

ORDINANCE NO. 2015-18

AN ORDINANCE AUTHORIZING AND APPROVING A CERTAIN AGREEMENT WITH CHICAGO EYE CONSULTANTS FOR THE VILLAGE OF STICKNEY

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village is the owner of certain real property located on 44th Street between Maple Avenue and Harlem Avenue (the "Property"); and

WHEREAS, Chicago Eye Consultants, an Illinois corporation, ("CEC") operates a clinic at 4401 Harlem Avenue, Stickney, Illinois which is located near the Property; and

WHEREAS, CEC has requested that CEC be permitted to improve the Property to make it suitable for ten (10) or more paved parking spaces and has also requested the use of the Property during certain hours for employee and patient parking; and

WHEREAS, the Property will be made available for public parking during hours when CEC does not require the use of the Property for the operation of its business; and

WHEREAS, there exists a certain license agreement (the "Agreement"), attached hereto and incorporated herein as Exhibit A, which sets forth the terms under which CEC will be granted a license to improve and use the Property for employee and patient parking during certain hours; 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 ensuring that there is adequate parking for Village residents and visitors as well as supporting the local economy; and

WHEREAS, based on the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to enter into and approve agreements with substantially the same terms as the terms of the Agreement; and

WHEREAS, the President is authorized to enter into and the Village Attorney (the "Attorney") is authorized to revise agreements for the Village making such insertions, omissions and changes as shall be approved by the President and the Attorney;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

SECTION 1: RECITALS. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2: PURPOSE. The purpose of this Ordinance is to authorize the President or her designee to enter into the Agreement whereby CEC will be granted a license to improve and use the Property for employee and patient parking during certain hours, and to further authorize the President or her designee to take all steps necessary to carry out the terms and intent of this Ordinance and to ratify any steps taken to effectuate those goals.

SECTION 3: AUTHORIZATION. The Board hereby authorizes and directs the President or her designee to authorize, enter into and approve the Agreement in accordance with its terms, or any modifications thereof, and to ratify any and all previous action taken to effectuate the intent of this Ordinance. The Board further authorizes and directs the President or her designee to execute the Agreement with such insertions, omissions and changes as shall be approved by the President and the Attorney. The Village Clerk is hereby authorized and directed to attest to and countersign the Agreement and any other documentation as may be necessary to carry out and effectuate the purpose of this Ordinance. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. The officers, agents and/or employees of the Village shall take all action necessary or reasonably required by the Village to carry out, give effect to and consummate the purpose of this Ordinance and shall take all action necessary in conformity therewith.

SECTION 4. 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 5. 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 6. 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 7. PUBLICATION. A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective and in full force immediately upon passage and approval as provided by law.

PASSED this 3rd day of November, 2015.

AYES: Trustee Fuentes, Hrejsa, Lazansky, milenkovic, Savopoulos and White

NAYS:

ABSENT:

ABSTENTION:

APPROVED by me this 4th day of November, 2015.

Deborah Morelli, President

**ATTESTED AND FILED in my
office this 4th day of
November, 2015.**

Audrey McAdams, Village Clerk

EXHIBIT A