

ORDINANCE NO. 3502

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE CITY OF COLUMBIA, MONROE AND ST. CLAIR COUNTIES, ILLINOIS, FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECT COSTS, AND RELATED FACILITIES, IMPROVEMENTS AND COSTS

PREAMBLES

WHEREAS, the City of Columbia, Monroe and St. Clair Counties, Illinois (the “Municipality”), operates in accordance with the provisions of the Illinois Municipal Code [65 ILCS 5/1-1-1 *et. seq.*, as supplemented and amended, including by the Local Government Debt Reform Act (collectively, the “Act”)] and is entitled to receive revenues and receipts from the tax imposed upon net terminal income collected by the Illinois Gaming Board and distributed to the Municipality pursuant to the Video Gaming Act (230 ILCS 40/1 *et. seq.*) (subject to any prior lien or pledge, the “Video Gaming Receipts”); and

WHEREAS, the City Council (the “Corporate Authorities”) has determined that it is advisable, necessary and in the best interests of the Municipality’s public health, safety and welfare to finance the acquisition of land and improvements and renovations to City park facilities, and related facilities, improvements and costs (the “Project”); and

WHEREAS, the estimated Municipality’s costs in connection with the Project is anticipated not to exceed the sum of \$900,000, which is to be paid from proceeds of the hereinafter described alternate bonds, being general obligation bonds as authorized by Section 15 of the Local Government Debt Reform Act, but nevertheless expected to be paid from Video Gaming Receipts, rather than by any levy of taxes; and

WHEREAS, costs of the Project are expected to be paid from available funds therefor and from proceeds from the sale of alternate Bonds, to be payable from Video Gaming Receipts and issued pursuant to the Act, this ordinance and one or more ordinances supplemental to this ordinance authorizing and providing for the issuance of such alternate Bonds, prescribing the details of such alternate Bonds and providing for the collection, segregation and distribution of Video Gaming Receipts derived by the Municipality in lieu of any levy of general taxes; and

WHEREAS, the Municipality has insufficient funds to pay costs of the Project and, therefore, must borrow money and issue alternate Bonds in evidence thereof, at one time or from time to time and in one or more series, up to the aggregate principal amount of \$900,000 for such purposes, pursuant to and in accordance with the provisions of the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, MONROE AND ST. CLAIR COUNTIES, ILLINOIS, as follows:

Section 1. Incorporation of Preambles and Determination to Issue Bonds.

The Corporate Authorities hereby find that all of the recitals contained in the preambles to this ordinance are true, complete and correct and hereby incorporate them into this Section 1 of this ordinance by this reference thereto. It is necessary and in the best interests of the Municipality to undertake the Project for the public health, safety and welfare, there are hereby authorized to be issued and sold, at one time or from time to time as the financing may proceed, general obligation bonds (alternate revenue source) of the Municipality in an aggregate principal amount up to but in any event not to exceed \$900,000 (which may be issued at one time or from time to time as funds are applied, the "Bonds"). The alternate revenue source(s) to pay debt service on the Bonds are Video Gaming Receipts.

Section 2. Publication and Notice. After the adoption of this ordinance by the Corporate Authorities, this ordinance, preceded by the notice hereinafter described, shall be published in a newspaper (as described in the Notice by Publication Act) published in Monroe and St. Clair Counties, Illinois, and of general circulation within the Municipality, and if no petition, signed by not less than the number of electors of the Municipality being equal to the greater of (i) 7.5% of the registered voters within the Municipality or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less, asking that the Project be undertaken and of issuing the alternate Bonds to pay the costs of the Project be submitted to the electors of the Municipality, is filed with the City Clerk within thirty (30) days after the date of the publication of this ordinance, preceded by a notice conforming with the provisions of the Local Government Debt Reform Act, then this ordinance shall be in full force and effect and the Bonds shall be authorized to be issued. If such a petition is filed, an election on the question shall be held as set forth in a form of notice complying with Section 15 of the Local Government Debt Reform Act and not inconsistent with this ordinance, and this ordinance shall not become effective until such question shall have been duly approved by a majority of the votes cast on the question at the election held as set forth in such form of notice. The City Clerk shall have available and provide a form of petition to any person requesting one. The City Clerk shall give notice of the foregoing provisions as set forth in substantially the form of such notice as is presented before the meeting of the Corporate Authorities at which this ordinance is adopted, subject to completion and modification to conform with the Local Government Debt Reform Act.

