirectly, in the name of any other person, association, trust or corporation, in the sale of the Bonds.

A bond purchase agreement for the sale of the Bonds to the Purchaser (the "Bond Purchase Agreement") substantially in the form as approved for execution by the City Attorney, is hereby in all respects authorized and approved. The Mayor or City Treasurer by signing the Bond Purchase Agreement are hereby authorized to execute the same, and execution shall constitute full and complete approval of all necessary or appropriate completions and revisions as shall appear therein. Upon the sale of the Bonds, the Mayor shall prepare the Bond Order which shall include the pertinent details of sale as provided herein, and such shall be entered into the records of the City and made available to the City Council at the next public meeting thereof.

In the event the Purchaser or the City's financial advisor certified to the City that it would be economically advantageous for the City to acquire a municipal bond insurance policy for the Bonds, the City hereby authorizes and directs the Mayor to obtain such an insurance policy. The acquisition of a municipal bond insurance policy is hereby deemed economically advantageous if the difference between the present value cost of: (a) the total debt service on the Bonds if issued without municipal bond insurance; and (b) the total debt service on the Bonds if issued with municipal bond insurance, is greater than the cost of the premium on the municipal bond insurance policy.

The use by the Purchaser of any Preliminary Official Statement and any final Official Statement relating to the Bonds (the "Official Statement") is hereby ratified, approved and authorized; the execution and delivery of the Official Statement is hereby authorized; and the officers of the City are hereby authorized to take any action as may be required on the part of the City to consummate the transactions contemplated by the Bond Purchase Agreement, this Ordinance, the Bond Order, the Preliminary Official Statement, the Official Statement and the

Bonds. The Mayor or the City Clerk are hereby each authorized to designate the Official Statement as "final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission.

Section 12. Security; Tax Levy, Bond Fund and Abatement. The Bonds are a general obligation of the City, for which the full faith and credit of the City are irrevocably pledged, and are payable from the levy of the taxes on all of the taxable property in the City, without limitation as to rate or amount, in an amount sufficient to produce the sums necessary to pay the interest on the Bonds as it falls due and to pay and discharge the principal thereof at maturity (the "Pledged Taxes"). For the purpose of providing funds required to pay the interest on the Bonds promptly when and as the same falls due, and to pay and discharge the principal thereof at maturity, there is hereby levied upon all the taxable property within the City, in the years for which any of the Bonds are Outstanding, a direct annual tax sufficient for that purpose. The Mayor is hereby directed to file with the County Clerk of Cook County, Illinois (the "County Clerk") as part of the Bond Order, a levy of taxes upon all taxable property in the City in addition to all other taxes, a direct annual tax in an amount sufficient to produce the sums necessary to pay the interest on the Bonds as it falls due and to pay and discharge the principal thereof at maturity. It shall be the duty of said County Clerk to ascertain the rate necessary to produce the tax herein levied, and extend the same for collection on the tax books against all of the taxable property within the City in connection with other taxes levied in said year for general and special purposes, in order to raise the respective amounts aforesaid and in said year such annual tax shall be computed, extended and collected in the same manner as now or hereafter provided by law for the computation, extension and collection of taxes for general and special purposes of the City, and when collected, the taxes hereby levied shall be placed to the credit of a special fund to be designated "Series 2015 Bond Fund" (the "Bond Fund"), which fund is hereby irrevocably pledged to and shall be used only for the purpose of paying the principal and interest on the Bonds.

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 the general funds of the City, and the fund from which such payment was made shall be reimbursed from the Pledged Taxes when the same shall be collected.

The City covenants and agrees with the purchasers and the holders of the Bonds that so long as any of the Bonds remains Outstanding, except as herein otherwise specifically provided, 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. The City and its officers will comply with all present and future applicable laws in order to assure that the Pledged Taxes may be levied, extended and collected as provided herein and deposited into the Bond Fund. To the extent that the City has funds available on March 31, 2015, and on the 31st day of each March

thereafter to timely pay the principal and interest on the Bonds on the ensuing September 1 and March 1, the City Treasurer and the City Clerk are each hereby authorized to abate the tax levy for the Bonds by filing a certificate of abatement with the County Clerk.

Section 13. Creation of Proceeds Funds; Appropriation. The Proceeds Fund is hereby created for the Bonds which shall consist of the Expense Account or the Refunding Account. Bond proceeds and other funds of the City as noted are hereby appropriated and shall be deposited for use as follows:

A. Accrued interest, if any, and capitalized interest on the Bonds shall be used to pay the first interest due on the Bonds and to such end are hereby appropriated for such purpose and ordered to be deposited into the Bond Fund.

B. The amount necessary from the proceeds of the Bonds is hereby appropriated for and shall be used to pay costs of issuance of the Bonds; and shall be deposited into a separate account, hereby created, designated as the Expense Account. Any disbursement from such account shall be made from time to time as necessary. Any excess in the Expense Account shall be deposited into the Refunding Account after 30 days from the date of issuance of the Bonds. At the time of issuance of the Bonds, the costs of issuance may be paid by the Purchaser on behalf of the City from the proceeds of the Bonds.

C. The amount necessary from the proceeds of the Bonds is hereby appropriated for, and shall be used to pay for the costs of the Refunding; and shall be deposited into a separate account, hereby created, designated as the Refunding Account. The amount used for the Refunding may be wired directly from the closing on the Bonds to the paying agents on the Prior Bonds.

Section 14. Call of the Refunded Bonds. In accordance with the redemption provisions of the ordinance under which the Prior Bonds were issued, the City by the City Council hereby makes provision for the payment of and does hereby call (subject only to the delivery of the Bonds), the Refunded Bonds for redemption and payment prior to maturity on January 1, 2014 or any date thereafter for the Series 2004B Bonds and for redemption and payment prior to maturity on March 1, 2015 or any date thereafter for the Series 2005 Bonds.

Section 15. Defeasance of the Bonds. Any Bond or Bonds: (a) which are paid and canceled; (b) which have matured and for which sufficient sums been deposited with a bank or trust company authorized to keep trust accounts to pay all principal and interest due thereon; or (c) for which sufficient United States funds and Defeasance Obligations have been deposited with a bank or trust company authorized to keep trust accounts, taking into account investment earnings on such obligations, to pay all principal of and interest on such Bond or Bonds when due at maturity or as called for redemption, pursuant to an irrevocable escrow or trust agreement

(such Bonds as described in this clause (c) being "Defeased Bonds"), shall cease to have any lien on or right to receive or be paid from the Pledged Taxes and shall no longer have the benefits of any covenant for the registered owners of Outstanding Bonds as set forth herein as such relates to lien and security of the Outstanding Bonds. All covenants relative to the Tax-Exempt status of such Bond or Bonds; and payment, registration, transfer, and exchange are expressly continued for all Bonds whether Outstanding Bonds or not.

Section 16. General Tax 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 any of 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 (the "IRS") of the exemption from federal income taxation for interest paid on the Bonds, under present rules, the City may be treated as a "taxpayer" in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the IRS in connection with such examination.

The City also agrees and covenants with the Purchaser 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 City Council hereby authorizes the officials of the City responsible for issuing the Bonds, the same being the Mayor, City Clerk, and City Treasurer, 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 Tax-Exempt. In furtherance therewith, the City and the City Council further agree: (a) through its 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 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 the Designated Officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

Section 17. Not Private Activity Bonds. None of the Bonds is a "private activity bond" as defined in Section 141(a) of the Code. In support of such conclusion, the City certifies, represents and covenants as follows:

A. None of the proceeds of the Bonds (or the Prior Bonds) were or are to be used, directly or indirectly, in any trade or business carried on by any person other than a state or local governmental unit.

B. No direct or indirect payments were or are to be made on the Bonds (or the Prior Bonds) with respect to any private business use by any person other than a state or local governmental unit other than generally as a rate payer.

C. None of the proceeds of the Bonds (or the Prior Bonds) were or are to be used, directly or indirectly, to make or finance loans to persons other than a state or local governmental unit.

