

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE FINAL BUDGET FOR A CERTAIN INTERGOVERNMENTAL AGREEMENT REGARDING THE IKE 911 CENTER BETWEEN THE VILLAGE OF BROADVIEW AND THE VILLAGE OF MAYWOOD FOR THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS.**

\* \* \* \* \*

**WHEREAS**, the Village of Broadview, County of Cook, State of Illinois (the “Village”) is a duly organized and existing village created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

**WHEREAS**, the Village President (the “President”) and the Board of Trustees of the Village (the “Village Board”, and with the President, the “Corporate Authorities”) are committed to the health, safety and welfare of its residents, including local veterans; and

**WHEREAS**, the Intergovernmental Cooperation Act (5 ILCS 220/1, *et seq.*) (the “Act”) authorizes public agencies, which include units of local government, to jointly exercise powers, privileges, functions or authority with other public agencies, except where specifically and expressly prohibited by law; and

**WHEREAS**, the Act authorizes public agencies, such as the Village and the Village of Maywood (“Maywood”) to enter into intergovernmental agreements with other public bodies; and

**WHEREAS**, the Village and Maywood previously entered into a certain Intergovernmental Agreement dated April 3, 2018 (the “Agreement”) for the build-out of the IKE 911 Center; and

**WHEREAS**, pursuant to the terms of the Agreement, the respective corporate authorities

of the Village and Maywood are required to approve the final budget (the “Budget”), a copy of which is attached hereto and incorporated herein as Exhibit A, prior to funding the escrow account; and

**WHEREAS**, the Village and Maywood have agreed on the Budget; and

**WHEREAS**, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to approve the Budget;

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board of Trustees of the Village of Broadview, County of Cook, State of Illinois, as follows:

**ARTICLE I.  
IN GENERAL**

**Section 01. Incorporation Clause.**

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

**Section 02. Purpose.**

The purpose of this Resolution is to approve the Budget pursuant to the terms of the Agreement.

**Section 03. Invocation of Authority.**

This Resolution is enacted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

**Section 04. State Law Adopted.**

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Resolution are hereby incorporated herein by reference.

**Sections 05-09. Reserved.**

**ARTICLE II.  
ACCEPTANCE OF AGREEMENT**

**Section 10. Authorization.**

The Budget is hereby accepted and approved. No insertions, omissions or changes may be made to the documents approved herein without further authorization by the Corporate Authorities. The Village Board further authorizes the President or her designee to execute any and all additional documentation that may be necessary to carry out the intent of this Resolution. The Village Clerk is hereby authorized and directed to attest to and countersign any documentation as may be necessary to carry out and effectuate the purpose of this Resolution. The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out and give effect to this Resolution and shall take all action necessary in conformity therewith. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. The Corporate Authorities hereby ratify any previous actions taken to effectuate the goals of this Resolution.

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

**Section 11. Headings.**

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

**Section 12. Severability.**

The provisions of this Resolution are hereby declared to be severable and should any

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

**Section 13. Superseder.**

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

**Section 14. Effective Date.**

This Resolution shall be effective and in full force upon its passage and approval.

(REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK)

**ADOPTED** by the Village Board of the Village of Broadview, Cook County, Illinois on this \_\_\_ day of \_\_\_\_\_ 2018, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
<b>Brown-Marino</b>				
<b>Ealey</b>				
<b>Tierney</b>				
<b>Horne</b>				
<b>Abraham</b>				
<b>Jones</b>				
<b>(Mayor Thompson)</b>				
<b>TOTAL</b>				

**SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018.**

**APPROVED,**

\_\_\_\_\_  
**VILLAGE PRESIDENT**

**ATTEST:** \_\_\_\_\_  
**Village Clerk**

**Recorded in the Municipal Records:  
Published in Pamphlet Form:**

**EXHIBIT A**

**BUDGET**

**[To Be Attached]**

**PHASE 1: 911  
Center**

Item	Construction Cost
<b>A.</b>	
<b>New Addition</b>	
Sitework	\$ 52,000.00
New Addition	\$ 858,000.00
<b>Remodeled Areas</b>	
Demolition	\$ 7,600.00
Remodeling Work	\$ 258,400.00
Clean Agent Fire Protection	
<b>Sub-Total</b>	<b>\$ 1,176,000.00</b>
<b>Electrical Service</b>	
Remodeled Areas	\$ 17,000.00
New Electrical Service and Generator	\$ 230,000.00
<b>Sub-Total</b>	<b>\$ 247,000.00</b>
<b>911 Center + Electrical Service Sub-Total</b>	<b>\$ 1,423,000.00</b>
General Conditions (10%)	\$ 142,300.00
General Contractor Overhead and Profit (6%)	\$ 93,918.00
<b>TOTAL CONSTRUCTION COST</b>	<b>\$ 1,659,218.00</b>
<b>Design and Construction Contingency (10%)</b>	<b>\$ 165,921.80</b>
<b>TOTAL CONSTRUCTION BUDGET</b>	<b>\$ 1,825,139.80</b>
<b>B. Allowances for Items to be Purchased by the Village</b>	
Furniture and Equipment	
Office Furniture, Files	\$ 20,000
Dispatch Furniture	\$ 161,000
Computer Systems	\$ -
Dispatch and Radio Equipment	\$ 1,000,000
Maintenance/Janitorial Equipment	\$ -
Telephone System	\$ -
Wireless Telephone Boosters/Amplifiers	\$ 15,000
Miscellaneous Equipment and Furnishings	\$ 5,000
<b>Total Allowances for Items to be Purchased by the Village</b>	<b>\$ 1,201,000</b>
<b>C. Allowances for Items Fees and Soft Costs 23.4% of costs</b>	
Architectural and Engineering Fees (8.5%)	\$ 136,324

Furnishings Design Fee	\$ 5,850
Surveys & Soil Investigations	\$ 3,510
Material Testing During Construction	\$ 3,510
Building Commissioning	\$ 7,020
Printing Costs	\$ 1,170
Utility Company Charges (Electric, Gas, Telephone)	\$ 1,170
Moving Costs	\$ -
<b>Total Allowances for Fees and Soft Costs</b>	<b>\$ 158,554</b>
<b>D. Owner's Contingency (23.4% of costs)</b>	<b>\$ 24,085</b>
<b>E. TOTAL PHASE I BUDGET</b>	<b>\$ 3,208,779</b>

50/50 Split \$ 1,604,389.50

The budget for the IKE 911 Center set forth above reflects a reasonable budget for the (shared) expenditures, pursuant to the terms of the IKE 911 Center IGA, for the build-out of the interior building addition (based on the current construction costs as of today's date) and the acquisition of the IKE 911 Center Equipment. This is a conservative budget based on expenditures "coming in at" costs lower than expected. Notwithstanding the foregoing, this budget should be re-evaluated after the shared expenditures are made and a "true-up" is completed to ensure that there are no windfalls or shortfalls. As such, the above is the best budget that can be completed as of today's date but remains subject to adjustments as outstanding costs are finalized.