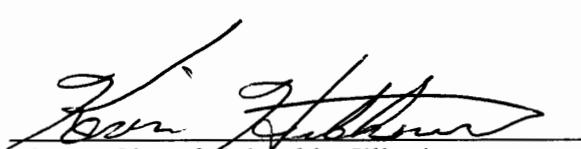
Section 3. Additional Ordinances. If no petition meeting the requirements of applicable law is filed as provided above in Section 2, or if the question is approved as above set forth, then the Corporate Authorities in accordance with and pursuant to the Act may adopt additional ordinances or other proceedings supplemental to or amending this ordinance, at one time or from time to time as the refinancing and restructuring may proceed, providing for the issuance and sale of up to but in any event not to exceed the amount of the alternate Bonds set forth above, prescribing the details of such alternate Bonds, and providing for a levy of taxes and the collection, segregation and distribution of Video Gaming Receipts for the payment of the alternate Bonds issued. Such additional or supplemental ordinances or other proceedings shall in all instances become effective in accordance with applicable law; and this ordinance, together with such supplemental and additional ordinances or other proceedings, shall constitute complete authority for the issuance of the alternate Bonds under applicable law.

Section 4. Severability and Repealer. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Upon motion by Alderman Roessler,
seconded by Alderman Martens, adopted upon roll call vote and
recorded in the Municipality's records, this 2nd day of March, 2020.

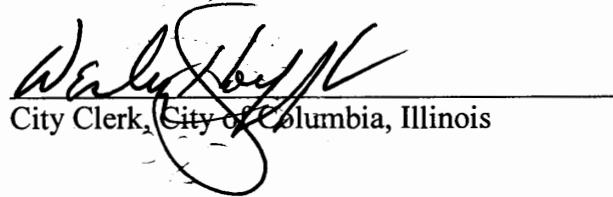
Approved: March 2, 2020

(SEAL)



Ken Hahn
Mayor, City of Columbia, Illinois

Attest:



Wendy K. Hahn
City Clerk, City of Columbia, Illinois

STATE OF ILLINOIS)
THE COUNTY OF ST. CLAIR) SS
CITY OF COLUMBIA)

CERTIFICATION OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly selected, qualified and acting City Clerk of the City of Columbia, Monroe and St. Clair Counties, Illinois (the "**Municipality**"), and as such official I am the keeper of the records and files of the Municipality and of its City Council (the "**Corporate Authorities**").

I do further certify that the attached constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the 2nd day of March, 2020, insofar as same relates to the adoption of Ordinance No. 3502, entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE CITY OF COLUMBIA, MONROE AND ST. CLAIR COUNTIES, ILLINOIS, FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECT COSTS, AND RELATED FACILITIES, IMPROVEMENTS AND COSTS

a true, correct and complete copy of which ordinance (the "ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting and is hereto attached.

I do further certify that the deliberations of the Corporate Authorities on the adoption of such ordinance were taken openly, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the nature of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that the agenda for such meeting was duly posted on the Municipality's website and at the office of City Clerk with all pages continuously visible and readable to the outside at street level 24/7 at least 48 hours before the meeting, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the open meeting laws of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such open meeting laws and such Code and their procedural rules in the adoption of such ordinance. [_____] petition(s) have been received as mentioned in Section 2 of such ordinance, forms thereof being at all relevant times available therefor in the City Clerk's office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the City of Columbia, Illinois, this _____ day of _____, 2020.

(SEAL)


Linda Hoff
City Clerk

(form of notice)

**NOTICE OF INTENT TO ISSUE BONDS
AND RIGHT TO FILE PETITION**

Notice is hereby given that pursuant to an authorizing ordinance adopted March 2, 2020 (the “**Ordinance**”), the City of Columbia, Monroe and St. Clair Counties, Illinois (the “**Municipality**”), intends to issue its alternate bonds (the “**Bonds**”) at one time or from time to time as funds are needed up to the amount of but in any event not to exceed \$900,000 in aggregate principal amount, bearing interest at not to exceed the rate limitation provided by law, for the purpose of financing the acquisition of land and improvements and renovations to City park facilities, and related facilities, improvements and costs (collectively, the “**Project**”). The Bonds are to be paid from receipts of one or more of Video Gaming Receipts (as defined in the Ordinance) as the alternate revenue source(s), and not from any levy of general taxes.

In addition, notice is hereby given that if a petition requesting that the question of the issuance of the Bonds for the Project be submitted to referendum, is signed by not less than _____ electors of the Municipality [being equal to the greater of (i) 7.5% of the registered voters in the Municipality or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less], and is filed with the City Clerk within thirty (30) days of the date of publication hereof and of the above Ordinance, the question of the issuance of such Bonds for the Project shall be submitted to the electors of the Municipality at the general election election to be held on November 3, 2020, if such question can be and is presented at such election, and otherwise at the next election at which such question could be presented under the general election laws. A form of petition is available to any person requesting one in the City Clerk’s office.