D. No user of the Prior Project, other than the City, did or will use the same on any basis other than the same basis as the general public; and no person will be a user as a result of (1) ownership, (2) actual or beneficial use pursuant to a lease, a management or incentive payment contract, or (3) any other arrangement.

Section 18. Qualified Tax-Exempt Obligations. The Bonds are hereby designated as “qualified tax-exempt obligations” for the purposes and within the meaning of Section 265(b)(3) of the Code. In support of such designation, the City hereby certifies that: (a) that none of the Bonds will be at any time a “private activity bond” (as defined in Section 141 of the Code) other than a “qualified 501(c)(3) bond” (as defined in Section 145 of the Code); (b) as of the date hereof the City has not issued any tax-exempt obligation of any kind in calendar year 2015 other than the Bonds nor have any tax-exempt obligations of any kind been issued on behalf of the City; and (c) not more than \$6,500,000 of obligations of any kind (including the Bonds) issued by or on behalf of the City during calendar year 2015 will be designated for purposes of Section 265(b)(3) of the Code.

The City is not subject to Control by any entity, and there are no entities subject to Control by the City.

On the date hereof, the City does not reasonably anticipate that for calendar year 2015 it will issue any Section 265 Tax-Exempt Obligations (other than the Bonds or obligations issued for the current refunding of previously designated “qualified tax-exempt obligations”), or that any Section 265 Tax-Exempt Obligations will be issued on behalf of it. “Section 265 Tax-Exempt Obligations” are obligations the interest on which is excludable from gross income of the owners thereof under Section 103 of the Code, except for private activity bonds other than qualified 501(c)(3) bonds, both as defined in Section 141 of the Code. The City will not issue or permit the issuance on behalf of it or by any entity subject to Control by the City (which may hereafter come into existence) of Section 265 Tax-Exempt Obligations (including the Bonds)

that exceed the aggregate amount of \$6,500,000 during calendar year 2015 unless it first obtains an opinion of Bond Counsel to the effect that such issuance will not adversely affect the treatment of the Bonds as “qualified tax-exempt obligations” for the purposes and within the meaning of Section 265(b)(3) of the Code.

Section 19. Continuing Disclosure Undertaking. The Designated Officers are each hereby authorized, empowered and directed to execute and deliver a continuing disclosure undertaking under Section (b)(5) of Rule 15c2-12 adopted by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended (the “Continuing Disclosure Undertaking”). When such Continuing Disclosure Undertaking is executed and delivered on behalf of the City, it will be binding on the City and the officers, agents, and employees of the City, and the same are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of such Continuing Disclosure Undertaking as executed. Notwithstanding any other provisions of this Ordinance, the sole remedies for failure to comply with such Continuing Disclosure Undertaking shall be the ability of the beneficial owner of any Bond to seek mandamus or specific performance by court order, to cause the City to comply with its obligations under the Continuing Disclosure Undertaking.

Section 20. Noncompliance with Tax Covenants. Notwithstanding any other provisions of this Ordinance, the covenants and authorizations contained in this Ordinance and other documents executed by the City which are designed to preserve the exclusion of interest on the Bonds from gross income under federal law need not be complied with if the City receives an opinion of nationally recognized bond counsel that any such provision is unnecessary to preserve the exemption from federal taxation.

Section 21. Registered Form. The City recognizes that Section 149(j) of the Code, as amended, requires the Bonds to be issued and to remain in fully registered form in order that interest thereon not be includable in gross income for federal income tax purposes under laws in force at the time the Bonds are delivered. The City will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

Section 22. Reimbursement. None of the proceeds of the Bonds will be used to pay, directly or indirectly, in whole or in part, for an expenditure that has been paid by the City prior to the date hereof.

Section 23. Ordinance to Constitute a Contract. The provisions of this Ordinance shall constitute a contract between the City and the registered owners of the Bonds. Any pledge made in this Ordinance and the provisions, covenants and agreements herein set forth to be performed by or on behalf of the City shall be for the equal benefit, protection and security of the

owners of the Bonds. Each of the Bonds, regardless of the time or times of their issuance, shall be of equal rank without preference, priority or distinction of any of the Bonds over any other thereof except as expressly provided in or pursuant to this Ordinance. This Ordinance shall constitute full authority for the issuance of the Bonds.

Section 24. Amendments of and Supplements to the Ordinance.

A. *Without Consent of Bondholders.* The City may amend or supplement this Ordinance or the Bonds without notice to or consent of any Bondholder:

- (1) to cure any ambiguity, inconsistency or formal defect or omission;
- (2) to grant for the benefit of the Bondholders additional rights, remedies, powers or authority;
- (3) to provide for additional collateral for the Bonds or to add other agreements of the City;
- (4) to modify this Ordinance or the Bonds to permit qualifications under the Trust Indenture Act of 1939 or any similar Federal statute at the time in effect, or to permit the qualification of the Bonds for sale under the securities laws of any state of the United States; or
- (5) to make any change (including, but not limited to, a change to reflect any amendment to the Code or interpretations by the IRS of the Code) that does not materially adversely affect the rights of any Bondholder.

B. *With Consent of Bondholders.* If an amendment of or supplement to this Ordinance or the Bonds without any consent of Bondholders is not permitted by the preceding paragraph, the City may enter into such amendment or supplement upon not less than 30 days, notice to Bondholders and with the consent of the holders of at least a majority in principal amount of the Outstanding Bonds. However, without the consent of each Bondholder affected, no amendment or supplement may:

- (1) extend the maturity of the principal of, or interest on, any Bond;
- (2) reduce the principal amount of, or rate of interest on, any Bond;
- (3) affect a privilege or priority of any Bond over any other Bond;
- (4) reduce the percentage of the principal amount of the Bonds required for consent to such amendment or supplement;

(5) impair the exclusion of interest on the Bonds from the federal gross income of the owner of any Bond; or

(6) eliminate any mandatory redemption of the Bonds or call for mandatory redemption or reduce the redemption price of such Bonds.

So long as the Bond Insurance Policy securing all of the Outstanding Bonds is in effect, the Bond Insurer shall be deemed to be the registered owner of the Bonds secured thereby for the purpose of amending, modifying or supplementing this Ordinance, provided, however, the Bond Insurer shall not be deemed the registered owner of the Bonds with respect to any amendment or supplement described in clauses (1) through (6) of the preceding paragraph.

C. *Effect of Consents.* After an amendment or supplement becomes effective, it will bind every Bondholder. For purposes of determining the total number of Bondholders' consents, each Bondholder's consent will be effective with respect to the Bondholder who consented to it and each subsequent holder of a Bond or portion of a Bond evidencing the same debt as the consenting holder's Bond.

D. *Notation on or Exchange of Bonds.* If an amendment or supplement changes the terms of the Bond, the City may require the holder to deliver it to the Bond Registrar. The Bond Registrar may place an appropriate notation on the Bond about the changed terms and return it to the holder. Alternatively, if the Bond Registrar and the City determine, the City in exchange for the Bond will issue and the Bond Registrar will authenticate a new Bond that reflects the changed terms.

Section 25. Issuance of Additional Bonds. Notwithstanding any provision of this Ordinance, the City may issue other bonds and incur other obligations on a parity basis with the Bonds or on a subordinate basis to the Bonds, without the consent of or notice to the holders of the Outstanding Bonds.

Section 26. Municipal Bond Insurance. In the event the payment of principal of and interest on the Bonds is insured pursuant to a municipal bond insurance policy (the "Municipal Bond Insurance Policy") issued by a bond insurer (the "Bond Insurer"), and as long as such Municipal Bond Insurance Policy shall be in full force and effect, the City and the Bond Registrar agree to comply with such usual and reasonable provisions regarding presentment and payment of the Bonds, subrogation of the rights of the Bondholders to the Bond Insurer when holding Bonds, amendment hereof, or other terms, as approved by the Mayor on advice of the City Attorney, his approval to constitute full and complete acceptance by the City of such terms and provisions under authority of this section.

