

COUNTY OF KANE

John A. Cunningham
KANE COUNTY CLERK



COUNTY GOVERNMENT CENTER
719 S. Batavia Ave. Bldg B.
Geneva Illinois 60134
Phone: (630) 232-5990

DATE: 1-5-2023

TO: Diane McQuilkin

PHONE NUMBER:

Receipt of the following named item(s) is hereby acknowledged:

2023
Filed Ordinance 2022-29 for April Consolidated
Election for Village of Elburn

By Deborah Rectu
(Deputy Clerk)

John A. Cunningham

John A. Cunningham, County Clerk

EXTRACT OF MINUTES of a regular public meeting of the Village President and Board of Trustees of the Village of Elburn, Kane County, Illinois, held at 301 E. North Street, Elburn, Illinois, in said Village at 7:00 o'clock P.M., on the 5th day of December, 2022.

* * *

The Village President called this meeting to order and after the roll was called, Jeff Walter, the Village President, who was physically present at said time and place, and the following Trustees, all of whom physically present at said time and place, answered present: Ken Anderson, Bill Grabarek, Sue Filek, Chris Mondì, Pat Schuberg, Matt Wilson

The following Trustees were absent: None

No Trustee was permitted to attend the meeting by video or audio conference.

The Village President announced that the President and Board of Trustees would next consider the adoption of an ordinance providing for and requiring the submission of the proposition of issuing \$9,900,000 General Obligation Bonds to the voters of the Village at the Consolidated Election to be held on April 4, 2023.

The President presented and the Village Clerk read by title an ordinance as follows, a copy of which was provided to each Trustee prior to said meeting and to all in attendance at said meeting who requested a copy:

VILLAGE OF ELBURN

ORDINANCE NO. 2022-29

An Ordinance Providing for and Requiring the Submission of the Proposition of Issuing \$9,900,000 General Obligation Bonds to the Voters of the Village at the Consolidated Election to be Held on the 4th Day of April 2023.

ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF ELBURN

This __5__ day of December, 2022

ORDINANCE NO. 2022-29

An Ordinance Providing for and Requiring the Submission of the Proposition of Issuing \$9,900,000 General Obligation Bonds to the Voters of the Village at the Consolidated Election to be Held on the 4th Day of April 2023.

WHEREAS the Village of Elburn, Kane County, Illinois (the "*Village*"), is a duly incorporated and existing municipality created under the provisions of the laws of the State of Illinois and now operating under the provisions of the Illinois Municipal Code, as supplemented and amended (the "*Municipal Code*");

WHEREAS the Village President and Board of Trustees of the Village (the "*Village Board*") have received preliminary documents from financial and construction professionals, considered the existing condition of the current police station, and have further determined that it is advisable, necessary and in public interest that a new public safety facility be constructed, furnished and equipped and that site improvements be undertaken on a site located within the Village (the "*Public Safety Project*");

WHEREAS the estimated cost of the Public Safety Project, including capitalized interest and bond reserve costs, and necessary engineering, architectural, legal, financial, printing, banking, and other professional fees is not less than \$9,900,000 to be repaid within 20 years;

WHEREAS the Village does not have sufficient funds on hand and legally available to pay the costs of the Public Safety Project; and it is advisable and

necessary that the Village borrow money and issue its general obligation bonds to pay the same;

WHEREAS before such bonds shall be issued, the proposition of authorizing such bonds shall be submitted to the electors of the Village and approved by a majority of the electors voting upon the proposition; and

WHEREAS it is deemed advisable and in the best interests of the Village that the proposition of issuing bonds for the Public Safety Project be submitted to the voters of the Village at an election to be held and conducted in accordance with the general election law;

NOW THEREFORE It Is Hereby Ordained by the Village President and Board of Trustees of the Village of Elburn, Kane County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Village Board hereby finds that the recitals contained in the preambles to this ordinance are full, true and correct and does incorporate them into this ordinance by this reference.

Section 2. Need for Public Safety Project. That it is necessary and in the best interests of the Village that the Village Board be authorized to undertake the Public Safety Project; and that money be borrowed and in evidence thereof general obligation bonds of the Village be issued therefore in the amount of \$9,900,000 to be repaid within 20 years.