/s/ Wesley J. Hoeffken

City Clerk, City of Columbia, Illinois

Note to publisher: The full text of the ordinance is to follow the above notice. Please check with Doug Brimm ((618) 281-7144) as to any blanks in the notice or ordinance. Send your publication statement to the City of Columbia, 208 South Rapp Avenue, Columbia, Illinois 62236-0467 Attention: City Administrator, and send two certificates of publication to Gilmore & Bell, P.C., 44 Main Street, Third Floor, Champaign, Illinois, 61820.

To: City Clerk, City of Columbia, Monroe and St. Clair Counties, Illinois.

PETITION

In accordance with and pursuant to Section 2 of an authorizing ordinance of the City of Columbia, Monroe and St. Clair Counties, Illinois (the "Municipality"), adopted March 2, 2020, and entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE CITY OF COLUMBIA, MONROE AND ST. CLAIR COUNTIES, ILLINOIS, FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECT COSTS, AND RELATED FACILITIES, IMPROVEMENTS AND COSTS

each of the undersigned hereby certifies, as applicable to each, that each is an elector (a registered voter) of the Municipality, and hereby petitions and asks that the question of issuing up to \$900,000 alternate bonds, payable from Video Gaming Receipts (as defined in the above ordinance) as the alternate revenue source, to the acquisition of land and improvements and renovations to City park facilities, and related facilities, improvements and costs, as set forth in the above ordinance, be submitted to the electors of the Municipality at the general election to be held on November 3, 2020, if such question can be and is presented at such election, and otherwise at the next election at which such question could be presented under the general election laws.

| <u>Print Name</u> | <u>Address</u> | City of Columbia, Illinois | <u>Signature</u> |
|-------------------|----------------|-------------------------------|------------------|
| 1. _____ | _____ | Columbia, IL _____ | _____ |
| 2. _____ | _____ | Columbia, IL _____ | _____ |
| 3. _____ | _____ | Columbia, IL _____ | _____ |
| 4. _____ | _____ | Columbia, IL _____ | _____ |
| 5. _____ | _____ | Columbia, IL _____ | _____ |
| 6. _____ | _____ | Columbia, IL _____ | _____ |
| 7. _____ | _____ | Columbia, IL _____ | _____ |
| 8. _____ | _____ | Columbia, IL _____ | _____ |
| 9. _____ | _____ | Columbia, IL _____ | _____ |
| 10. _____ | _____ | Columbia, IL _____ | _____ |

Statement: I, _____ [Name], of _____ [Address], of _____ Illinois, hereby state that I am now, and was at all times I circulated this petition, a U.S. Citizen over 18 years of age, that the above signatures on this sheet were signed in my presence in the City of Columbia, Monroe and St. Clair Counties, Illinois, and are genuine, and to the best of my knowledge and belief each of the persons so signing were at the time of signing registered voters of the City of Columbia, Monroe and St. Clair Counties, Illinois, and their addresses are correctly stated.

State of Illinois The above Statement was subscribed and sworn to
 before me this _____ day of _____, 2020.
County of _____

(SEAL)

Signature

Notary Public

My Commission Expires: _____

Notice

The City Council of the City of Columbia, Monroe and St. Clair Counties will hold a public hearing on March 16, 2020 at 6:45 p.m. (or as soon after as practicable). The hearing will be held in the City Council's meeting room at the City Hall, 208 South Rapp Avenue, in Columbia, Illinois. The purpose of the hearing will be to receive public comments on the proposal to sell bonds in the amount of up to \$900,000 for the purpose of financing the acquisition of land and improvements and renovations to City park facilities, and related facilities, improvements and costs.

By: /s/ Wesley J. Hoeffken

Title: City Clerk

Note to Publisher: The above notice is to be published one time at least 7 days before the hearing, but not prior to 30 days before the hearing. **The publication may be in the "legals" or "classified" section of the paper. NO SPECIAL BORDER IS REQUIRED FOR THIS PUBLICATION. DO NOT USE ANY SPECIAL BORDER.** Please send your statement to:

City of Columbia
208 South Rapp Avenue
Columbia, Illinois 62236-0467
Attn: City Administrator

and send two publication certificates (and text) to Gilmore & Bell, P.C., 44 E. Main Street, Suite 310, Champaign, Illinois 61820-3649.

PUBLISHER: DO NOT PRINT THE FOLLOWING:

Mayor's Approval and Order Setting Public Hearing:

The undersigned, Mayor of the above Municipality hereby approves and orders the setting of the above Bond Issue Notification Act hearing.

Date: _____, 2020



Mayor

When signed by the Mayor, please fax back to Gilmore & Bell, P.C. at 217/359-6468 and file with the City Clerk.