Section 27. Tax Levy for Prior Bonds. The Designated Officers are hereby authorized to file a certificate of abatement with the Cook County Clerk abating the tax levy for the Refunded Bonds.

Section 28. Home Rule Authority. This Ordinance is prepared in accordance with the powers of the City as a home rule unit under Article VII of the 1970 Illinois Constitution.

Section 29. Supplemental Documents. The Designated Officers are hereby authorized to execute or attest such documents as necessary to carry out the intent of this Ordinance, the execution of such documents to constitute conclusive evidence of their approval and approval hereunder.

Section 30. Severability. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 31. Repealer and Effective Date. All resolutions, ordinances, orders or parts thereof in conflict herewith be and the same are hereby repealed, and this Ordinance shall be in full force and effect forthwith upon its passage.


PASSED by the City Council of the City of Calumet City, Cook County, Illinois, this 12th day of February, 2015, pursuant to a roll call vote, as follows:

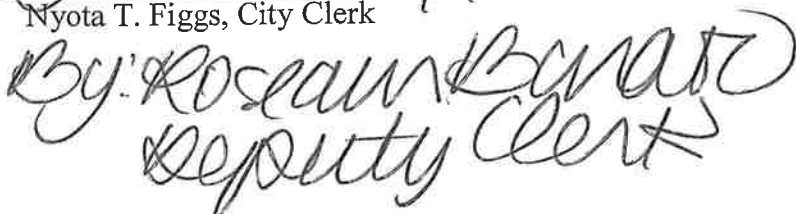
	YES	NO	ABSENT	PRESENT
Collins	X			
Jones	X			
Manousopoulos	X			
Munda		X		
Schneider	X			
Williams	X			
Wosczynski		X		
(Mayor Qualkinbush)				
TOTAL	5	2		

APPROVED by the Mayor of the City of Calumet City, Cook County, Illinois on this 12th day of February, 2015.


 Michelle Markiewicz Qualkinbush, Mayor

ATTEST:


 Nyota T. Figgs, City Clerk


 Deputy Clerk

Ordinance No. 15-2 __

**AN ORDINANCE OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS,
APPROVING A REDEVELOPMENT AGREEMENT FOR THE REDEVELOPMENT
OF 150 STATE STREET, CALUMET CITY, COOK COUNTY, ILLINOIS**

WHEREAS, the City of Calumet City, Cook County, Illinois (the “City”) is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, pursuant to their powers and in accordance with the requirements of the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1 *et seq.*, as from time to time amended (the “TIF Act”), the Mayor and City Council of the City (the “Corporate Authorities”), pursuant to Ordinance Nos. 94-70, 94-71, and 94-72, adopted by the Corporate Authorities on December 21, 1994, approved the State Street Tax Increment Redevelopment Project Plan and Project for a specific area qualifying as a redevelopment project area under the TIF Act (the “Redevelopment Project Area”), and adopted tax increment allocation financing for the payment and financing of redevelopment project costs incurred within the Redevelopment Project Area, pursuant to the TIF Act; and,

WHEREAS, the City has been informed by Alta Industrial Equipment Company, L.L.C. d/b/a Alta Equipment Company, L.L.C., an Illinois limited liability company (the “Developer”), that it intends to acquire certain property located within the Redevelopment Project Area, commonly known as 150 State Street, Calumet City (the “Subject Property”), and intends to improve the parking lot on the Subject Property and to substantially rehabilitate and renovate the interior of the structure located on the Subject Property for use as office space for its business operations and to sell, lease, rent, and service industrial equipment (the “Project”); and,

WHEREAS, the Developer has informed the City that it is able to proceed with the redevelopment of the Subject Property and undertake the Project only with financial assistance available through the TIF Act; and,

WHEREAS, the Corporate Authorities have determined that the blighting factors now present on the Subject Property are detrimental to the public and impair development and growth in the Redevelopment Project Area and will continue to impair growth and development but for the use of tax increment allocation financing to assist the Developer to pay certain “redevelopment project costs” to be incurred by the Developer to undertake the Project; and,

WHEREAS, the Corporate Authorities have determined that the provision by the City to the Developer of the assistance described in the Redevelopment Agreement for the Redevelopment of 150 State Street, Calumet City, Cook County, Illinois by and between the City and the Developer (the “*Agreement*”) and the redevelopment by the Developer of the Subject Property pursuant to this Agreement are in the best interests of the City and its residents and taxpayers, thereby helping to provide for economic development and job opportunities for the inhabitants of the City, enhance the tax base of the City and other taxing districts and add to the welfare and prosperity of the City and its inhabitants.

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

Section 1. That the Redevelopment Agreement for the Redevelopment of 150 State Street, Calumet City, Cook County, Illinois by and between the City of Calumet City, Cook County, Illinois and Alta Industrial Equipment Company, L.L.C. d/b/a Alta Equipment Company, L.L.C., an Illinois limited liability company, attached hereto and made a part hereof, is hereby approved

and the Mayor and City Clerk are hereby authorized to execute and deliver said Agreement on behalf of the City.

Section 2. This Ordinance shall be in full force and effect upon its passage and approval, as provided by law.

PASSED this 12th day of February, 2015.

AYES: (7) Schneider, Wosczyński, Jones, Williams, Munda, Manousopoulos, Collins

NAYS: None

ABSENT: None

APPROVED:

Michelle R. Anderson
Mayor

Attest:

Nydia T. Figg
City Clerk

**REDEVELOPMENT AGREEMENT FOR THE REDEVELOPMENT OF
150 STATE STREET, CALUMET CITY, COOK COUNTY, ILLINOIS**

THIS REDEVELOPMENT AGREEMENT (the "*Agreement*") is entered into this 12th day of February 2015, by and between the City of Calumet City, Cook County, Illinois, an Illinois municipal corporation (the "*City*"), and Alta Industrial Equipment Company, L.L.C. d/b/a Alta Equipment Company, L.L.C., an Illinois limited liability company (the "*Developer*").

PREAMBLES

WHEREAS, the City is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1 *et seq.*, as from time to time amended (the "*TIF Act*"), the Mayor and City Council of the City (the "*Corporate Authorities*") are empowered to undertake the development or redevelopment of a designated area within the municipal boundaries of the City in which existing conditions permit such area to be classified as a "blighted area" or as a "conservation area" as defined in Section 11.74.4-3(a) of the TIF Act; and,

WHEREAS, pursuant to its powers and in accordance with the requirements of the TIF Act, the Corporate Authorities, pursuant to Ordinance Nos. 94-70, 94-71, and 94-72, adopted by the Corporate Authorities on December 21, 1994, approved the State Street Tax Increment Redevelopment Project Plan and Project (the "*Redevelopment Plan*") for a specific area qualifying as a redevelopment project area under the TIF Act (the "*Redevelopment Project Area*"), and adopted tax increment allocation financing for the payment and financing of redevelopment project costs incurred within the Redevelopment Project Area, pursuant to the TIF Act; and,

WHEREAS, the City has been informed by the Developer that it intends to acquire certain property located within the Redevelopment Project Area, commonly known as 150 State Street, Calumet City, legally described on *Exhibit A*, attached hereto and made a part hereof (the “*Subject Property*”), and intends to substantially rehabilitate and renovate the structure and the parking lot located on the Subject Property for use as office space for its business of selling, leasing, renting and servicing industrial equipment (the “*Project*”); and,

WHEREAS, the Developer has informed the City that it is able to proceed with the redevelopment of the Subject Property and undertake the Project only with financial assistance available through the TIF Act; and,

WHEREAS, the Corporate Authorities have determined that the blighting factors now present on the Subject Property are detrimental to the public and impair development and growth in the Redevelopment Project Area and will continue to impair growth and development but for the use of tax increment allocation financing to assist the Developer to pay certain “redevelopment project costs” to be incurred by the Developer to undertake the Project; and,

WHEREAS, the Developer’s proposal calls for the Developer to construct the Project in accordance with all applicable City ordinances and the City has determined that the Developer has the necessary qualifications, expertise and background necessary to undertake the redevelopment of the Subject Property; and,

WHEREAS, the redevelopment of the Subject Property is consistent with the approved Redevelopment Plan and this Project shall further the goals and objectives of the Redevelopment Plan; and,

WHEREAS, the Corporate Authorities have determined that the provision by the City to the Developer of the assistance hereinafter described and the redevelopment by the Developer of the Subject Property pursuant to this Agreement are in the best interests of the City and its residents and taxpayers, thereby providing job opportunities for the inhabitants of the City, enhancing the tax base of the City and other taxing districts, and adding to the welfare and prosperity of the City and its inhabitants.