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 2 OF THE BROADVIEW VILLAGE CODE IN CONNECTION WITH ADOPTING CERTAIN FIRE CODES AND LIFE SAFETY CODES FOR THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS.**

\* \* \* \* \*

**WHEREAS**, the Village of Broadview, County of Cook, State of Illinois (the “Village”) is a duly organized and existing village created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

**WHEREAS**, pursuant to Section 1-3-2 of the Illinois Municipal Code (65 ILCS 5/1-3-2), a municipality may adopt by reference, as criteria for the issuance of construction, reconstruction, alteration or installation permits, all or part of the provisions of regulations without setting forth those provisions in full if at least one (1) copy of those regulations is filed in the Office of the Clerk of the municipality and is kept available for public use, inspection and examination; and

**WHEREAS**, the Village President (the “President”) and Board of Trustees of the Village (the “Village Board” and together with the President, the “Corporate Authorities”) are committed to protecting the health, safety and welfare of individuals residing in, working in and visiting the Village; and

**WHEREAS**, fire codes and life safety codes provide safeguards to help ensure that buildings are constructed, altered, repaired and maintained in a safe and efficient manner, thereby reducing deaths, injuries and property damage; and

**WHEREAS**, based on the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village to amend Chapter 2, Sections 5-2-1, 5-2-3, 5-2-4, 5-2-5, and 5-2-6 of the Village Code of Broadview, Illinois (the “Village Code”) in connection with adopting a certain fire code and a certain life safety code for the Village;

**NOW, THEREFORE, BE IT ORDAINED** by the President and the Village Board of the Village of Broadview, County of Cook, State of Illinois, as follows:

**ARTICLE I.  
IN GENERAL**

**Section 01. Incorporation Clause.**

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

**Section 02. Purpose.**

The purpose of this Ordinance is to amend Chapter 2, Sections 5-2-1, 5-2-3, 5-2-4, 5-2-5, and 5-2-6 of the Village Code in connection with adopting certain fire codes for the Village.

**Section 03. Invocation of Authority.**

This Ordinance is enacted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

**Section 04. State Law Adopted.**

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

**Sections 05-09. Reserved.**

**ARTICLE II.  
AUTHORIZATION;  
AMENDMENT OF CHAPTER 2, SECTIONS 5-2-1, 5-2-3, 5-2-4, 5-2-5 AND 5-2-6  
OF THE BROADVIEW VILLAGE CODE**

**Section 10. Amendment of Chapter 2, Sections 5-2-1, 5-2-3, 5-2-4, 5-2-5 and 5-2-6.**

That the Municipal Code of Broadview, Illinois is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 2, Sections 5-2-1, 5-2-3, 5-2-4, 5-2-5 and 5-2-6 as follows,

**5-2-1: FIRE PREVENTION CODE ADOPTED:**

There is hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, those certain codes known as the International Fire Code (2015 edition) and Appendices as stated below ~~BOCA National Fire Prevention Code, latest edition, as published by the Building Officials and Code Administrators International, Inc., and the Life Safety Code, NFPA 101 (2012 edition), latest edition, as published by the National Fire Protection Association,~~ save and except those portions as are hereinafter deleted, modified or amended, copies of which are available in the Village Clerk's office in compliance with Section 1-3-2 of the Illinois Municipal Code (65 ILCS 5/1-3-2) of which codes not less than three (3) copies have been for at least thirty (30) days and now are on file in the office of the Village Clerk and the same are hereby adopted and incorporated as if fully set forth herein, and from the effective date hereof, the provisions thereof shall be controlling within the limits of the Village. Where there are competing clauses or conflicts occur between the Codes adopted in this Section (International Fire Code and the Life Safety Code) and another referenced code or standard, the Codes adopted by this Section shall prevail to the extent the referenced code or standard includes subject matter that is within the scope of the Codes adopted by this Section.

IFC International Fire Code 2015 Appendices B, D, E, F, G, H, I, and K are adopted as part of this code as follows:

1. Appendices D, F, and G are adopted as regulatory and enforceable parts of this code.
2. Appendices B, E, H, I, and K, are adopted as reference guidelines only.

**5-2-3: AMENDMENTS TO FIRE PREVENTION CODE THE INTERNATIONAL FIRE CODE:**

The section numbers hereinafter set forth refer to sections of the International Fire Code ~~BOCA National Fire Prevention Code~~ to be amended as aforesaid. The following sections of the International Fire Code ~~BOCA National Fire Prevention Code~~ are amended as follows:

Section 101.1 Village of Broadview –added

Section 101.2.1 Appendices -DELETE

Section 102.10 Conflicting provisions. Where there is a conflict between a general requirement and specific requirements shall be applicable. Where, in specific cases, different section of this or *other adapted codes* specify different material, methods of construction or other requirements the most restrictive shall apply.

Section 103.1 Delete

Section 105.1.1 Permits Required. ....shall first make application to (~~fire code official~~) the Village of Broadview Building Department and obtain required permit.

Section 105.2.2 ....vehicles, building, devices, premises, storage spaces, procedures, processes, activities, and all other relevant items of Fire and Life Safety to be used to determined.....

Section 105.3.3: Occupancy prohibited before approval. ....fire code official ~~issuing a permit and conducting associated inspection indicating~~ .....

Section 105.3.4 Conditional permits. ....permit applicant, the Village of Broadview Building Commissioner is authorized to issue a conditional permit.....

Section 105.3.7 Information on the permit. The fire code official shall ~~issue~~ **review** all permits required by this code.....

Section 105.4.4.1 Phased approval. The fire code official is Not authorized to issue a permit for the construction of part of a structure, .....

105.6 Required operation permits. The fire code official is authorized to ~~to issue~~ require operational permits for the operation set forth in sections 105.6.1 through 105.6.48.

Section 105.6.39 Change “25 lbs” to “15 pounds”. Delete all words after “of cellulose nitrate (pyroxylin) plastics.”, and for the assembly or manufacture of articles involving pyroxylin plastics. Add “Assembly or manufacturing use of pyroxylin plastics is prohibited.”

Section 105.7 Required construction permits. The fire code official is authorized to issue review construction permits for work as set forth in Sections 105.7.1 through 105.7.18

Section F-112.0 Means of Appeal:

Sections F-112.2 through F-112.7 shall be deleted and amended as follows: (Ord. 92-4, 2-17-1992)

Section 108 shall be deleted and amended as follows:

Decisions: The Village President, Fire Chief and the Chief Enforcement Officer shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in such Code.

Section 307 Delete.

Section 404 Fire Safety , Evacuation and lock Down Plans 404.2.3.1 Lockdown plan contents. Lockdown plans shall may be reviewed approved by the fire code official and shall include the following:.....

Section 505 Premise Identification. Change size from 4” to minimum of 4” when less than 50’ from public way or 6” when greater than 50’ viewing distance from Fire Apparatus Approach as approved by fire code official. Keep all the other language that is in IFC

ADD 505.1 new section. Suite identification Any multi-tenant of shopping malls, mercantile , business, mixed used occupancies or residential shall have identification affixed to doors. This includes any alley, public court yard or other public spaces. Such identification shall be by numbers or letters that are contrasting in color, that are a minimum 4” in height with a minimum stroke of ½” so as to be identified and plainly visible from at least 50’ in distance.

Add 505.1.1 new section Addressing of rear doors. The rear or side doors of all malls, strip centers, commercial buildings and other areas where with multi-tenant spaces shall be identified shall be identified with appropriate address number and name of business. The address shall be minimum of 4” in height with ½” stroke of as approved by the fire code official. This requirement shall extend to interior corridor commercial buildings to prevent confusion in event of emergency.

Section F-306.0 – Decorative Materials:

Add section F-306.4 Christmas Fire Safety Regulations to read as follows:

All holiday decorative material used in all use groups, with the exception of Use Group R, (Residential) shall be made of noncombustible material wherever possible. When other materials must be used they are to be flame proofed.

Section F-317.0 – Cellulose Nitrate (Pyroxylin) Plastics:

Section F-317.1 – General:

Delete "shall comply with NFPA 40E listed in Appendix A" and add "shall be prohibited within the Municipality limits".

Sections F-317.2 through F-317.4 – delete in its entirety.

