



HOPE FOR THE DAY'S 2020 National Suicide Prevention + Action Month Proclamation

WHEREAS, September is known globally as “Suicide Prevention Month”, the **National Suicide Prevention + Action Month Proclamation** was created to raise the visibility of the mental health resources and suicide prevention services available in our community. The goal is to speak openly about the importance of mental health and the impacts of suicide to help remove the surrounding stigmas, and to direct those in need to the appropriate support services; and

WHEREAS, suicidal thoughts can affect anyone regardless of age, gender, race, orientation, income level, religion, or background; and according to the American Foundation for Suicide Prevention (AFSP), Suicide is the 10th leading cause of death among adults, and the 2nd leading cause of death among individuals between the ages of 10 and 34 in the US; and

WHEREAS, more than 47,000 people died by suicide across the United States in 2017, which, according to the CDC, was more than twice the number of homicides, with an average of 129 suicides completed daily, which includes active military and veterans accounting for 13.5% of all suicides nationally; and

WHEREAS, each and every suicide directly impacts a minimum of 100 individuals, including family, friends, co-workers, neighbors, and community members; and

WHEREAS, Village of Broadview is no different than any other community across the country, but chooses to publicly place our full support behind local educators, mental health professionals, athletic coaches, law enforcement officers, and parents, as partners in supporting our community in simply being available to one another; and

WHEREAS, global organizations like Hope For The Day (HFTD) and our local partner, Village of Broadview are on the front lines of a war that many still refuse to discuss, as suicide and mental health remain too uncomfortable to talk about; and

WHEREAS, every member of our community should understand that throughout life’s struggles we all need the occasional reminder that we are all fighting our own battles; and

WHEREAS, I encourage all residents to take the time to check in with their family, friends, and neighbors on a regular basis and to honestly communicate their appreciation for their existence by any gesture they deem appropriate. A simple phone call, message, handshake, or hug can go a long way towards helping someone realize that suicide is not the answer.

NOW, THEREFORE, be it resolved that I, Katrina R. Thompson, Mayor do hereby proclaim the month of September 2020, as National Suicide Prevention + Action Month in the Village of Broadview.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND APPROVING THE DISPOSAL OF PERSONAL PROPERTY 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 11-76-4 of the Illinois Municipal Code (65 ILCS 5/11-76-4), whenever a municipality that owns any personal property, which in the opinion of a simple majority of the corporate authorities then holding office, is no longer necessary or useful to, or for the best interests of the city or village, such a majority of the corporate authorities then holding office: “(1) by ordinance may authorize the sale of that personal property in such manner as they may designate, with or without advertising the sale; or (2) may authorize any municipal officer to convert that personal property into some other form that is useful to the city or village by using the material in the personal property; or (3) may authorize any municipal officer to convey or turn in any specified article of personal property as part payment on a new purchase of any similar article”; and

WHEREAS, the Village has identified two (2) Fire Department (the “Department”) vehicles, described in Exhibit A which is attached hereto (the “Personal Property”), that has either been taken out of service or is otherwise cost-prohibitive to

maintain due to the cost of maintenance, discontinued parts, and expensive upgrades being necessary to safely and efficiently use said Personal Property; 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”) have determined that the Personal Property is no longer necessary or useful to, or in the best interest of the Village to retain; and

WHEREAS, the Department has requested the authority to sell or dispose of said Personal Property; and

WHEREAS, to ensure that the Village operates in an efficient and economical manner, it is necessary to dispose of equipment that is no longer functional or useful, or is too expensive to maintain; and

WHEREAS, based on the foregoing, the Corporate Authorities find that it is necessary for conducting Village business and for the effective administration of government to authorize the sale or disposal of the Personal Property on such terms as determined to be in the best interests of the Village and its residents provided that said Personal Property must be sold or disposed of in “as is” condition;

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 authorize the Village to sell or dispose of the Personal Property which is no longer necessary or useful for conducting the business of the Village, or in the best interest for the Village to retain provided that the Personal Property must be sold or disposed of in “as is” condition.

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**

Section 10. Authorization.

The Village hereby authorizes and directs authorized Village personnel to sell or dispose of the Personal Property in “as is” condition and on such terms as determined to be in the best interest of the Village. Village personnel are further authorized to execute any and all documentation deemed necessary to effectuate the intent of this Ordinance. The Village Board further authorizes the President or her designee to approve and execute any and all documentation deemed necessary to effectuate the intent of this Ordinance. The Village Clerk is hereby authorized and directed to attest to, countersign and affix the Seal of the Village to such documentation as is deemed necessary to effectuate the intent of this

Ordinance. No insertions, omissions or changes may be made to the documents approved herein without further authorization by the Corporate Authorities. The Corporate Authorities hereby ratify any previous actions taken to effectuate the goals of this Ordinance.

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 _____ 2020, pursuant to a roll call vote, as follows:

| | YES | NO | ABSENT | PRESENT |
|------------------|------------|-----------|---------------|----------------|
| Miller | | | | |
| Senior | | | | |
| Tierney | | | | |
| Horne | | | | |
| Abraham | | | | |
| Jones | | | | |
| (Mayor Thompson) | | | | |
| TOTAL | | | | |

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS, THIS _____ DAY OF _____ 2020.