NOW, THEREFORE, the parties, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, agree as follows:

Section 1. Incorporation of Recitals.

The Parties agree that all of the recitals contained in the Preambles to the Agreement are true and correct and are hereby incorporated into this Agreement as though they were fully set forth in this Section 1.

Section 2. Developer's Obligations.

(a) The Developer covenants and agrees that upon completion of the Project, the Developer shall have invested in the Project (including the acquisition of the Subject Property) a minimum of \$1,000,000.00.

(b) The Developer covenants and agrees to acquire the Subject Property on or before March 31, 2015.

(c) Prior to commencing construction of the Project, the Developer shall have delivered to the City all of the required plans and specifications for the Project and shall have obtained all permits as may be required from the City or any other government or agency having jurisdiction over the Project and the Subject Property.

(d) The Developer shall commence construction of the Project on or before June 1, 2015 after the Developer has obtained all necessary permits and governmental approvals.

(e) The Developer covenants and agrees to complete construction of the Project on or before December 31, 2015, in accordance with all approved plans and specifications; laws of the State and federal government; ordinances, resolutions and regulations of the City and all other agencies or governmental bodies having jurisdiction over the Subject Property (the “*Legal Requirements*”) and to commence operation of its industrial equipment dealership (the “*Business*”) at the Subject Property on or before June 15, 2015.

Section 3. Developer Payments.

(a) In consideration of the construction of the Project and the redevelopment by the Developer of the Subject Property in accordance with the terms of this Agreement, so long as no breach by Developer described in Section 15 of this Agreement shall have occurred and be continuing, the City shall reimburse the Developer for certain costs to be incurred by the Developer for the Project as itemized on *Exhibit B* (the “*Redevelopment Project Costs*”) subject to the limitations and authorization of the TIF Act and this Agreement. The aggregate payments to the Developer shall in no event exceed \$85,200.00. The Developer shall have the right to reallocate items among line items on *Exhibit B* when seeking reimbursement therefore pursuant to this Agreement. For purposes of this Agreement, “*Redevelopment Project Costs*” shall mean and include all costs defined as “*redevelopment project costs*” in Section 11-74.4-3(q) of the TIF Act, as from time to time amended.

(b) The City has established a Special Tax Allocation Fund (the “*STAF*”), pursuant to Ordinance No. 94072 into which the City deposits all incremental real estate tax generated from

the Redevelopment Project Area. The City agrees to reimburse the Developer a total sum of \$85,200.00 from the STAF in three (3) equal installments, the first of which shall be due and payable after the Developer has completed the Project, commenced the operation of the Business and satisfied all of the requirements and procedures set forth in Section 4 below. The second installment shall be due and payable on the first anniversary of the initial payment and the final payment shall be due on the second anniversary of the initial payment.

Section 4. Procedures for and Application of Reimbursement to the Developer.

(a) The Developer shall advance all funds and all costs necessary to construct and complete the Project.

(b) To be eligible for reimbursement of any eligible Redevelopment Project Costs, the Developer shall have constructed and completed the Project in accordance with the Legal Requirements and this Agreement and have its Business at the Subject Property in full operation.

(c) To establish a right of reimbursement for specific Redevelopment Project Costs under this Agreement, the Developer shall submit to the City or its designated officer or employee a written statement in the form attached to this Agreement as *Exhibit C* (a “*Request for Reimbursement*”) setting forth the specific Redevelopment Project Costs for which reimbursement is sought. The Request for Reimbursement shall be accompanied by such bills, contracts, invoices, lien waivers or other evidence as the Mayor or his or her designee shall reasonably require to evidence the right of the Developer to the reimbursement of \$85,200.00 under this Agreement. The Mayor or his or her designee shall have twenty (20) days after receipt of the Request for Reimbursement from the Developer to recommend approval for immediate payment or disapproval of such Request and, if disapproved, to provide the Developer in writing and in detail

with an explanation as to why he or she is not prepared to recommend such reimbursement. The only reasons for disapproval of any expenditure for which reimbursement is sought shall be that such expenditure is not an eligible Redevelopment Project Cost (as defined by this Agreement), that it is not identified on *Exhibit B* attached hereto as a "Redevelopment Project Cost," that the cost was not incurred and the construction was not completed by the Developer in accordance with the Legal Requirements and the provisions of this Agreement, including without limitation all permits issued by the City, or there is an outstanding notice of default for failure to comply with the Legal Requirements and the provisions of this Agreement. The parties acknowledge that the determination of Redevelopment Project Costs and qualification for reimbursement under this Agreement are subject to the TIF Act, all amendments to the TIF Act both before and after the date of this Agreement, and judicial interpretations of such Act rendered during the term of this Agreement. The City has no obligation to the Developer to attempt to modify such judicial interpretations but will cooperate with the Developer in obtaining approval of Redevelopment Project Costs.

(d) Notwithstanding the foregoing, if the Developer has not paid real estate taxes for the Subject Property when due and owing, the City shall not be required to make any annual payment until all real estate taxes are paid.

Section 5. Term.

Unless earlier terminated pursuant to Section 15, the term of this Agreement shall commence on the date of execution by both parties and terminate on December 31, 2025.

Section 6. Verification of Tax Increment.

The Developer shall use its best efforts to cooperate with the City in obtaining certified copies of all real estate tax bills payable in 2015, and for each subsequent year during the term of this Agreement. The Developer shall deliver to the City authorization as may be required for the Illinois Department of Revenue to release any sales tax reports attributable to the Developer's business operations.

Section 7. No Liability of City to Others for Developer's Expenses.

The City shall have no obligation to pay any cost relating to the development of the Subject Property (other than the reimbursements provided for in this Agreement) or to make any payment to any person other than the Developer, nor shall the City be obligated to pay any contractor, subcontractor, mechanic, or materialman providing services or materials to the Developer for the development of the Subject Property.

Section 8. Assignment.

This Agreement may not be assigned or transferred by the Developer under any circumstances without the express written consent of the City, in its absolute and sole discretion.

Section 9. Developer Indemnification.

The Developer shall indemnify and hold harmless the City, its agents, officers and employees against all injuries, deaths, losses, damages, claims, suits, liabilities, judgments, costs and expenses (including any liabilities, judgments, costs and expenses and reasonable attorney's fees) which may arise directly or indirectly from the failure of the Developer or any contractor, subcontractor or agent or employee thereof (so long as such contractor, subcontractor or agent or employee thereof is hired by the Developer) to timely pay any contractor, subcontractor, laborer

or materialman; from any default or breach of the terms of this Agreement by the Developer; or from any negligence or reckless or willful misconduct of the Developer or agent or employee thereof (so long as such agent or employee is hired by the Developer). The Developer shall, at its own cost and expense, appear, defend and pay all charges of attorneys, costs and other expenses arising therefrom or incurred in connection therewith. If any judgment shall be rendered against the City, its agents, officers, officials or employees in any such action, the Developer shall have no obligation whatsoever, with respect to any acts of negligence or reckless or willful misconduct or other wrongful conduct on the part of the City or any of its officers, agents, employees or contractors.

Section 10. Waiver.