Section F-404.0 – Fire Protection Systems:

Section F-404.3 – Fire Standpipes:

Delete "six" stories and change to "three" stories.

Section F-700.0 – General:

Add Section F-700.2506 - Access Key Boxes.

~~Where access to or within a structure, space or area is not provided twenty four (24) hours per day, all days of the year because of secured openings, or where immediate access is necessary for life or firefighting purposes, an approved key box shall be of a type approved by the Fire Prevention Bureau and shall contain keys necessary to gain access as required by the Fire Prevention Bureau.~~

Where access to or within a structure, space or area is not provided twenty four (24) hours per day, all days of the year because of secured openings, or where immediate entry into buildings and property without forced entry damage or delay is necessary for life or firefighting purposes, a key box shall be installed of a type approved by the Fire Prevention Bureau. Each Key Box is keyed for master key controlled by the Broadview Fire Department. Property owners will purchase and store their master keys, access cards, door codes, gate keys, etc. necessary to gain access to building. Security Keyed-Boxes will be mounted near building entrances at approved locations as determined by the ~~Authority Having Jurisdiction~~ Fire Code Official.

Section 907.2 Where required-new buildings and structures.:

Use Groups B, F, H, M, S, R2 with greater than 11 sleeping units: A fire protective signaling system shall be installed in each of these occupancies with the provisions of IFC and NFPA 72 and shall include manual fire alarm boxes and visible and audible alarms installed at each required and marked exit of each occupancy. Existing and new building or structures; Any Exceptions, to required fire protective signaling systems for above noted use groups, that are noted in these sections 907.2.1-907.2.23 and sections 1103.7.1-1103.7.7 are deleted.

Section 907.2.11.2 ~~F 404.4~~—Single and multiple station smoke detectors and CO Detectors:

Add: In any and all multiple family dwellings, all common areas, such as hallways, stairways, basements and laundry/storage areas are required to have smoke detectors that provide an alarm suitable to warn the occupants of the building. One CO detector shall be required in each common corridor, lobby or area that opens into a common staircase. One CO detector required within 15 feet of utility or laundry room containing gas fire appliance(s).

Section F 406.0—Mechanical Equipment Control:

Section F 406.1—Delete "six" stories and change to "three" stories.

Section F 500.0—General:

Add Section F 500.7—Supervision of Fire Alarm Systems.

All fire alarm systems and fire suppression systems shall be supervised by the municipal fire dispatch center or other authorized agency as approved by the Fire Prevention Bureau.

Section 907.6 Installation and monitoring.

Section 907.6.1 through 907.6.6.2 and NFPA 72. Fire alarm and sprinkler systems are required to be continuously monitored by an Underwriters Laboratory (UL) listed central station approved by Fire Code Official. All Fire Alarm and Detection systems shall be governed by-IFC Chapter 9, NFPA 72 2013 and the Village of Broadview Fire alarm requirements. All systems, existing or new, shall utilize AES radio mesh network as means of transmitting signal.

EXCEPTION:

Proprietary – A proprietary supervising station is a supervising station under the same ownership as the buildings protected by the fire alarm systems. At a proprietary supervising station, personnel are constantly in attendance to supervise and investigate fire alarm system signals. The receiving point must be

in a separate structure or a part of a structure that is remote from any hazardous operations. This exception has to be approved by the Fire Code Official.

Section 907.8 Inspection, testing and maintenance. Record of inspection, testing and maintenance shall be maintained. Copy of all inspections shall be electronically transmitted to fire code official to destination approved by fire code official.

Section 809.0 Number of Exits-Section 1022 Exits:

~~Section 809.3 1022.2.3-Delete and amend as follows:~~

Under most all circumstances, All use group occupancies within the municipality limits are required to have a minimum of two (2) exits per floor, which shall include above and/or below grade level.

~~Section 1016.0 Fire Protective Signaling Systems~~

~~Section 1016.4 Where Required: Add: Use Groups F, H, M, S,: A fire protective signaling system shall be installed in each of these occupancies and shall include manual fire alarm boxes and visible and audible alarms installed at each exit of each occupaney. (Ord. 94-5, 4-18-1994)~~

Section F 2400.0 General:

Section F 2400.1

Section F 2600.0 General: Chapter 56 Explosives and Fireworks

~~Section F 2600.1 Scope. Section 5601 General~~

The limits referred to in this article for the storage, manufacturing, possession, sale and transportation of explosives, ammunition and blasting agents shall be deleted and read as follows: Storage, sale, possession, manufacturing and transportation of explosives, ammunition and blasting agents is prohibited within the Municipality limits.

Exception: Keep 1,2,3,5,7,8,9 as is but change the following subsections as indicated:

(4) Change 1 pound to ½ pound, Change 20 pounds to 10 pounds of smokeless powder.

(6) Add “Permit required for” special industrial explosives



(10) Where small arms ammunition is for sale for the use of sport or other use in an official capacity as deemed appropriate by the Fire Prevention Bureau Code Official.

Section 5704 F-2805.0 – Above Ground Tank Storage:

Sections F-2805.1 through F-2805.4:

Delete and amend as follows: Above-ground storage of flammable and/or combustible liquids is prohibited within the municipality limits.

Exceptions:

A. Class III B combustible liquid having a flash point at or above 350 degrees Fahrenheit.

B. All other limited quantities of flammable and/or combustible liquids allowed above ground as permitted by the ~~Fire Prevention Bureau~~ Fire Code Official shall be stored in approved flammable liquids cabinets and/or storage rooms designed for such purposes. Annual Permit Required.

C. Critical government non-government facilities are those buildings that are necessary to the continuing operation of essential services following a significant event. Examples of these include police stations, fire stations, essential healthcare buildings, emergency treatment facilities, institutional facilities, structures containing highly toxic materials, public utilities, Aviation Control Centers, and emergency operations centers (EOC).

D. Existing Tanks (AST's) that are in use and compliant to code. This exception does not transfer to new occupancies, usages, new building owners or operations. Annual Permit is required

\*All Above Ground Storage Tanks shall meet all Federal and State regulations and requirements.

Section F-3000.0 – General:

Section F-3001.1 – Above Ground:

~~Delete section pertaining to above ground storage and amend as follows: Above ground bulk storage of Liquefied Petroleum Gases is prohibited within the municipality limits.~~

Chapter 61 Scope.

The limits referred to in this article on storage of flammable compressed gas shall be deleted and read as follows: No bulk storage of Liquefied Petroleum Gases (LPG) greater than 2,000 Container Capacity (water gallons) or any other flammable compressed gases shall be ~~prohibited~~ allowed to be stored above ground within the municipality limited. All Liquefied Petroleum Gas tank installation and storage in excess of 500 gallons (1893 L) water capacity requires a permit per Section 105.6.28.

Section 6504.1.2 Capacity limitation. Change “more than 1,000 pounds” to “more than 250 pounds.” Change “Each compartment shall not contain more than 250 pounds (114 kg)” to “Each compartment shall not contain more than 125 pounds (57kg).”

Section 6504.1.4 Heat Sources. Change “2 feet” to “3 feet.”

Section 6504.1.5 and 6504.1.6 Add “No Manufacturing is allowed in Municipal Limits.”