APPROVED,

VILLAGE PRESIDENT

ATTEST: _____
Village Clerk

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

EXHIBIT A

2003 Ford Crown Victoria VIN 2FAFP71W03X141079 Mileage 144,893

2001 Emergency One Squad VIN 4EN6AAA8811003712 Mileage 42,821

Summary and Recommendation

After deliberation following a review of the evidence and testimony presented and by a unanimous vote of the members present, the Zoning Board of Appeals recommends that the President and Board of Trustees of the Village of Broadview approve the special use subject to any conditions it may wish to impose.

Dated this 3rd day of March, 2020.

 /s/ Lincoln Taylor
Lincoln Taylor, Chairman

ORDINANCE NO. _____

AN ORDINANCE OF THE VILLAGE OF BROADVIEW, COOK COUNTY, ILLINOIS, GRANTING A SPECIAL USE TO ALLOW OUTDOOR STORAGE AT 2401 GARTNER AVE.

* * * * *

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 Village President (the “*President*”) and the Village Board (the “*Village Board*”) and with the President, the “*Corporate Authorities*”) have heretofore exercised the power conferred on them pursuant to Chapter 11-13-1, *et seq.*, of the Illinois Municipal Code by adopting the Broadview Zoning Ordinance in 2001 (Ord. 2001-08A), as amended from time to time; and

WHEREAS, Verde Properties, LLC (the “*Applicant*”), submitted an application seeking a special use to allow outdoor storage, including parking vehicles outside of the structure in exception to Section 10-4-6(E) (the “*Proposed Special Use*”) for the property commonly known as 2401 Gartner Ave, Broadview, Illinois 60155 (the “*Property*”); and

WHEREAS, the Zoning Board of Appeals held a public hearing on March 3, 2020 on whether the Proposed Special Use should be approved, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, a public notice in the form required by law was given of said public hearing dates; and

WHEREAS, the Zoning Board of Appeals has filed its findings of fact and recommendations that the Proposed Special Use be granted, and the Corporate Authorities have duly considered said findings of fact and recommendations; and

WHEREAS, the Corporate Authorities have determined, in the best interest of the health, safety and welfare of the residents of the Village, to grant the Proposed Special Use subject to the conditions identified herein;

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 Corporate Authorities adopt by reference the Report on Findings of Fact of the Zoning Board of Appeals as findings of the Corporate Authorities as if completely set forth herein. All exhibits and documents submitted at the aforesaid public hearing are also incorporated by reference as fully as if attached hereto. In addition to the findings set forth in this Section, the President and the Board of Trustees further find that the Proposed Special Use:

- a. is deemed necessary for the public convenience at that location; and
- b. is so designed, located and proposed to be operated that the public health, safety and welfare will be protected; and

- c. would not cause substantial injury to the value of other property in the neighborhood in which it is located.

Section 03. Special Use Granted.

That the Proposed Special Use, set forth herein, is granted for the Property, which is commonly known as 2401 Gartner Avenue, Broadview, Illinois 60155 and as legally described on Exhibit A. The Property is currently zoned O/I Industrial.

Section 04. Conditions Imposed.

The Special Use contemplated herein is granted subject to the following conditions:

1. The Applicant shall obtain a building permit through the Building Department, which shall be subject to review and approval of the Village Building Commissioner;
2. If the special use is not operated in accordance with the Official Village Code of Broadview it shall be subject to revocation;
3. The special use granted herein shall be null and void and of no force and effect whatsoever unless an application for a building permit pursuant to such special use is issued and construction commenced within eighteen (18) months of the effective date of this Ordinance;
4. The special use shall be substantially constructed in accordance with the site plan presented to the Zoning Board of Appeals and as approved by the Village;
5. This Ordinance shall be signed by the Applicant to signify acknowledgement of the terms hereof;
6. The Applicant hereunder shall at all times comply with the terms and conditions of this Ordinance.

Section. 05. 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, including without limitation 65 ILCS 5/11-13-1, *et seq.*

Section 06. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, and specifically 65 ILCS 5/11-13-1 *et seq.*, as may be amended, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Sections 07-10. Reserved.

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

Section 11. Authorization.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms to be utilized in connection with this Ordinance. 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 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 13. 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 14. Effective Date.

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

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ADOPTED by the Village Board of the Village of Broadview, Cook County, Illinois on this 16th day of March 2020, pursuant to a roll call vote, as follows:

| | YES | NO | ABSENT | PRESENT |
|------------------|------------|-----------|---------------|----------------|
| Miller | | | | |
| Senior | | | | |
| Tierney | | | | |
| Horne | | | | |
| Abraham | | | | |
| Jones | | | | |
| (Mayor Thompson) | | | | |
| TOTAL | | | | |

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS, THIS 16th DAY OF MARCH 2020.