Any party to this Agreement may elect to waive any remedy it may enjoy hereunder, provided that no such waiver shall be deemed to exist unless the party waiving such right or remedy does so in writing. No such waiver shall obligate such party to waive any other right or remedy hereunder, or shall be deemed to constitute a waiver of other rights and remedies provided said party pursuant to this Agreement.

Section 11. Severability.

If any section, subsection, term or provision of this Agreement or the application thereof to any party or circumstance shall, to any extent, be invalid or unenforceable, the remainder of said section, subsection, term or provision of this Agreement or the application of same to parties or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby.

Section 12. Notices.

All notices, demands, requests, consents, approvals or other instruments required or permitted by this Agreement shall be in writing and shall be executed by the party or an officer, agent or attorney of the party, and shall be deemed to have been effective as of the date of actual delivery, if delivered personally, or as of the third (3rd) day from and including the date of posting, if mailed by registered or certified mail, return receipt requested, with postage prepaid, addressed as follows:

To the Developer:

Alta Industrial Equipment Company, L.L.C.
d/b/a Alta Equipment Company, L.L.C.

With a copy to:

To the City:

City of Calumet City
204 Pulaski Road
Calumet City, Illinois 60409

With a copy to:

Kathleen Field Orr
Kathleen Field Orr & Associates
53 West Jackson Blvd., Suite 964
Chicago, Illinois 60604

Section 13. No Joint Venture, Agency or Partnership Created.

Neither anything in this Agreement nor any acts of the parties to this Agreement shall be construed by the parties or any third person to create the relationship of a partnership, agency, or joint venture between or among such parties.

Section 14. No Discrimination – Construction.

(a) The Developer for itself and its successors and assigns agrees that in the construction of the improvements on the Subject Property provided for in this Agreement the Developer shall not unlawfully discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Developer shall hire applicants and treat employees in a manner that does not unlawfully discriminate based upon race, creed, color, religion, sex or national origin, with respect to all aspects of employment, including but not be limited to, the following: employment upgrading, demotion or transfer; recruitment or recruitment advertising and solicitations or advertisements for employees; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Developer agrees to post in conspicuous places, available to employees and applicants for employment, notices, which may be provided by the City, setting forth the provisions of this nondiscrimination clause. The Developer shall comply with all applicable laws regarding rate of pay or other forms of compensation.

(b) *Prevailing Wage Act.*

The Developer, its contractors and subcontractors shall be responsible to determine if the Project is a “public work” within the meaning of the Illinois Prevailing Wage Act (the “Act”) (820 ILCS 130/0.01 *et seq.*) requiring it to pay workers performing services on this Project no less

than the “prevailing rate of wages” in the city where the work is performed. The Developer agrees to indemnify and hold harmless the municipality, its agents, officers and employees for any violation by the Developer or its contractors and subcontractors’ failure to comply with any provision of the Act if applicable.

Section 15. Remedies – Liability.

(a) If, in the City’s judgment, the Developer is in material default of this Agreement, the City shall provide the Developer with a written statement indicating any failure on the Developer’s part to fulfill its obligations under this Agreement. Except as required to protect against further damages, the City may not exercise any remedies against the Developer in connection with such failure unless Developer has not cured such default within thirty (30) days after giving such notice. If such default cannot be cured within such thirty (30) day period, such thirty (30) days period shall be extended for such time as is reasonably necessary for the curing of the same, so long as the Developer diligently proceeds with such cure; if such default is cured within such 30-day or extended period, the default shall not be deemed to constitute a breach of this Agreement. A default not cured as provided above shall constitute a breach of this Agreement. Any failure or delay by the City in asserting any of its rights or remedies as to any default or alleged default or breach shall not operate as a waiver of any such default or breach of any rights or remedies it may have as a result of such default or breach.

(b) If the Developer materially fails to fulfill its obligations under this Agreement after notice is given by the City and any cure periods described in paragraph (a) above have expired, the City may elect to terminate its obligations under this Agreement or exercise any right or remedy it may have at law or in equity, including the right to specifically enforce the terms and conditions

of this Agreement. If any voluntary or involuntary petition or similar pleading under any section or sections of any bankruptcy or insolvency act shall be filed by or against the Developer, or any voluntary or involuntary proceeding in any court or tribunal shall be instituted to declare the Developer insolvent or unable to pay the Developer's debts, or the Developer makes an assignment for the benefit of its creditors, or a trustee or receiver is appointed for the Developer or for the major part of any of the Developer's property, the City may elect, to the extent such election is permitted by law and is not unenforceable under applicable federal bankruptcy laws, but is not required, with or without notice of such election and with or without entry or other action by the City, to forthwith terminate this Agreement.

(c) If, in the Developer's judgment, the City is in material default of this Agreement, the Developer shall provide the City with a written statement indicating in adequate detail any failure on the City's part to fulfill its obligations under this Agreement. The Developer may not exercise any remedies against the City in connection with such failure unless the City has not cured such default within thirty (30) days after giving such notice. If such default cannot be cured within such thirty (30) day period, such thirty (30) day period shall be extended for such time as is reasonably necessary for the curing of the same, so long as the City diligently proceeds with such cure; if such default is cured within such 30-day or extended period, the default shall not be deemed to constitute a breach of this Agreement. Any failure or delay by the Developer in asserting any of its rights or remedies as to any default or any alleged default or breach shall not operate as a waiver of any such default or breach of any rights or remedies it may have as a result of such default or breach.

(d) In addition to any other rights or remedies, a party may institute legal action against the other party to cure, correct or remedy any default, or to obtain any other remedy consistent with the purpose of this Agreement, either at law or in equity, including, but not limited to the equitable remedy of an action for specific performance; provided, however, no recourse under or upon any obligation contained herein or for any claim based thereon shall be had against the City, its officers, agents, attorneys, representatives or employees in any amount or in excess of any specific sum agreed to be paid by the City hereunder, and no liability, right or claim at law or in equity shall be attached to or incurred by the City, its officers, agents, attorneys, representatives or employees in any amount in excess of any specific sums agreed by the City to be paid hereunder and any such claim is hereby expressly waived and released as a condition of and as consideration for the execution of this Agreement by the City. Notwithstanding the foregoing, in the event either party shall institute legal action against the other party because of a breach of any agreement or obligation contained in this Agreement, the prevailing party shall be entitled to recover all costs and expenses, including reasonable attorneys' fees, incurred in connection with such action.

(e) The rights and remedies of the parties are cumulative and the exercise by a party of one or more of such rights or remedies shall not preclude the exercise by it, at the same time or different times, of any other rights or remedies for the same default or for any other default by the other party. This Agreement shall be interpreted and enforced in accordance with the laws of the State of Illinois. Any legal proceedings shall be commenced in the Circuit Court of Cook County.

Section 16. Developer's Covenants. The Developer hereby covenants and agrees to repay to the City any and all sums paid by the City to the Developer pursuant to this Agreement in the event the Developer ceases, to operate its Business at the Subject Property during the term of this

Agreement; provided, however, that such amount shall be reduced by ten percent (10%) for each twelve (12) month period during the term of this Agreement the Business is in full operation.

Section 17. Amendment.

This Agreement, and any exhibits attached to this Agreement, may be amended only in a writing signed by all parties with the adoption of any ordinance or resolution of the City approving said amendment, as provided by law, and by execution of said amendment by the parties or their successors in interest. Except as otherwise expressly provided herein, this Agreement supersedes all prior agreements, negotiations and discussions relative to the subject matter hereof.

Section 18. Time; Force Majeure.