#### **~~5-2-4: AMENDMENTS TO LIFE SAFETY CODE:~~**

~~The section numbers hereinafter set forth refer to sections of the Life Safety Code, NFPA 101, latest edition, as published by the National Fire Protection Association, and are amended and modified as follows: (Ord. 92-4, 2-17-1992; amd. Ord. 98-03, 3-16-1998)~~

~~Section 1002.0 IFC Chapter 9 Fire Suppression Protection Systems:~~

~~Sections 1002.1 through 1002.11 Delete and amend as follows:~~

~~Section 1002.1 Where Required: Automatic fire suppression systems (sprinklers) shall be installed in all of the following types of occupancies: (A) Assembly, (B) Business, (E) Educational, (F) Factory and Industrial, (H) High Hazard, (I) Institutional, (M) Mercantile, (R) Residential, (S) Storage and (U) Utility and Miscellaneous, except as provided for in the following sections:~~

~~Exceptions:~~

~~Section 1002.2 Use Group A-4:~~

~~All buildings used as churches and for similar religion purposes, providing they have a full fire detection system of heat and smoke detectors installed throughout.~~

~~Section 1002.3 Use Group B:~~

~~Where square footage is 7,000 square feet or less.~~

~~Section 1002.4 Use Group E:~~

~~All buildings used for the purpose of education through the 12th grade and have 2 or less stories in height, providing they have a full fire detection system of heat and smoke detectors installed throughout.~~

~~Section 1002.5 Use Group M:~~

~~Where square footage is 7,000 square feet or less.~~

~~Section 1002.6 Use Group R:~~

~~All single family dwelling units and multiple family units of 3 stories or less and having no more than 6 individual dwelling units per building. (Ord. 92-4, 2-17-1992)~~

**~~5-2-5~~ 5-2-4: NEW CONSTRUCTION:**

IFC section 903

Section 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in locations described in Sections 903.2.1 through 903.2.12. Any reference to exceptions for the installation of sprinkler or suppression systems shall be deleted.

Any and all new construction within the Municipality limits, regardless of use group, is required to install a fully automatic fire sprinkler ~~as of the passing of this Chapter.~~ and suppression system in accordance with IFC 2015, NFPA 101, 2012, NFPA 20, 2013, NFPA 13, 2013, NFPA 13R, NFPA 13 D and any applicable Village of Broadview requirements.

Exceptions:

A. Single-family dwelling units. ~~(R-3)~~

B. Multiple-family dwelling ~~(R-2)~~ units of three (3) stories or less and having no more than six (6) individual dwelling units per building, provided full heat and smoke detection is installed. ~~(Ord. 92-4, 2-17-1992)~~

~~Section 1002.0—IFC Chapter 9 Fire Suppression Protection Systems:~~

~~Sections 1002.1 through 1002.11—Delete and amend as follows:~~

~~Section 903.2.1Section 1002.1—~~

~~Where Required~~ there is a change of ownership, change of hazard, change of use or change of occupancy classification Existing Buildings or Structures ~~Automatic fire suppression systems (sprinklers) shall be installed shall have an automatic fire protection system (sprinkler or suppression) installed per applicable codes or standards; IFC 2015,NFPAR,-NFPAD, NFPA 13, NFPA 101, 2012 or Village of Broadview Requirement~~ in all of the following types of occupancies: (A) Assembly, (B) Business, (E) Educational, (F) Factory and Industrial, (H) High Hazard, (I) Institutional, (M) Mercantile, (R) Residential, (S) Storage and (U) Utility and Miscellaneous,-All systems shall be approved by the fire code official except as provided for in the following sections:

Exceptions:

Use Group A-1, A-2, A-4, A-5 Where occupancy load is less than 200 unless a more restrictive occupancy load is noted in the IFC 2015, NFPA 101, 2012 or any other applicable adapted by the Village of Broadview.

~~Section 1002.2—Use Group A-4-3:~~

All buildings used as churches and for similar religion purposes, providing they have a full fire detection system of heat and smoke detectors installed throughout.

~~Section 1002.3— Use Group B:~~

Where square footage is 7,000 square feet or less.

~~Section 1002.4—Use Group E:~~

All buildings used for the purpose of education through the 12th grade and have 2 or less stories in height, providing they have a full fire detection system of heat and smoke detectors installed throughout.

~~Section 1002.5—Use Group M:~~

Where square footage is 7,000 square feet or less.

~~Section 1002.6—Use Group R:~~

All single-family dwelling units and multiple family units of 3 stories or less and having no more than 6 individual dwelling units per building. ~~(Ord. 92-4, 2-17-1992)~~

Section 903.2.2. All (H) High Hazard occupancies shall have fire protection system installed per applicable codes or standards; IFC 2015, NFPA 13, NFPA 101, 2012 or Village of Broadview Requirement. All systems shall be approved by the fire code official.

#### **~~5-2-6: SKYLIGHTS -- ROOF OPENINGS:~~**

~~Delete 2204.6.3 and 2204.6.4 and amend as follows:~~

~~For the purpose of removing smoke, super heated air, toxic fumes and to assist in more efficient and effective extinguishment of fire skylights and/or other types of automatic roof openings are required in all Use Groups F, H, M, and S. Minimum required sizes shall be as follows: In high hazard occupancies, one (1) square foot of roof opening for every hundred (100) square feet of floor space. In factory, mercantile and storage occupancies, one (1) square foot of roof opening for every two hundred fifty (250) square feet of floor space. (Ord. 93-7, 4-5-1993)~~

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

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

**Section 11. Headings.**

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

**Section 12. Severability.**

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

**Section 13. Superseder.**

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

**Section 14. Effective Date.**

This Ordinance shall be effective and in full force upon its passage and approval.

[THE REMAINDER OF THIS SPACE INTENTIONALLY LEFT BLANK]

**ADOPTED** by the Village Board of the Village of Broadview, Cook County, Illinois on this \_\_\_ day of \_\_\_\_\_ 2018, pursuant to a roll call vote, as follows:

	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>PRESENT</b>
Brown-Marino				
Ealey				
Tierney				
Horne				
Abraham				
Jones				
(Mayor Thompson)				
<b>TOTAL</b>				

**SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018.**

**APPROVED,**

\_\_\_\_\_  
**VILLAGE PRESIDENT**

**ATTEST:** \_\_\_\_\_  
**Village Clerk**

**Recorded in the Municipal Records:  
Published in Pamphlet Form:**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION MOURNING THE PASSING OF SYLVESTER (SMITTY) SMITH, JR. FOR THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS.**

\* \* \* \* \*

**WHEREAS**, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are saddened by the death of Sylvester Smith, Jr. ("Mr. Smith"); and

**WHEREAS**, Mr. Smith was born on November 11, 1943, in St. Louis, Missouri to the late Sylvester Smith, Sr. and Thelma Jones. Mr. Smith was joined in holy matrimony to his beloved and devoted wife Beatrice for 48 years. They have resided in Broadview, Illinois since 1979, and were blessed with twin daughters, Nakisha and Nicola. He was preceded in death by one brother Elwyn (PeeWee) Smith, Sr. He confessed his life to Christ at an early age at First Baptist Church in Melrose Park, Illinois. Mr. Smith was fondly known as "*Smitty*" by all those who knew him and he would always say "I am the Hawk and it ain't my fault"; and

**WHEREAS**, Mr. Smith graduated from Washington Elementary School and Proviso East High School in Maywood, Illinois. He enjoyed sports and excelled in football and basketball. He later became a Proviso East High School basketball fan and never missed a home game as he held season tickets; and

**WHEREAS**, Mr. Smith had a fun and loving spirit and brought a smile to anyone's face that encountered him. Mr. Smith was well known in the community for his warm personable personality. He loved the Maywood community and was employed with ComEd as Meter Service Technician for 38 years until his retirement; and

**WHEREAS**, based on the foregoing the Corporate Authorities have determined that it is necessary and appropriate to mourn the passing of Sylvester Smith, Jr. and extend their sincere condolences to his family, friends, and all who knew and loved him;

**NOW, THEREFORE, BE IT RESOLVED** by the President and the Village Board of the Village of Broadview, County of Cook, State of Illinois, as follows:

**Section 01. Incorporation Clause.** All of the recitals hereinbefore stated as contained in the preambles to the Resolution are full, true and correct, and the Corporate Authorities do hereby, by reference, incorporate and make them as legislative findings.

