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: 01-24-2023

TO: City of Batavia (Kati Garrett)

PHONE NUMBER: 630-726-3366

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

2 Referendas to appoint City Clerk + City Treasurer

By _____ (Deputy Clerk)

John A. Cunningham, County Clerk

10 ILCS 5/28-5

Suggested
Revised August, 2011
SBE No. G-1B

CERTIFICATION OF BALLOT

(Public Questions)

Local election official must certify to each election authority (county clerk or board of election commissioners) who prepares ballots for the political subdivision, not less than 68 days prior to the elections.

TO: Kane County Clerk, Election Authority

FROM: Kate Garrett, City Clerk Local Election Official in and for

City of Batavia
(Political Division)

in the County of Kane and State of Illinois.

I, the undersigned Local Election Official in and for the political division aforesaid, do hereby state that this certification of ballot, consisting of 2 page(s) is a true and correct listing of the public questions in the order that they are to appear on the ballot to be voted on at the Consolidated Election to be held on April 4th, 2023, and the dates upon which they were initiated.
(insert month, day, year)

Dated: January 17th, 2023 (SEAL)
(insert month, day, year)

(Local Election Official)

SPACE FOR PUBLIC QUESTION

This public question was initiated by (check one and fill in the appropriate date):
___ petition filed on _____, 20 ___ or
_X_ resolution/ordinance/court order adopted/entered on January 17, 20 23 (a certified copy is attached hereto)

Shall the elected office of the City Clerk of the City of Batavia be abolished and the duties of the City Clerk be assigned to an appointed City Clerk?

USE ADDITIONAL SHEETS AS NECESSARY AND ATTACH TO THIS SHEET

If the enabling statute(s) for any public question include any special requirements (such as a requirement that separate vote totals be generated for territory within and outside of a political subdivision, or that a legal description be included on the ballot), provide the details of those requirements (use a separate sheet if necessary).

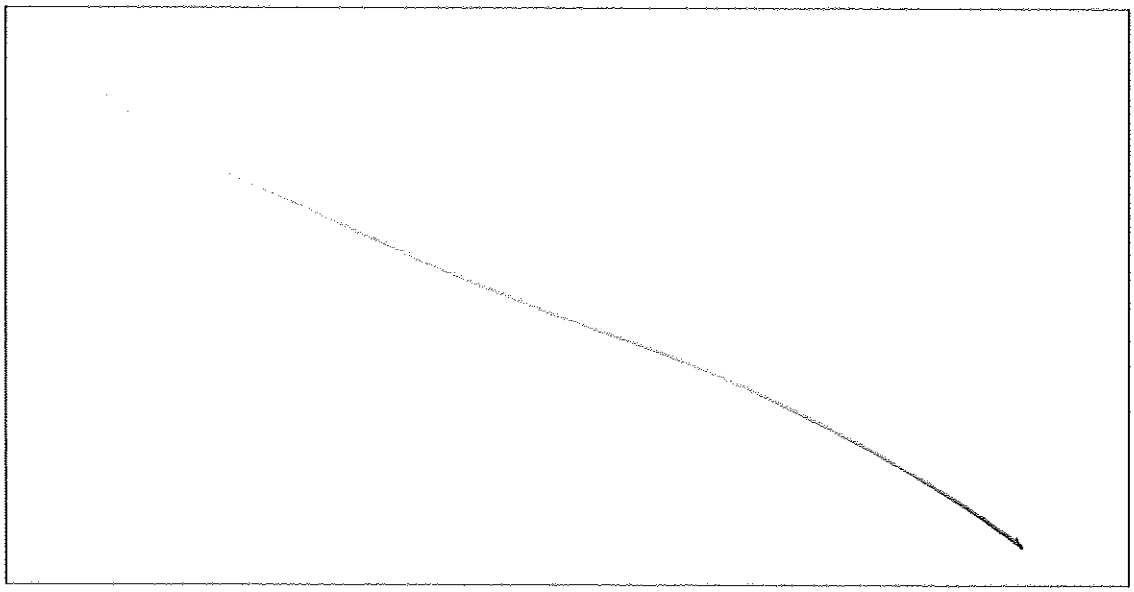
SPACE FOR PUBLIC QUESTION

This public question was initiated by (check one and fill in the appropriate date):
____ petition filed on _____, 20 ___ or
__X__ resolution/ordinance/court order adopted/entered on January 17, 20 23 (a certified copy is attached hereto)

Shall the elected office of the City Treasurer of the City of Batavia be abolished and the duties of the City Treasurer be assigned to the City Finance Director at no additional cost to the City?