Time is of the essence of this Agreement; provided, however, a party shall not be deemed in material breach of this Agreement with respect to any obligations of this Agreement on such party's part to be performed if such party fails to timely perform the same and such failure is due in whole or in part to any strike, lock-out, labor trouble (whether legal or illegal), civil disorder, inability to procure materials, wet soil conditions, failure or interruptions of power, restrictive governmental laws and regulations, wrongful failure of governmental agencies to issue necessary approvals or permits, condemnations, riots, insurrections, war, fuel shortages, accidents casualties, floods, earthquakes, fires, acts of God, epidemics, quarantine restrictions, freight embargoes, acts caused directly or indirectly by the other party (or the other party's agents, employees or invitees) or similar causes beyond the reasonable control of such party ("*Force Majeure*"). If one of the foregoing events shall occur or either party shall claim that such an event shall have occurred, the party to whom such claim is made shall investigate same and consult with the party making such claim regarding the same and the party to whom such claim is made shall grant any extension for

the performance of the unsatisfied obligation equal to the period of the delay, which period shall commence to run from the time of the commencement of the Force Majeure; provided that the failure of performance was reasonably caused by such Force Majeure.

Section 19. Counterparts.

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers on the above date at Calumet City, Illinois.

City of Calumet City, an Illinois municipal corporation

By: 
Mayor

Attest:

City Clerk

Alta Industrial Equipment Company, L.L.C. d/b/a
Alta Equipment Company, L.L.C.,

Its _____

Exhibit A

Legal Description of Subject Property

PARCEL 1:

LOTS 1 THROUGH 14 (INCLUSIVE) AND LOTS 22 THROUGH 34 (INCLUSIVE) IN BLOCK 3 OF SNYDACKER AND AMB'S ILLINOIS ADDITION TO HAMMOND, BEING A SUBDIVISION IN FRACTIONAL SECTION 8, TOWNSHIP 36 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE NORTHEASTERLY 8 FEET OF VACATED ALLEY LYING SOUTHWESTERLY AND ADJOINING LOTS 1 THRU 14, BOTH INCLUSIVE AND THE SOUTHWESTERLY 8 FEET OF VACATED ALLEY LYING NORTHEASTERLY OF LOTS 22 THRU 34, BOTH INCLUSIVE IN BLOCK 3 OF SNYDACKER AND AMB'S ILLINOIS ADDITION TO HAMMOND, BEING A SUBDIVISION IN FRACTIONAL SECTION 8, TOWNSHIP 36 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 30-08-202-032-0000
30-08-202-031-0000
30-08-202-030-0000
30-08-202-029-0000
30-08-202-028-0000
30-08-202-027-0000
30-08-202-026-0000
30-08-202-025-0000
30-08-202-024-0000
30-08-202-023-0000
30-08-202-022-0000
30-08-202-021-0000
30-08-202-007-0000
30-08-202-008-0000
30-08-202-009-0000
30-08-202-010-0000
30-08-202-011-0000
30-08-202-012-0000
30-08-202-013-0000
30-08-202-014-0000
30-08-202-015-0000
30-08-202-016-0000
30-08-202-017-0000
30-08-202-018-0000

**AN ORDINANCE OF THE CITY OF CALUMET CITY, COOK COUNTY, ILLINOIS,
TO SET A DATE FOR A PUBLIC HEARING FOR THE SIBLEY/EAST END AVENUE
BUSINESS DEVELOPMENT DISTRICT**

BE IT ORDAINED by the Mayor and City Council of the City of Calumet City, Cook County, Illinois (the “City”), as follows:

Section 1. It is necessary and in the best interests of the City that a public hearing be held prior to the adoption of an ordinance or ordinances by the City Council approving the Sibley/East End Avenue Business Development District Development Plan (the “*Business District Plan*”), establishing the Sibley/East End Avenue Business Development District (the “*Business District*”), as legally described in *Exhibit A*, attached to and made a part of this Ordinance, and imposing retailers’, service, and hotel operators’ occupation taxes (the “*Taxes*”), in accordance with the Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1, *et seq.* (the “*Act*”).

Section 2. The Act grants the City the power to establish by ordinance procedures for the planning, execution and implementation of business district plans; and pursuant to the Act, the City desired to authorize the date for a public hearing (the “*Public Hearing*”) on the proposed Business District Plan, proposed Business District, and the imposition of Taxes therein, and the publication of notice thereof.

Section 3. It is hereby determined that the Public Hearing shall be held by the Mayor and City Council of the City of Calumet City on the 12th day of March, 2015, at 7:15 p.m., at the City Hall, 204 Pulaski Road, Calumet City, Illinois.

Section 4. Notice of the Public Hearing is hereby authorized to be given by publication in the Sun-Times Media-Southtown Economist on February 19, 2015 and February 24, 2015 (not more than 30 nor less than 10 days prior to the date of the Public Hearing).

Section 5. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this Ordinance.

PASSED this 12th day of February, 2015.

APPROVED:



Mayor

AYES: (7) Schneider, Wosczyński, Jones, Williams, Munda, Manósupoulós, Collins

NAYS: None

ABSENT: None

Attest:



City Clerk

EXHIBIT A

Legal Description

That part of the West 1/2 of the Southwest 1/4 of Section 12, Township 36 North, Range 14 East of the Third Principal Meridian bounded and described as follows:

Beginning at the intersection of the South line of Wilson Avenue and the West line of Cornell Avenue; thence North on the West line of said Cornell Avenue to the Northeast corner of Lot 11 in Stony Island Corners (being a Resubdivision in the Southwest 1/4 of said Section 12 as per plat thereof recorded September 24, 1926, as Document No. T321052); thence northeasterly to a point on the East line of said Cornell Avenue distant (as measured along said East line) 392.60 ft. South of the North line of the Southwest 1/4 of said Section 12 (said point being on the Easterly line of the Calumet Expressway); thence continuing Northeasterly along the Easterly line of said Calumet Expressway to the South line of Sibley Blvd., extended; thence East on the last described line to the East line of Prairie Avenue; thence South along said East line and the extension thereof to the South line of the aforesaid Wilson Avenue; thence West along said South line to the point of beginning; in Cook County, Illinois.

Adopt Ordinance #4
(Ord. #15-52)

Alderman Schneider moved, seconded by Alderman Manousopoulos, to adopt ordinance #4 as presented, without the necessity of prior posting.

ROLL CALL

YEAS: 7 ALDERMEN: Munda, Manousopoulos, Collins, Schneider, Wosczyński,
Jones, Williams
NAYS: 0 ALDERMEN: None
ABSENT: 0 ALDERMEN: None

MOTION CARRIED

Adopt Ordinance #5

Alderman Wosczyński moved, seconded by Alderman Manousopoulos, to adopt ordinance #5 as presented, without the necessity of prior posting.

ROLL CALL

YEAS: 7 ALDERMEN: Manousopoulos, Collins, Schneider, Wosczyński, Jones,
Williams, Munda
NAYS: 0 ALDERMEN: None
ABSENT: 0 ALDERMEN: None

MOTION CARRIED

FINANCIAL MATTERS

#1: Transfer \$664,000.00
Water System Improvement
account to Water Clearing
account

Authorize the City Treasurer to transfer \$664,000.00 from the Water System Improvement account to the Water Clearing Account to reimburse for various expenses and encumbrances for maintenance/repair of infrastructure posted to the following line items: (Expenditure Audit Trail) - Maintenance Services - Mains/Valves/Hydrant & Maintenance of Reservoirs.

#2: Remit payment/Cook
County Treasurer/
\$13,514.97

Authorize the City Treasurer to issue individual checks to the Cook County Treasurer for city-owned properties totaling \$13,514.97; payable from account #010-20117 and account #01099-52990.

#3: Remit payment/NEMRT
\$7,740.00

Approve payment to NEMRT in the amount of \$7,740.00 for police training; direct the City Treasurer to remit payment and charge to account #01060-52390.

#4: Remit payment/Complex
Network Solutions/\$8,454

Approve payment to Complex Network Solutions, Inc. for replacement of camera on water tower project; direct the City Treasurer to remit payment in the amount not to exceed \$8,454.00; charge to account #01099-55106.

#5: Remit payment/Precision
Cartridge/\$14,230.00

Approve payment to Precision Cartridge, Inc. for ammunition and targets for police department; direct the City Treasurer to remit payment in the amount not to exceed \$14,230.00; charge to account #01060-53311.