**Section 2. Authorization.** The Village Board hereby mourns the passing of Sylvester Smith, Jr. and extends their sincere condolences to his family, friends, and all who knew and loved him. The Village's officials and staff are hereby directed to take such action as is necessary to carry out the intent of this Resolution.

**Effective Date.** The Resolution shall be effective and in full force immediately upon passage and approval.

**RESOLVED**, by the Village Board of the Village of Broadview, Cook County, Illinois on the \_\_\_th day of December 2018, pursuant to a roll call vote, as follows:

**SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS, THE \_\_\_\_\_ DAY OF December 2018.**

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Abstain: \_\_\_\_\_

Absent: \_\_\_\_\_

**APPROVED,**

\_\_\_\_\_

**VILLAGE PRESIDENT**

**ATTEST:** \_\_\_\_\_

**Village Clerk**

**Recorded in the Municipal Records:  
Published in Pamphlet Form:**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION CONGRATULATING LINDA MERRILL FOR HER SERVICE TO THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS.**

\* \* \* \* \*

**WHEREAS**, the Village of Broadview, County of Cook, State of Illinois (the “Village”) is a duly organized and existing village created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

**WHEREAS**, Linda Merrill (“Ms. Merrill”) served as an administrative clerk during her sixteen (16) years of distinguished service for the Village; and

**WHEREAS**, the Village President (the “President”) and the Board of Trustees of the Village (the “Village Board” and with the President, the “Corporate Authorities”) desire to honor Ms. Merrill for her career of public service; and

**WHEREAS**, based on the foregoing the Corporate Authorities have determined that it is necessary and appropriate to congratulate Ms. Merrill for her years of dedicated service to the Village and its residents;

**NOW, THEREFORE, BE IT RESOLVED** by the President and the Village Board of the Village of Broadview, County of Cook, State of Illinois, as follows:



**ARTICLE I.  
IN GENERAL**

**Section 01. Incorporation Clause.**

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

**Section 02. Purpose.**

The purpose of this Resolution is to honor Ms. Merrill for her dedicated years of service to the Village and to authorize Village officials and staff to take all steps necessary in connection therewith.

**Section 03. Invocation of Authority.**

This Resolution is enacted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

**Section 04. State Law Adopted.**

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Resolution are hereby incorporated herein by reference.

**Sections 05-09. Reserved.**

**ARTICLE II.  
AUTHORIZATION**

**Section 10. Authorization.**

The Village Board hereby congratulates Ms. Merrill for her years of dedicated service to the Village. The Village's officials and staff are hereby directed to take such action as is necessary to carry out the intent of this Resolution.

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

**Section 11. Headings.**

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

**Section 12. Severability.**

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

**Section 13. Superseder.**

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

**Section 14. Effective Date.**

This Resolution shall be effective and in full force immediately upon passage and approval.

(REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK)

**ADOPTED** by the Village Board of the Village of Broadview, Cook County, Illinois on this \_\_\_ day of \_\_\_\_\_ 2018, pursuant to a roll call vote, as follows:

	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>PRESENT</b>
Brown-Marino				
Ealey				
Tierney				
Horne				
Abraham				
Jones				
(Mayor Thompson)				
<b>TOTAL</b>				

**SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018.**

**APPROVED,**

\_\_\_\_\_  
**VILLAGE PRESIDENT**

**ATTEST:** \_\_\_\_\_  
**Village Clerk**

**Recorded in the Municipal Records:  
Published in Pamphlet Form:**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE FOR THE LEVY OF TAXES FOR FISCAL YEAR 2018 FOR THE VILLAGE OF BROADVIEW, COOK COUNTY, STATE OF ILLINOIS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Broadview, County of Cook, State of Illinois:

**Section 1.** That this ordinance is and the same is hereby captioned, “An Ordinance for the Levy of Taxes for Fiscal Year 2018 for the Village of Broadview, Cook County, State of Illinois”.

**Section 2.** That the Board of Trustees of the Village of Broadview, County of Cook, State of Illinois has considered the subject of the Annual Tax Levy for the Fiscal Year 2018 and the several sums necessary to be levied to meet the needs and requirements of the Village of Broadview for said year and has recommended that this ordinance for the levy of taxes be adopted.

**Section 3.** That the Corporate Authorities of the Village of Broadview, County of Cook, State of Illinois, heretofore having approved and adopted the Annual Appropriation Ordinance for the Village of Broadview for the applicable fiscal year aforesaid, and which ordinance was published by authority of said Corporate Authorities as provided by law and which portion of said Appropriation Ordinance pertaining to Fund and Departmental Appropriations was so provided.

**Section 4.** That the sum of Six Million, Six Hundred and Two Thousand, Four Hundred Thirty Three Dollars and No Cents (\$6,602,433), or so much as may be authorized by law, and the same sum is hereby levied upon all property subject to taxation within the Village as that property is assessed and equalized for the applicable fiscal year as set forth on Exhibit A attached hereto and incorporated herein for such purposes as follows: general corporate purposes, for the payment of certain principal and interest on bonded debt, for payment for contributions to Fire, Police and IMRF Pension plans, and for the payment of amounts for Streets & Bridges, Auditing and Liability Insurances, Police Protection, General Insurance, Audit Purposes, Liability Insurance, Unemployment Insurance, Worker’s Compensation Insurance, and other such purposes as permitted by law.

**Section 5.** This ordinance shall be in full force and effect from and after its passage and approval.

**Section 6.** That the Village Clerk shall make and file with County Clerk of Cook County, on or prior to the last Tuesday in December, a duly certified copy of this ordinance.

**Section 7.** That if any section, subdivision, or sentence of this ordinance shall for any reason be held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance.

**Section 8.** That this ordinance shall be in full force and effect after its adoption, as provided by law.

ADOPTED, this 17<sup>th</sup> day of December 2018, pursuant to a roll call vote by the Corporate Authorities of the Village of Broadview, Cook County, State of Illinois.

AYES:

NAYES:

ABSENT:

Approved this 17<sup>th</sup> day of December, 2018

\_\_\_\_\_  
Village President

Attest: \_\_\_\_\_

Village Clerk

**EXHIBIT A**

**ANNUAL TAX LEVY ORDINANCE FOR THE YEAR COMMENCING MAY 1, 2018**

**SUMMARY OF APPROPRIATIONS AND SOURCES THEREOF ALL FUNDS**

<b>LEVY CATEGORY</b>	<b>2018 PROPOSED LEVY</b>
Corporate	523,321
Police Pension	1,303,294
Fire Pension	1,867,108
I.M.R.F.	209,585
Street & Bridge	218,285
Fire Protection	593,685
Police Protection	593,685
Auditing	47,853
Liability Insurance	424,798
<b>AGGREGATE LEVY (Subject to Tax Cap)</b>	<b>5,781,614</b>
Debt Service - Limited Bonds	775,224
<b>DEBT SERVICE LEVY (Subject to Extension Limits)</b>	<b>775,224</b>
Fire Pension-P.A. 93-069 Contribution	45,595
<b>TOTAL TAX LEVY</b>	<b>6,602,433</b>

**STATE OF ILLINOIS**       )  
  ) **SS**  
**COUNTY OF COOK**       )

**CERTIFICATE REGARDING COMPLIANCE WITH  
THE TRUTH IN TAXATION LAW**

I DO HEREBY CERTIFY that I am the presiding officer of the Corporate Authorities of the Village of Broadview, Cook County, Illinois.