Section 3. Submission to Voters. That the proposition so referred to shall be submitted to the voters of the Village in accordance with the General Election law at the Consolidated Election to be held on Tuesday, the 4th day of April, 2023 (the "*Election*"), between the hours of 6:00 a.m. and 7:00 p.m. on said day.

Section 4. Precincts and Polling Places. The Election shall be held in the voting precincts and at the polling places established by The County of Kane, Illinois (the “*County Board*”).

Section 5. Election Notices. That the County Clerk of the County (the “*Election Authority*”) shall give notice of the Election, including the Spanish translation thereof, as deemed required by law (the “*Notice*”) in accordance with the general election law by (i) by publishing the Notice not more than 60 nor less than 10 days prior to the date of the Election in a local, community newspaper having general circulation in the Village, and (ii) posting a copy of the Notice at least 10 days before the date of the Election at the principal office of the Election Authority.

Section 6. Local Notice. That the Village Clerk shall post a copy of the Notice at the principal office of the Village at least 10 days before the date of the Election.

Section 7. Newspaper of General Circulation. That it is hereby found and determined that the *Elburn Herald* is a local, community newspaper having general circulation in the Village as required by Section 12-5 of the Election Code of the State of Illinois, as amended (the “*Election Code*”).

Section 8. Form of Notice. The Notice shall appear over the name of the Election Authority and shall include the following:

NOTICE OF ELECTION

VILLAGE OF ELBURN, KANE COUNTY, ILLINOIS

NOTICE IS HEREBY GIVEN that at the Consolidated Election to be held on Tuesday, the 4th day of April, 2023, the following proposition will be submitted to the voters of the Village of Elburn, Kane County, Illinois:

Shall the Village of Elburn, Kane County, Illinois, build and equip a public safety facility for the Elburn Police Department and improve the site thereof, and issue its general obligation bonds to the amount of \$9,900,000 for the purpose of paying the costs thereof, said bonds bearing interest at not to exceed the rate of 7% per annum?

The polls at said election will be open at 6:00 o'clock a.m. and will continue to be open until 7:00 o'clock p.m. of that day.

Dated this 5 day of January, 2023.




(Facsimile Signature)

Clerk of The County of Kane, Illinois

Section 9. Ballot Form. The ballot to be used at the Election, including the Spanish translation thereof as deemed required by law by the Election Authority, shall be in substantially the following form, with such necessary alterations, changes, deletions, and insertions as may be required by Articles 24A, 24B or 24C of the Election Code if an electronic, mechanical, or electric voting system is used at the Election.

(Face of Ballot)

OFFICIAL BALLOT

PROPOSITION TO ISSUE \$9,900,000 GENERAL OBLIGATION BONDS

(INSTRUCTIONS TO VOTERS: Mark a cross
(X) in the space opposite the word
indicating the way you desire to vote).

Shall the Village of Elburn, Kane County, Illinois, build and equip a public safety facility for the Elburn Police Department and improve the site thereof, and issue its general obligation bonds to the amount of \$9,900,000 for the purpose of paying the costs thereof, said bonds bearing interest at not to exceed the rate of 7% per annum?	YES	
	NO	

(Back of Paper Ballot)

OFFICIAL BALLOT

CONSOLIDATED ELECTION – TUESDAY APRIL 4, 2023

Official ballot for voting on the proposition to issue \$9,900,000 General Obligation Bonds of the Village of Elburn, Kane County, Illinois.

Precinct Number: _____

Polling Place: _____

(Facsimile Signature)
Clerk of The County of Kane, Illinois

Section 10. Judges. The Election shall be conducted by the election judges appointed by said County Board to act in the precincts at which said proposition will be submitted to the voters of the Village.

Section 11. Certify to Election Authority. After the adoption hereof and not less than sixty-eight (68) days prior to the date of the Election, the Village Clerk shall certify a copy hereof to the Election Authority in order that the proposition set forth herein may be submitted to the voters of the Village at the Election.

Section 12. Election Canvass. The Election shall be held and conducted and returns thereof duly canvassed all in the manner and time as provided by the general election law.