- #6: Approve Collective Bargaining Agreement/ Calumet City Professional Firefighters Local 621 & Calumet City Approve the Collective Bargaining Agreement between the City of Calumet City and the Calumet City Professional Firefighters' Association Local 621 of the International Association of Firefighters for the period May 1, 2014 to April 30, 2016.
- #7: Remit payment/Hewlett Packard/\$9,010.12 Approve payment to Hewlett Packard for hardware and software contracts from 3/1/15 to 2/29/16 in the amount of \$9,010.12; direct the City Treasurer to remit payment and charge to account #01099-52630.
- #8: Approve bill listing Approve bill listing (\$1,635,461.58)
- #9: Remit payment/HD Supply Waterworks/\$11,500 Approve payment to HD Supply Waterworks for (100) meters in the amount not to exceed \$11,500.00; direct the City Treasurer to remit payment and charge to account #03036-52332.
- #10: Remit payment/ Calumet City Plumbing/ \$5,285.00 Approve payment to Calumet City Plumbing for installation of new roadway and buffalo box at 296-161st Street in the amount not to exceed \$5,285.00; direct the City Treasurer to remit payment and charge to account #03036-52349.
- #11: Remit payment/ Ollmann Ernest Martin/ \$24,000.00 Approve payment to Ollmann Ernest Martin Architects for remodel/repairs of Fire Station I in the amount of \$24,000.00; direct the City Treasurer to remit payment from new money proceeds of the 2015 Bond Issue; also authorize the Mayor to execute the contract after review by the city attorney.
- #12: Remit payment/Lyons Electric/\$13,293.95 Approve payment to Lyons Electric Company for Electrical Relocations (Lighting & Flasher Beacon) @ Ring Road in the amount not to exceed \$13,293.95; direct the City Treasurer to remit payment and charge to MFT account #04007-52449.
- #13: Approve settlement Property Tax Appeal Board Approve settlement of Property Tax Appeal Board Case 09-33917 Robert Ranquist and authorize the City Attorney to execute same.
- #14: Approve City Treasurer Emergency Payments (\$1,950.00) Approve the City Treasurer's Emergency Payments in the amount of \$1,950.00 for Insurance Premium for Midwest Operating Engineers; direct the City Treasurer to remit payment and charge to account #01099-51201.
- #15: Approve payroll Approve payroll (\$804,784.85)
- Approve financial matters Alderman Wosczyński moved, seconded by Alderman Jones, to approve financial matters as presented.

ROLL CALL

YEAS: 7	ALDERMEN: Manousopoulos, Collins, Schneider, Wosczyński, Jones, Williams, Munda
NAYS: 0	ALDERMEN: None
ABSENT: 0	ALDERMEN: None

MOTION CARRIED

UNFINISHED BUSINESS

- Ald. Collins wished dad & son Happy Birthday Alderman Collins wished his dad a Happy Birthday and his son a Happy Birthday.
- Happy Valentine's Day Alderman Collins wished all the residents a Happy Valentine's Day.
- Black History Month Alderman Collins encourages residents to brace Black History Month and attend service and program provided.
- Commend public works Alderman Munda commended public works department for their diligence and hard work for the snow removal and keeping streets clean during recent storm. He thanked the residents for their patience.
- Happy Birthday Stephanie Alderman Williams wished Stephanie his Administrative Assistant a happy belated birthday.
- Happy Valentine's Day Alderman Williams wished all the residents a safe and Happy Valentine's Day.
- Commend public works Alderman Jones commended the public works department for their hard work with recent snow removal.
- George's Towing - complaints regulated by ICC Alderman Jones advised that George's Towing has had several complaints by residents and are regulated by the ICC if anyone has a complaint against them. He will provide contact information.
- To date there are 29 complaints with the ICC regarding George's Towing and there is a bill pending in Springfield to deal with towing companies.
- Child Care Funding Alderman Jones address concerns relative to child care issue and funding running out if his colleagues receive calls from residents or daycare providers.
- Send prayers to JRW Alderman Jones sending prayers to Jackie Robinson West Little League baseball controversy and recognizes their accomplishments.
- 2nd Ward Neighborhood Watch Meeting Alderman Wosczyński announced the 2nd Ward Neighborhood Watch Meeting every 1st Monday of the month of the lower level of the police department.
- Ald. Schneider - statement Alderman Schneider: "I would like to ask a question of our legal counsel. What is the procedure for re-introducing a vote as an earlier ordinance that failed to bring it up for reconsideration to vote with amendments?"
- City Attorney - statement City Attorney Horvath: "You want to make a motion at this point in time to reconsider the vote?"
- Alderman Schneider: "With amendments to the original ordinance that was posted tonight."

Discussion amending Ord. #8C-3 General Obligation Bonds, Series 2015

City Attorney Horvath: "You want to bring it up to reconsider with amendments.

Alderman Schneider: "Correct."

Mayor Michelle Markiewicz Qualkinbush: "Person to reconsider has to be the one who cast the majority vote."

City Attorney Horvath: "Someone in the majority must make a motion to reconsider, motion to be seconded by anyone. The motion to reconsider has to be dealt with first and then there would be another motion to adopt at which point in time you would then make a motion to amend the ordinance. They would then have to act on a motion to amend and then the amendment is agreed upon.

The motion to adopt the ordinance as amended."

Alderman Schneider: "The ordinance can't be adopted without the majority vote on the amendments?"

City Attorney Horvath: "A motion can be made to amend the ordinance that has been presented tonight. Then get a second and then make a motion to amend whatever amendment you want to suggest. You get a second you can vote on that and adopt the ordinance as amended."

Alderman Schneider: "That is previously failed."

City Attorney Horvath: "You can still raise it."

Mayor Michelle Markiewicz Qualkinbush: "The motion would just be to amend and state the name of the ordinance. Then you need a second."

Amend Ord. #8C-3

Alderman Schneider moved, seconded by Alderman Jones, to amend ordinance #8C-3 Ordinance Providing for the Issuance of \$10,000,000 General Obligation Bonds, Series 2015 by striking all instances of \$10,000,000, replacing it with \$8,000,000, change instances of 3.5 to 1.5, strike page 2, the fifth whereas, after the words affairs of the city, strike to construct all the way down to safety vehicles and add these items from the City of Calumet City Comprehensive Plan that was adopted June 26, 2014 Ordinance #14-33, items Land Use 14, H02 regarding enhanced lighting, item Community Facilities 02 and S06 and in addition ADA transition plan implementation and remediation costs.

Alderman Schneider: "These are all items that we approved just a couple months ago in the City of Calumet City Comprehensive Plan which was just not employees, but was business owners, residents, state holders in the community, three different consulting groups have met for months, public input, public forums and these are items that this group said this is what we want in our city.

I just want to make clear that I think we should go and start knocking stuff off this check list of our comprehensive plan. I am going to explain what those are real quick. Just give you the brief and you can vote down. I just want to get the discussion started.

LU14 is regarding street scape along on Sibley Boulevard entering the community from Bishop Ford freeway which also piggy backs off an item tonight.

H02 I am calling B because it wasn't numbered improperly but it is the second part integrate and enhanced lighting within neighborhoods to promote safety and reduce energy consumption.

CF02, community facilities. This is an upgrade and renovate the Fire Department station within city hall while making funding available which is a project that was talked about previously.

Transportation I took out because we did vote for a million dollars in funding for that.

The other one is sustain ability regarding energy consumption, auditing of our buildings and along with that ADA transition plan which the 2010 standards are in effect. A lot changed in 2012 and we need to get in gear on that. That is what I am proposing. I am just trying to make the items that we spend on clearer."

Alderman Wosczyński; "Alderman, these items that you had mentioned how much are they going to cost."

Alderman Schneider; "I have the same number of what it costs as what we already turned down tonight. These are not set in stone but they are not generic enough it can be spent across the back.

These are specific items that we voted and approved that these are things we should do. None of them were mentioned in the bond. If we are going out for this much money and a lot of money is going to repay old debt which is excellent which we are going to save \$400,000 in 10 years. That is excellent."