I DO HEREBY CERTIFY that the 2018 tax levy of the Village of Broadview, County of Cook, State of Illinois was adopted in full compliance with the provisions of Sections 18-60 through 18-85 of the Illinois “Truth in Taxation Law.” A certified copy of the Ordinance adopted on December 17, 2018 approving the 2018 tax levy is attached hereto.

IN WITNESS THEREOF, I have placed my official signature this 17th day of December, 2018.

\_\_\_\_\_  
President (Mayor),  
Village of Broadview  
Cook County, Illinois

STATE OF ILLINOIS     )  
  )  
COUNTY OF COOK     )     SS

**CLERK’S CERTIFICATE  
FINAL LEVY**

I, \_\_\_\_\_, the undersigned, hereby certify that I am the duly qualified and acting Village Clerk, Village of Broadview, Cook County, Illinois, and that, as such official, I am the keeper of the records and files of the Village.

I do further certify that the foregoing Ordinance Authorizing Final Aggregate Tax Levy for the Year 2018 and Certificate of Compliance with Truth in Taxation Law are the true, correct, and complete copies of said Ordinance as adopted by the Corporate Authorities at a meeting held on the 17th day of December, 2018.

**IN WITNESS WHEREOF**, I hereunto affix my official signature this 17th day of December, 2018.

\_\_\_\_\_  
Village Clerk  
Village of Broadview  
Cook County, Illinois



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE VILLAGE OF BROADVIEW, COOK COUNTY, ILLINOIS, SUPPORTING A CLASS 6B REAL ESTATE TAX ASSESSMENT RENEWAL APPLICATION BY BTC VII PROPERTIES LLC FOR AN INDUSTRIAL FACILITY LOCATED AT 2401 GARDNER ROAD**

\* \* \* \* \*

**WHEREAS**, the Village of Broadview, County of Cook, State of Illinois (the “Village”) is a duly organized and existing village created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the Village; and

**WHEREAS**, the President and Board of Commissioners of the County of Cook have enacted an ordinance known as the Cook County Real Property Assessment Classification Ordinance, as amended from time to time (the “Classification Ordinance”), which provides for a tax assessment incentive classification designed to encourage industrial development throughout Cook County by offering a real estate tax incentive for the development of new industrial facilities, the rehabilitation of existing industrial structures and the utilization of abandoned industrial buildings in order to create employment opportunities and expand the tax base; and

**WHEREAS**, BTC VII Properties LLC (the “Applicant”) is the owner of a parcel of property commonly known as 2401 Gardner Road, Broadview, Illinois, identified by permanent index number (PIN) 15-21-202-086-0000, and as legally described on Exhibit A, a copy of which is attached hereto and made a part hereof (the “Property”); and

**WHEREAS**, Applicant has requested that the President and Board of Trustees of the Village of Broadview (the “Corporate Authorities”) support and consent to the renewal

of the Cook County Class 6B Real Estate Tax Assessment Classification for the Property, as said term is defined in the Classification Ordinance (the “Class 6B Tax Assessment Classification”); and

**WHEREAS**, the adoption of a resolution by the Corporate Authorities is required and must be filed by Applicant with its renewal application with the County of Cook in order for the Property to maintain its Class 6B Tax Assessment Classification; and

**WHEREAS**, to ensure the ongoing viability of the industrial base of the Village, the continuation and expansion of employment opportunities in the Village and to safeguard and further diversify the tax base of the Village, the Corporate Authorities have determined that it is necessary and in the best interests of the Village to approve the renewal of the Class 6B Real Estate Tax Assessment Classification for the Property.

**NOW, THEREFORE, BE IT RESOLVED** by the President and the Village Board of the Village of Broadview, County of Cook, State of Illinois, as follows:

**ARTICLE I.  
IN GENERAL**

**Section 01. Incorporation Clause.**

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

**Section 02. Purpose.**

Subject to the conditions set forth in Section 3 hereof, the Corporate Authorities expressly support and consent to the renewal of the Cook County 6B Tax Assessment Classification for the Property, which is legally described in Exhibit A, and find that without the renewal of the Class 6B Tax Assessment Classification, Applicant will not be

able to maintain the economic viability of the facility at the Property and will thwart efforts of economic expansion within the Village. The Corporate Authorities further find that the granting of the Class 6B Tax Assessment Classification is necessary for industrial development to remain viable on the Property, which is the subject of this Resolution

**Section 03. Conditions**

That it is in the best interest of the Village and its industrial development to enter into the *Property Tax Assessment Classification Agreement*, a copy of which is attached hereto and made a part hereof as Exhibit B (the “Agreement”); and that the Agreement is hereby authorized and approved, with such necessary non-material changes as determined by the Village President, with said changes and revisions therein contained being approved by execution and delivery of such Agreement by the Village President. The officials and officers of the Village are further hereby authorized to undertake actions on the part of the Village as contained in the Agreement to complete satisfaction of the provisions, terms or conditions stated therein.

**Section 04. Invocation of Authority.**

This Resolution is enacted pursuant to the authority granted to the Village by the Classification Ordinance, the Illinois Compiled Statutes and the Constitution of the State of Illinois.

**Sections 05-10. Reserved.**

**ARTICLE II.  
AUTHORIZATION, HEADINGS, SAVINGS CLAUSES, EFFECTIVE DATE**

**Section 11. Authorization.**

The Village President and Village Clerk are hereby authorized and directed to execute and deliver any and all other documents necessary to implement the provisions,

terms and conditions thereof, as therein described. The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the support contemplated by this Resolution and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms to be utilized in connection with this Resolution. All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**Section 12. Headings.**

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

**Section 13. Severability.**

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

**Section 14. Effective Date.**

This Resolution shall be in full force and effect upon the last to occur: i) its passage, approval and publication as provided by law; or ii) the execution by the Applicant and the Village of the Agreement, as provided in this Resolution.

**ADOPTED** by the Village Board of the Village of Broadview, Cook County, Illinois on this \_\_\_\_\_ day of December 2018, pursuant to a roll call vote, as follows:

	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>PRESENT</b>
Brown-Marino				
Ealey				
Tierney				
Horne				
Abraham				
Jones				
(Mayor Thompson)				
<b>TOTAL</b>				

**SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS, THIS 18<sup>TH</sup> DAY OF DECEMBER 2017.**

**APPROVED,**

\_\_\_\_\_  
**VILLAGE PRESIDENT**

**ATTEST:** \_\_\_\_\_  
**Village Clerk**

**Recorded in the Municipal Records:  
Published in Pamphlet Form**

**Exhibit A**

Lot 1 in Hlavaty Estate Trustee's Subdivision, being a Subdivision of the East Half of the Northeast Quarter of Section 21, Township 39 North, Range 12, East of the Third Principal Meridian, (Except therefrom that part of Lot 1 described as: Beginning at the intersection of the West Line of Lot 1 with the North Line of the South 55.0 Feet of Lot 1 aforesaid; thence North along said West Line to the Northwest Corner thereof; thence Southeasterly along the Northeasterly Line of Lot 1 aforesaid to the East Line of the West 175.0 Feet of Lot 1 aforesaid; thence South along the last described Line to the North Line of the South 55.0 Feet of Lot 1 aforesaid; thence West along the last described Line to the Point of Beginning), in Cook County, Illinois.