APPROVED,

VILLAGE PRESIDENT

ATTEST: _____
Village Clerk

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

Exhibit A

Legal Description of Property

EXHIBIT A

Legal Description of Real Estate commonly known as 2401 Gardner, Broadview, IL, which is the subject of Commercial Real Estate Purchase and Sale Agreement between BTC VII Properties LLC, Seller, and Go-Jo Inc. Buyer.

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.



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• MEMORANDUM •

TO: Mayor Katrina Thompson
Village Trustees
Ms. LeTisa Jones, Village Administrator
Mr. Kevin R. McGrier, Village Clerk

CC: James M. Vasselli, Esq. and Tiffany Nelson-Jaworski, Esq.

FROM: Joseph A. Giambrone

DATE: March 6, 2020

SUBJECT: *Wayne Edwards v. Village of Broadview et al.*, Case No. 19 cv 2199

CASE SUMMARY AND STATUS

On the evening of March 30, 2017, Plaintiff, Wayne Edwards was a passenger in a vehicle that made an illegal U-turn on Roosevelt Road, near 14th Avenue. Officer Beata Grzymkowska of the Broadview Police Department pulled the vehicle over and upon approaching the vehicle immediately smelled cannabis. At that point, she decided to also ask the passenger, Edwards, for identification. He proceeded to ignore the officer and then question why she needed the information. The officer advised the men that she smelled marijuana and asked if they had any, which they denied. Plaintiff ultimately complied and provided his ID. Officer Grzymkowska then asked Plaintiff to step out of the car so she could further investigate.

Edwards ended up out of the car and by the trunk, at which time Officer Grzymkowska attempted to handcuff him so she could temporarily detain him for officer safety. He did not listen to Officer Grzymkowska's request to put his hands on the trunk. What ensued next was several minutes of multiple officers trying to get control over Edwards so he could be placed into handcuffs and further questioned. It is apparent from the officers' body camera video that he was tensing his arms, pulling away, and not cooperating with the officers.

After at least a minute into the struggle, Officer Grzymkowska pulled her taser and threatened to use it on Plaintiff if he did not comply with their orders to relax and place his arms behind his back. Two other officers from Broadview arrived and helped place Edwards in handcuffs. Despite being in handcuffs, Plaintiff continued to tense his arms and not listen to the officers. Things escalated as officers from Maywood and Forest Park arrived. Just seven minutes

after the stop, about four (4) officers took Plaintiff to the ground right next to his car. Edwards claims they twisted his arm and smashed his head into the ground. A K-9 officer from Forest Park arrived to assist and also observed the smell of cannabis coming from Edwards' car. While the K-9 indicated it detected drugs in the car, none were found.

Broadview charged Edwards with obstructing/resisting a peace officer and released him the same day. Edwards went to the emergency room on the day of his arrest, where he was treated for his injuries – a scrape to the head, a sore right shoulder/arm, and a strained neck. After Edwards was found not guilty of resisting/obstructing, he filed suit against Broadview, five officers from Broadview (Grzymkowska, Santos, Sanchez, Schiever, and MacDougall), as well as Forest Park and its K-9 officer. The claims are for excessive force, false arrest, and malicious prosecution.

Based on the facts we were able to develop during discovery, Plaintiff voluntarily dismissed Broadview officers MacDougall and Santos. The next step in the case is to file a motion for summary judgment to try to get some of the claims dismissed. After the judge would rule on that motion, the case would proceed to trial.

SETTLEMENT RECOMMENDATION AND REQUEST TO THE VILLAGE

Plaintiff's damages are minimal – he has about \$10,000 in medical bills, suffered only soft tissue injuries, and was pain free within a few months. Because this is a claim brought under 42 U.S.C. § 1983, however, Plaintiff's attorneys could recover their fees and costs if they prevail at trial. This means that even if a jury awards Plaintiff \$20,000, his attorneys would be able to collect their fees and costs, which will easily surpass \$100,000 through trial.

Back on October 25, 2019, Edwards' attorneys made a demand to settle the case for \$150,000, which is much higher than you would expect in this sort of case. In response, and with the Board's approval, we offered \$5,000 to settle the case to see what move Plaintiff would make, i.e. to see if he would significantly reduce his demand. Edwards did not respond so the case moved forward. Recently, we received a revised settlement demand from Edwards, \$90,000. While it is still high, it is a \$60,000 reduction in the prior demand.

Even though this is a defensible case, because the legal defense costs to take the case to trial would surpass \$40,000, it makes sense to see if the case can be resolved for an amount less than that at this juncture. Please note that because the Village's insurance policy has a deductible of \$10,000 for this case, which has already been incurred in legal fees in defending the case, any settlement reached would be paid for by the insurance company, i.e. **the Village will not pay for any settlement reached in this case.** Our recommendation is to make a slightly higher settlement offer, \$7,500. Hopefully with this offer Plaintiff will see how the Village values the case and he will make another sizable reduction in his demand.

We are asking the Board to authorize us to engage in settlement negotiations with Plaintiff; to make a settlement offer of \$7,500; and to make further offers approved by the Village's insurance. If Plaintiff were to accept an offer, we would return to the Board to request approval of the tentative settlement. If you have any questions or need more information, please let us know.

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