Section 13. Repealer and Effective Date. All ordinances, resolutions, and parts thereof in conflict herewith be and the same are hereby repealed; and this ordinance be in full force and effect forthwith upon its adoption and approval.

Ayes: Anderson, FilRK, Grabarek, Mondi, Schuberg, Wilson

Nays: n/a


Absent: n/a

Adopted December 5, 2022.



Jeffrey Walter, Village President,
Village of Elburn, Kane County, Illinois

ATTEST:



Diane McQuilkin, Village Clerk,
Village of Elburn, Kane County, Illinois



CLERK'S CERTIFICATE

I, Diane McQuilkin, the duly qualified and acting Village Clerk of the Board of Trustees of the Village of Elburn, Kane County, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

ORDINANCE NO. 2022-29

An Ordinance Providing for and Requiring the Submission of the Proposition of Issuing \$9,900,000 General Obligation Bonds to the Voters of the Village at the Consolidated Election to be Held on the 4th Day of April 2023.

which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 5 day of Dec, 2022.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board of Trustees complied with all the requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 5 day of Dec, 2022.



Diane McQuilkin

Diane McQuilkin
Village Clerk
Village of Elburn, Kane County, Illinois

Trustee Filek moved and Trustee Schuberg seconded the motion that said ordinance as presented be adopted.

After a full and complete discussion thereof, including a public recital of the nature of the matter being considered and such other information as would inform the public of the business being considered, the President directed that the roll be called for a vote upon the motion to adopt said ordinance as read by title.

Upon the roll being called, the following Trustees voted AYE: Ken Anderson, Sue Filek, Bill Grabarek, Chris Mondri, Pat Schuberg, Matt Wilson.

The following Trustees voted NAY: None.

Whereupon the President declared the motion carried and the ordinance adopted and did sign and approve the same in open meeting and did direct the Village Clerk to record the same in the records of the Village Board.

Other business not pertinent to the adoption of said ordinance was duly transacted at the meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.



Diane McQuilkin, Village Clerk



STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

CERTIFICATION OF MINUTES

I, Diane McQuilkin, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of Village of Elburn, Kane County, Illinois (the "*Village*"), and that as such official I am the keeper of the journal of proceedings, books, records, minutes, and files of the Village and of the Village President and Board of Trustees of the Village (the "*Village Board*").

I do further certify that the foregoing is a full, true, and complete transcript of that portion of the minutes of the meeting (the "*Meeting*") of the Village Board held on the 5th day of December, 2022, insofar as the same relates to the adoption of an ordinance numbered 2022-29 and entitled:

AN ORDINANCE providing for and requiring the submission of the proposition of issuing \$9,900,000 General Obligation Bonds to the voters of the Village of Elburn, Kane County, Illinois, at the Consolidated Election to be held on the 4th day of April, 2023.

(the "*Ordinance*") a true, correct, and complete copy of which Ordinance as adopted at the Meeting appears in the foregoing transcript of the minutes of the Meeting.

I do further certify that the deliberations of the Village Board on the adoption of the Ordinance were conducted openly, that the vote on the adoption of the Ordinance was taken openly, that the Meeting was held at a specified time and place convenient to the public, that notice of the Meeting was duly given to all of the news media requesting such notice, that an agenda (the "*Agenda*") for the Meeting was posted on a day which was not a Saturday, a Sunday, or a legal holiday in the State of Illinois and at a time not less than 72 hours in advance of holding the Meeting at the location where the Meeting was held and at the principal office of the Village Board, that attached hereto is a true, correct and complete copy of the Agenda, that the Meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and that the Village Board have complied with all of the provisions of said Act and said Codes and with all of the procedural rules of the Village Board in the conduct of the Meeting.

There is hereby certified to the Clerk of The County of Kane, Illinois, for submitting to the voters of the Village at the Consolidated Election to be held on the 4th day of April, 2023, the proposition set forth in the Ordinance, which Ordinance was duly adopted by the Village Board on the 5th day of December, 2022.

IN WITNESS WHEREOF I hereunto affix my official signature and the official seal
of the Village this 16 day of December, 2022.



A handwritten signature in cursive script, reading 'Diane McQuilkin', written in dark ink.

Diane McQuilkin, Village Clerk,
Village of Elburn, Kane County, Illinois