Parcel 2: Easement appurtenant to and for the benefit of Parcel 1 for the use, maintenance, repair, reconstruction and reinstallation of the sewer and water lines as created by deed from Austin Bank of Chicago, as Trustee under Trust Agreement dated March 23, 1978 and known as Trust Number 5864 to Ruth Affeldt dated December 21, 1982 and recorded December 29, 1982 as Document Number 26452360 over the following described property:

That part of Lot 1 in Hlavaty Estate Trustee's Subdivision, being a Subdivision of the East Half of the Northeast Quarter of Section 21, Township 39 North, Range 12, East of the Third Principal Meridian described as:

Beginning at the intersection of the West Line of Lot 1 with the North Line of the South 55.0 Feet of Lot 1 aforesaid; thence North along said West Line to the Northwest Corner thereof; thence Southeasterly along the Northeasterly Line of Lot 1 aforesaid to the East Line of the West 175.0 Feet of Lot 1 aforesaid; thence South along the last described Line to the North Line of the South 55.0 Feet of Lot 1 aforesaid; thence West along the last described Line to the Point of Beginning, in Cook County, Illinois.

STATE OF ILLINOIS    )  
  ) SS  
COUNTY OF COOK     )

**CERTIFICATION OF RESOLUTION**

I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the Village of Broadview, Cook County, Illinois (the "*Village*"), and as such official I am the keeper of the records and files of the Village.

I do further certify that the foregoing constitutes a full, true correct and complete copy of:

**A RESOLUTION OF THE VILLAGE OF  
BROADVIEW, COOK COUNTY, ILLINOIS,  
SUPPORTING A CLASS 6B REAL ESTATE TAX  
ASSESSMENT RENEWAL APPLICATION BY BTC  
VII PROPERTIES LLC FOR AN INDUSTRIAL  
FACILITY LOCATED AT 2401 GARDNER ROAD**

which said resolution as adopted at the Village's December 17, 2018 Village Board Meeting.

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that lawful notice of said meeting was duly given, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board at least 48 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 48-hour period preceding said meeting, and that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois and all other relevant statutes.

IN WITNESS WHEREOF, I hereunto affix my official signature, this \_\_\_\_ day of December, 2018.

\_\_\_\_\_  
Kevin R. McGrier, Village Clerk

**PROPERTY TAX ASSESSMENT CLASSIFICATION AGREEMENT  
BETWEEN THE VILLAGE OF BROADVIEW  
AND BTC VII PROPERTIES LLC**

**THIS PROPERTY TAX ASSESSMENT CLASSIFICATION AGREEMENT** (“**Agreement**”) is made this \_\_\_\_ day of December, 2018 (“**Execution Date**”), is hereby entered into by and between the Village of Broadview (“**Village**”) and BTC VII PROPERTIES LLC, an Illinois limited liability company (“**Owner**”).

**WITNESSETH**

**WHEREAS**, the Owner is the title record owner of real estate commonly known as 2401 Gardner Road in the Village, and as legally described on Exhibit A (“**Property**”); and

**WHEREAS**, the Owner is responsible for the payment of the real estate taxes assessed against the Property; and

**WHEREAS**, Owner petitioned the Village for a resolution of support and consent for a renewal of its Cook County Class 6B Real Estate Tax Assessment Classification, as said term is defined in the Classification Ordinance, (“**Cook County Class 6B Real Estate Tax Assessment Classification**”) for the Property with said resolution stating that the Village supports renewal of the Cook County Class 6B Real Estate Tax Assessment Classification for the Property; and

**WHEREAS**, the adoption of a resolution in support by the Village is required and must be filed by Applicant with its renewal application with the County of Cook in order for the Property to maintain its Cook County Class 6B Tax Real Estate Assessment Classification; and

**WHEREAS**, Owner shall continue to maintain the Property and ensure that it remains in compliance with Village Code, and also pay a service fee to the Village, which such service fee being used to fund various capital projects throughout the Village; and



**WHEREAS** in order to induce the Village to adopt the aforesaid resolution, Owner and Village desire to enter into this Agreement and to be bound by terms and conditions as more particularly set forth herein.

**NOW, THEREFORE, IN CONSIDERATION** of the mutual covenants and conditions contained herein and other good and valuable considerations, the sufficiency of which is hereby acknowledged, the parties agree as follows:

**Section 1. Preambles.** That the Preambles as set forth above are hereby incorporated into this Ordinance.

**Section 2. Term of Agreement.** The term of this Agreement shall begin as of the Execution Date and shall expire upon the expiration of the Cook County Class 6B Real Estate Tax Assessment Classification or the termination of this Agreement pursuant to Section 7 hereof, whichever occurs first (“**Term**”).

**Section 3. Service Fees Reimbursement.** That Owner agrees to reinvest a portion of its property tax savings from the Cook County Class 6B Real Estate Tax Assessment Classification into the Village to fund various capital projects throughout the Village in an amount of \$192,144.00. That the Owner agrees to pay the amount due the Village in twelve annual payments of \$16,012.00 commencing within thirty (30) days following the approval by the Cook County Assessor of the Class 6B renewal. Thereafter, the annual payment will be due to the Village by June 1 of each calendar year. In the event the Owner fails to submit any payment as described herein, the Village shall have the right to rescind Class 6B renewal status and shall notify the Cook County Assessor of the same.

**Section 4. Covenants of the Village.** In return for the representations and covenants of the Owner, all as contained herein, the Village covenants with and to the Owner as follows:

- a. Village shall approve a resolution setting forth its consent and support of Owner's renewal of the Cook County Class 6B Tax Real Estate Assessment Classification for the Property, which will take effect upon execution of this Agreement (the "**Resolution**"). During the Term and except as provided herein, the Village shall not take any action to revoke, rescind or otherwise dispute the Cook County Class 6B Tax Real Estate Assessment Classification for the Property.
- b. Village shall have no obligation to issue the Resolution to Owner until Owner has caused this Agreement to be recorded as contemplated under Section 5(d) herein.

**Section 5. Covenants of the Owner.** In return for the representations and covenants of the Village, all as contained herein, the Owner, and its successors or assigns, covenants with and to the Village as follows:

- a. Owner shall pay or cause to be paid when due all real estate property taxes relating to the Property or the operations on the Property, which are assessed or imposed upon the Property, or which become due and payable. Owner shall have the right to challenge real estate property taxes applicable to the Property; provided, that such real estate property taxes must be paid in full when due.
- b. Owner shall make the Service Fees Reimbursement in accordance with Section 3.
- c. Owner shall continue to maintain the Property and ensure that it remains in compliance with Village Code.

- d. Owner shall record a copy of this Agreement against the Property at Owner's sole expense.

**Section 6. Event of Default.**

- a. The following shall constitute an event of default ("**Event of Default**") by the Owner hereunder:
  - i. The failure of the Owner to perform, keep or observe any of the covenants, conditions, promises, agreements or obligations of the Owner under this Agreement;
  - ii. The making or furnishing by the Owner to the Village of any representation, warranty, certificate, or report within or in connection with this Agreement or any related agreement which is untrue or misleading in any material respect;
  - iii. The filing by Owner of any petitions or proceedings under applicable state or federal bankruptcy or insolvency law or statute which petition or proceeding has not been dismissed or stayed;
  - iv. The initiation against Owner by any creditor of an involuntary petition or proceeding under any state or federal bankruptcy or insolvency law or statute, which petition or proceeding is not dismissed or stayed within forty-five (45) days after the date of filing; and
  - v. The violation or breach by Owner of any law, statute, rule or regulation of a governmental or administrative entity relating to the operation of the Property.
- b. The following shall constitute an Event of Default by the Village hereunder:

- i. The failure of the Village to perform, keep or observe any of the covenants, conditions, promises, agreements or obligations of the Village under this Agreement.