SPACE FOR PUBLIC QUESTION

This public question was initiated by (check one and fill in the appropriate date):
____ petition filed on _____, 20 ___ or
____ resolution/ordinance/court order adopted/entered on _____, 20 ___ (a certified copy is attached hereto)



If the enabling statute(s) for any public question include any special requirements (such as a requirement that separate vote totals be generated for territory within and outside of a political subdivision, or that a legal description be included on the ballot), provide the details of those requirements (use a separate sheet if necessary).

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

Certification of Resolution 23-009-R

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Batavia, Kane and DuPage Counties, Illinois (the "*City*") , and as such official I am the keeper of the records and files of the City Council of the City (the "*Corporate Authorities*") and of the City.

I do further certify that on January 17, 2023, **Resolution 23-009-R** entitled:

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS, A REFERENDUM OF WHETHER THE CITY SHOULD ABOLISH THE ELECTED OFFICE OF CITY CLERK AND CHANGED TO AN APPOINTED CITY CLERK

(the "*Resolution*") was approved by the City of Batavia, Illinois City Council and that a true, correct and complete copy of the Resolution is attached.

I do further certify that the deliberations of the Corporate Authorities on the adoption of the Resolution were conducted openly: that the vote on the adoption of the Resolution was taken openly; that the Meeting was called and held at the specific 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 for the Meeting, which agenda included a separate specific item concerning adoption of the Resolution, was posted at least 48 hours in advance of holding the meeting at the location where the Meeting was held and at the principal office of the Corporate Authorities and which agenda remained continuously so posted until the Meeting was adjourned; 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 Corporate Authorities have complied with all of the provisions of law and with all of the procedural rules of the Corporate Authorities in the conduct of the Meeting and the adoption of the Resolution.

IN WITNESS WHEREOF I hereunto affix my official signature and the official seal of the City this January 17th, 2023.

CITY OF BATAVIA CORPORATE SEAL KANE COUNTY

City Clerk of the City of Batavia, Kane and DuPage Counties, Illinois

[Attachment: Copy of Resolution 23-009-R]

CITY OF BATAVIA, ILLINOIS
RESOLUTION 23-009-R

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS, A REFERENDUM OF WHETHER THE CITY SHOULD ABOLISH THE ELECTED OFFICE OF CITY CLERK AND CHANGED TO AN APPOINTED CITY CLERK

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

WHEREAS, Article VII, Section 7 of the 1970 Constitution of the State of Illinois provides that municipalities may by referendum change their form of government and provide for their officers, manner of selection, and terms of office; and,

WHEREAS, Section 28-7 of the Election Code (10 ILCS 5/28-7) provides a method of submission of referendum which is authorized by Article VII of the Constitution of the State of Illinois and that such referendum may be initiated by the City Council by passage of a resolution requesting the submission of the referendum for consideration by the voters of the City; and,

WHEREAS, the City Council hereby finds that it is in the best interest of the City to submit the referendum of whether the City should abolish the elected office of Clerk and shall instead have an appointed City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

Section 1: The City Council finds the recitals set forth above are true and correct and includes the recitals in this Resolution.

Section 2: The City Council finds and determines that it is in the best interest of the City to provide for a referendum concerning the appointment rather than election of the City Clerk.

Section 3: The City Clerk is directed to immediately certify and submit the following public question to be placed on the ballot for the 2023 Consolidated Election to be held on April 4, 2023 in the following form:

Shall the elected office of the City Clerk of the City of Batavia be abolished and the duties of the City Clerk be assigned to an appointed City Clerk?	Yes
	No

Section 4: This Resolution shall be in full force and effect from and after its passage and approval as required by law

PRESENTED to the City Council of the City of Batavia, Illinois, this 17th day of January, 2023.

PASSED by the City Council of the City of Batavia, Illinois, this 17th day of January, 2023.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 17th day of January, 2023.