Mayor Michelle Markiewicz Qualkinbush: "As a point of information, 6.5 is going to pay the old debt and then you only saying instead of a 10 million only up to 8 million. So it is less than what was proposed tonight."

Alderman Schneider: "Correct and to be spent on these items."

Alderman Munda: "Mayor objection. We had an extensive committee meeting on this Mayor. This should have been brought up in committee. To bring it up here is highly unusual. It is out of order in my opinion.

We had a committee meeting with people present, an attorney a CPA and an engineer and I begged my colleagues to ask these questions and get these issues out on the floor during committee.

To bring it here before the council when we are going to vote and now to amend an ordinance that is already voted on. To proof a point I am disappointed alderman.”

Alderman Schneider: “Here is the only troubling thing. After sitting thinking about it. The first meeting to discuss this was where the bond was actually presented where finance was available and lawyers were available was Tuesday night at 6:00 p.m.

The agenda has to be posted for this meeting 48 hours at about the same time. There is technically no time to talk about it. Because here it is and you have to vote on it in 48 hours but you can’t change anything. It is kind of a like an up or down.

I don’t want to vote it down the ability to pay down existing debt. This council has worked hard to go from the 60 to the 40 million dollars in long time debt.

Our bond ratings are from “B” to “A”. We are doing good, there is no time between Tuesday night and tonight to make any amendments or to digest what we are doing 10 million dollars of debt. To think and talk and sleep on it.”

City Attorney Horvath: “Could I make a suggestion, because what you are doing is changing the essence of what was presented before the city council. And because it is somewhat confusing in this point in time.

My suggestion so that the bond issue is not completely jeopardized. You have bond counsel that would need to look at this. I don’t want them to look at it after the fact. I would suggest he review it before the fact.

I recommend this matter be tabled until your next meeting. You have another meeting coming up in two weeks where these items could then be set forth in the ordinance for all of the remaining aldermen to see and understand. They can also look at the amounts, whatever those amounts might be so that a more informed decision could be made. That would be my suggest.

What you are doing is changing the substance of the ordinance that is now before the council with respect to the projects that you want. I am not saying anything about the projects. I know nothing about them. I am making a suggestion as legal counsel. That this item be tabled until the next meeting.”

Mayor Michelle Markiewicz Qualkinbush: “As a point of order, I just asked our Finance Director if the refunding issue if there is an urgent need. I think they were going to do the refunding bonds by the end of the month.

So then we lose another month of interest rates. His suggestion to me was that we pass the refunding part of it and that the new money part go separately so that it is all articulated out. But it is up to the city council.

I just asked John if there was any time constraint. Because like you said you mentioned all that. It is a little confusing to me. But I understand what you are trying to do alderman.”

City Attorney Horvath: “You can do the refunding portion do that would be a very simple amendment but to do what you are doing. I am saying in all seriousness. I think bond counsel needs to be aware and determine the legality.”

Mayor Michelle Markiewicz Qualkinbush: “Do we know if all items within the bonds that can be spent on bond monies.”

Alderman Schneider: “It is much more specific than what we voted down.”

Alderman Manousopoulos: “I hear what Alderman Schneider is saying but I think we should vote the refinancing part of it and then go into committee knowing how much those projects are going to cost and maybe make a decision then.

Right now he amends that actually I don’t even know what he is amending. I couldn’t comfortably vote tonight on what he is recommending. Because I don’t even know how much money we are even talking. I don’t think we should hold up the 6.5 million for refinancing.”

Alderman Jones; “Part of it is to Alderman Munda’s point. This is where we have a healthy debate if we want to have projects. It is not up to the Mayor, no disrespect Mayor, or the lawyers to put projects in here. It is up to the city council. If we have proper time we vote on those motions here not at a committee meeting.

We vote to approve these bond issues here at the council meeting not at a committee. It is part of the healthy debate because we are approving new money that is going to put debt on the taxpayers. I don’t begrudge Alderman Schneider for bring this up.

This is the time to bring it up if we want to make changes. We need to have projects for our residents that support our community and projects that we talked about. I don’t know if all those projects the bond counsel will say are approved.”

Mayor Michelle Markiewicz Qualkinbush: “If they can be played out of there Alderman that is the questions. As a point of clarification. Every time we pass a bond issue and I know our Finance Director explained this at the last two meetings that we talked about this issue.

The language is always generic to allow for those type of things. I don’t begrudge Alderman Schneider for making them specific. I just want to see how much it is going to be and bond counsel if those specific things can be used to do it. I believe they can as Alderman Schneider does if they are within that general language.

Every bond issues that ever been adopted by the city council has had that general language in there. It is not something that the mayor put in there.

To Alderman Munda's point, at the last two meetings and again I realize there is short time frames aldermen. I would like to see where you read from just to make sure something was misnumbered and something is not clear. I would like to see it in writing what it all is myself.

We had two meeting and no one ever mentioned that either. That was the purpose for the committee meetings was to talk about specific projects that perhaps you wanted to put in there.

My recommendation is that we would do the refunding part of this so that we can sell the bonds and save the taxpayers \$400,000 and the new money can be done on a separate bond issue.

Withdraw motion

Alderman Schneider moved, seconded by Alderman Jones, to withdraw his motion.

MOTION CARRIED

Adopt Ord. #15-1

Alderman Schneider moved, seconded by Alderman Manousopoulos, to amend the ordinance to Provide for the Issuance of Not to Exceed 6.5 million dollars in General Obligation Bonds, Series 2015, of the City of Calumet City, Cook County, Illinois and for the Levy of a Direct Annual Tax Sufficient to Pay the Principal and Interest on Said Bonds.

Alderman Collins:"The cost of the potential second bond of new money. The difference between two weeks and the extra cost to fund the new money, doesn't it make sense to address it later two weeks from now. You want to pay a cost for a second bond to fund the second bond potentially if it passes and we want to save interest for 14 days.

What is the difference for the cost for the new bond?"

Finance Director Kasperek: "The issue won't be 14 days, we won't be able to sell the bonds we were looking to go to sell the bonds tomorrow, pending passage today. We need a call date on these bonds. We can't call the bonds until they are officially approved by the city council.

As long as you don't approve them it puts a delay, if put up to far we have to wait another 30 days it is not the end of the world. That is 30 more days of paying interest at the higher rate.

I suggest you do the refunding issue because it seems to me we are going to have a lot more discussions on new money and it might not even pass. Since it is going to be new money we can wait to determine how the council wants to allocate new money and how much the council wants to issue."

City Attorney Horvath: "The bond ordinance as prepared will in its official form will be amended to reflect the fact that this is for 6.5 million dollars references to the 10 million dollars will be amended by bond counsel as will those portions of the ordinance that reference the use of the 3.5 million dollars or the balance of the 10 million dollar bond issue that would have been used for new projects."

ROLL CALL

YEAS: 5
NAYS: 2
ABSENT: 0

ALDERMEN: Schneider, Jones, Williams, Manousopoulos, Collins
ALDERMEN: Wosczynski, Munda
ALDERMEN: None

MOTION CARRIED

Happy Valentine's Day
Happy Birthday Calumet
City

Alderman Schneider wished a Happy Valentine's Day to all the lovers out there and a happy birthday to the City of Calumet City which turns 122 tomorrow.

Hello to Lion Luke

Mayor Michelle Markiewicz Qualkinbush said hello to Lion Luke.

Executive Session

Alderman Manousopoulos moved, seconded by Alderman Munda, to enter into closed session for the purpose of discussing pending litigation.

MOTION CARRIED

(The City Council met in Executive Session from 8:27 p.m. to 8:40 p.m.)

Return- regular order
of business


Alderman Manousopoulos moved, seconded by Alderman Jones, to return to the regular order of business.

MOTION CARRIED

ADJOURNMENT

Adjournment was at 8:40 p.m. on a motion made by Alderman Manousopoulos and seconded by Alderman Jones.

MOTION CARRIED



Nyota T. Figgs, City Clerk

/rb