**Section 7. Remedies.** Except as otherwise set forth herein, upon an Event of Default by either party, or any successor, the defaulting or breaching party (or successor) shall, upon written notice from the other party specifying such default or breach, proceed immediately to cure or remedy such default or breach, and shall, in any event, within thirty (30) days after receipt of notice, cure or remedy such default or breach (“**Cure Period**”). In case the Event of Default shall not be cured or remedied prior to the end of the Cure Period, the remedy to the aggrieved party shall, in addition to any other remedies provided for in this Agreement, be as set forth below:

- a. In the Event of Default by the Owner, and after the expiration of all applicable cure periods, the Village shall have the following rights and remedies:
  - i. Village shall have the following rights and remedies, in addition to any other remedies provided in this Agreement: (A) to terminate this Agreement and the Cook County Class 6B Real Estate Tax Assessment Classification on the Property; and (B) to pursue and secure, in any court of competent jurisdiction by any action or proceeding at law or in equity, any available remedy, including but not limited to injunctive relief or the specific performance of the obligations contained herein. Notwithstanding the foregoing and absent fraud by the Owner, the Village shall not have the right to recover any property tax savings the Owner received as a result of the Cook County Class 6B Real Estate Tax Assessment Classification on the Property for property tax years occurring prior to the Event of Default.

- ii. Within five (5) business days of written demand from Village (the “**Demand Notice**”), Owner covenants that it shall file all requisite documentation with the Cook County Assessor’s Office relinquishing and/or voiding the Cook County Class 6B Real Estate Tax Assessment Classification for the Property and shall concurrently provide the Village with written notice of relinquishment together with all relevant documentation. Owner’s covenants and obligations under this Section 7 shall survive the termination or expiration of the Agreement. If Owner fails to comply with any written demand provided pursuant to this Section 7(a)(ii), Village, in addition to any and all other remedies, shall have the right to secure the specific performance of the obligation hereunder, and the right to recover the aggregate of any property tax savings the Owner received as a result of the Cook County Class 6B Real Estate Tax Assessment Classification on the Property occurring after the issuance of the Demand Notice.
- b. Upon the occurrence of an Event of Default by the Village, and after the expiration of all applicable cure periods, the Owner shall have the following as its sole and exclusive rights and remedies: (i) to pursue and secure, in any court of competent jurisdiction by any action or proceeding at law or in equity, injunctive relief or the specific performance of the obligations contained herein.
- c. Unless otherwise provided, the rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by any party shall not preclude or waive the right to use any other remedy.

**Section 8. Miscellaneous.**

- a. Any and all notices, demands, requests and other communications necessary or desirable to be served under this Agreement shall be in writing and shall be either personally delivered or delivered to the Party and the Party's attorney by (i) prepaid same-day or overnight delivery service (such as Federal Express or UPS), with proof of deliver requested, or (ii) United States registered or certified mail, return receipt requested, postage prepaid, in each case addressed as follows:

To Village: Village of Broadview  
Attn: Mayor  
2350 S. 25<sup>th</sup> Avenue  
Broadview, Illinois 60155

cc: Montana & Welch, LLC  
Attn: Matthew T. Ingersoll  
11950 S. Harlem Ave, Suite 102  
Palos Heights, Illinois 60463

To Owner: BTC VII PROPERTIES LLC  
2401 Gardner Road  
Broadview, Illinois 60155

Or other such address or addresses or to such other party when any party entitled to receive notice hereunder may designate for itself from time to time in a written notice served upon the other parties hereto in accordance herewith. Any notice sent as hereinabove provided shall be deemed to have been received (i) on the date it is personally delivered, if delivered in person, (ii) on the first business day after the date it is deposited with the overnight courier service, if delivered by overnight courier service, or (iii) on the third (3<sup>rd</sup>) business day following the postmark date

which it bears, if delivered by United States registered or certified mail, return receipt requested, postage prepaid.

- b. This Agreement may not be amended without prior written consent of the Village and the Owner.
- c. This Agreement constitutes the entire agreement between the parties hereto and it supersedes all prior agreements, negotiations and discussions between the parties relative to the subject matter hereof.
- d. Waiver by the Village and Owner with respect to any breach of this Agreement shall not be considered or treated as waiver of its rights with respect to any other default or with respect to any particular default, except to the extent specifically waived by the Village and Owner in writing.
- e. This Agreement shall be enforceable in the Circuit Court of Cook County by any of the parties by an appropriate action at law or in equity to secure the performance of the provisions and covenants herein described.
- f. This Agreement shall be governed by and construed in accordance with the internal laws of the State of Illinois, without regard to its conflicts of principals.
- g. In the event of any litigation between the Village and Owner to enforce any provision or right under this Agreement, the unsuccessful party of such litigation shall pay to the prevailing party all costs and expenses, including attorney's fees, incurred therein. The prevailing party shall not be eligible for attorney's fees under this provision unless, prior to instituting litigation, the non-prevailing party was given notice of its failure to perform or comply with this Agreement and such failure to perform or comply with the Agreement was

not cured within thirty (30) days after notice was provided. In addition, if the Village is made a party to any litigation instituted by any person (not a party to this Agreement) in connection with the Agreement, the Village may appear and defend the Agreement on behalf of the Village

- h. The Village and Owner hereby waive any right to a trial by jury in any action or proceeding based upon, or related to, the subject matter of this Agreement. This waiver is knowingly, intentionally and voluntarily made by each of the parties hereto and each party acknowledges to the other that neither the other party nor any person acting on its respective behalf has made any representations to induce this waiver of trial by jury or in any way to modify or nullify its effect. The parties acknowledge that they have read and understand the meaning and ramifications of this waiver provision and have elected same of their own free will.
- i. Nothing in this Agreement, whether expressed or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any other persons other than the Village and Owner, nor is anything in this Agreement intended to relieve or discharge the obligation or liability of any third persons to either the Village or Owner, nor shall any provision give any third parties any rights of subrogation or action over or against the Village or Owner. This Agreement is not intended to and does not create any third-party beneficiary rights whatsoever.
- j. All rights, title and privileges herein granted, including, without limitation, all benefits and burdens set forth in Section 5 above, shall run with the land and



shall be binding upon and inure to the benefit of the parties hereto and their respective successors, grantees and assignees. Nothing herein contained shall be construed as prohibition against owner leasing or conveying the Property. Any person taking title to the Property shall be subject to the terms and conditions of this Agreement. A copy of this Agreement shall be recorded against the Property at the expense of Owner.

- k. The individuals executing this Agreement hereby represent and warrant that they are fully authorized to do so on behalf of the Village and Owner.
- l. This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which shall constitute one and the same instrument.
- m. Each party shall, at the request of the other, execute and/or deliver any further documents and do all acts as each party may reasonably require to carry out the intent and meaning of this Agreement.
- n. If any section, sub-section, sentence, clause or phrase of this Agreement is for any reason held to be invalid, such decisions or decisions shall not affect the validity of the remaining portions of the Agreement.

*[Execution Page Follows]*

**IN WITNESS WHEREOF**, the parties have executed this Amendment the day and year first hereinabove written.

VILLAGE

**VILLAGE OF BROADVIEW, an Illinois  
Municipal Corporation.**

By: \_\_\_\_\_

Its: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

Its: \_\_\_\_\_

OWNER

**BTC VII PROPERTIES LLC, an Illinois  
limited liability company.**

By: \_\_\_\_\_

Its: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

Its: \_\_\_\_\_