Jeffery D. Schielke, Mayor

Ward	Alderman	Aye	Nay	Abstain	Absent
1	Baerren	X			
1	Solfa	X			
2	Lehman	X			
2	Wolff				X
3	Ajazi	X			
3	Chanzit	X			
4	Malay	X			
4	Connelly	X			
5	Uher	X			
5	Beck	X			
6	Cerone	X			
6	Russotto	X			
7	Vogelsinger	X			
7	Miller	X			
Mayor	Schielke				
		AYES	**NAYS**	**ABSTAIN**	**ABSENT**
	TOTALS	13	0	0	1

total holding office: Mayor and 14 Aldermen

ATTEST:

Kate Garrett, City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

Certification of Resolution 23-010-R

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Batavia, Kane and DuPage Counties, Illinois (the "*City*") , and as such official I am the keeper of the records and files of the City Council of the City (the "*Corporate Authorities*") and of the City.

I do further certify that on January 17th, 2023, **Resolution 23-010-R** entitled:

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS, A REFERENDUM OF WHETHER THE CITY SHOULD ABOLISH THE ELECTED OFFICE OF CITY TREASURER AND THE DUTIES OF THE CITY TREASURER BE ASSIGNED TO THE CITY FINANCE DIRECTOR

(the "*Resolution*") was approved by the City of Batavia, Illinois City Council and that a true, correct and complete copy of the Resolution is attached.

I do further certify that the deliberations of the Corporate Authorities on the adoption of the Resolution were conducted openly: that the vote on the adoption of the Resolution was taken openly; that the Meeting was called and held at the specific 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 for the Meeting, which agenda included a separate specific item concerning adoption of the Resolution, was posted at least 48 hours in advance of holding the meeting at the location where the Meeting was held and at the principal office of the Corporate Authorities and which agenda remained continuously so posted until the Meeting was adjourned; 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 Corporate Authorities have complied with all of the provisions of law and with all of the procedural rules of the Corporate Authorities in the conduct of the Meeting and the adoption of the Resolution.

IN WITNESS WHEREOF I hereunto affix my official signature and the official seal of the City this January 17th, 2023.

CORPORATE SEAL

City Clerk of the City of Batavia, Kane and DuPage Counties, Illinois

[Attachment: Copy of Resolution 23-010-R]

CITY OF BATAVIA, ILLINOIS
RESOLUTION 23-010-R

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS, A REFERENDUM OF WHETHER THE CITY SHOULD ABOLISH THE ELECTED OFFICE OF CITY TREASURER AND THE DUTIES OF THE CITY TREASURER BE ASSIGNED TO THE CITY FINANCE DIRECTOR

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

WHEREAS, Article VII, Section 7 of the 1970 Constitution of the State of Illinois provides that municipalities may by referendum change their form of government and provide for their officers, manner of selection, and terms of office; and,

WHEREAS, Section 28-7 of the Election Code (10 ILCS 5/28-7) provides a method of submission of referendum which is authorized by Article VII of the Constitution of the State of Illinois and that such referendum may be initiated by the City Council by passage of a resolution requesting the submission of the referendum for consideration by the voters of the City; and,

WHEREAS, the City Council hereby finds that it is in the best interest of the City to submit the referendum of whether the City should abolish the elected office of Treasurer and shall instead have an appointed Treasurer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

Section 1: The City Council finds the recitals set forth above are true and correct and includes the recitals in this Resolution.

Section 2: The City Council finds and determines that it is in the best interest of the City to provide for a referendum concerning the appointment rather than election of the City Treasurer.

Section 3: The City Clerk is directed to immediately certify and submit the following public question to be placed on the ballot for the 2023 Consolidated Election to be held on April 4, 2023 in the following form:

Shall the elected office of the City Treasurer of the City of Batavia be abolished and the duties of the City Treasurer be assigned to the City Finance Director at no additional cost to the City?	Yes
	No

Section 4: This Resolution shall be in full force and effect from and after its passage and approval as required by law.

PRESENTED to the City Council of the City of Batavia, Illinois, this 17th day of January, 2023.

PASSED by the City Council of the City of Batavia, Illinois, this 17th day of January, 2023.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 17th day of January, 2023.

Jeffery D. Schielke, Mayor

Ward	Alderman	Aye	Nay	Abstain	Absent
1	Baerren	X			
1	Solfa	X			
2	Lehman	X			
2	Wolff				X
3	Ajazi	X			
3	Chanzit	X			
4	Malay	X			
4	Connelly	X			
5	Uher	X			
5	Beck	X			
6	Cerone	X			
6	Russotto	X			
7	Vogelsinger	X			
7	Miller	X			
Mayor	Schielke				
		AYES	**NAYS**	**ABSTAIN**	**ABSENT**
	TOTALS	13	0	0	1

total holding office: Mayor and 14 Aldermen

ATTEST:

Kate Garrett, City Clerk