

CITY OF VILLA GROVE
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2022-MC06

**ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF
THE CITY OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS**

PASSED BY THE CITY COUNCIL AND
APPROVED BY THE MAYOR OF THE
CITY OF VILLA GROVE, ILLINOIS
THIS TWENTY-NINTH DAY OF AUGUST 2022

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, THIS TWENTY-NINTH DAY OF
AUGUST 2022.

**ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF
THE CITY OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS**

WHEREAS, the City of Villa Grove, Douglas County, Illinois (the “City”) is a duly organized and existing non-home rule unit of government and municipality of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, as amended (the “Code”); and

WHEREAS, the City Council of the City (the “City Council”) has determined that it is advisable, necessary and in the best interests of the City to acquire, construct, equip and furnish a new community center in the City (the “Project”), all in accordance with the preliminary plans and estimates on file or to be on file in the office of the City Clerk, and there are insufficient funds on hand and lawfully available to pay such costs; and

WHEREAS, the estimated costs of the Project, including capitalized interest and all costs of issuance related to the issuance of bonds, will not exceed \$3,000,000; and

WHEREAS, the City is authorized under the provisions of the Code and the Local Government Debt Reform Act, as amended (collectively, the “Act”) to incur indebtedness and issue and sell its General Obligation Bonds (Alternate Revenue Source) (the “Alternate Bonds”) in an aggregate principal amount not to exceed \$3,000,000 to finance the costs of the Project; and

WHEREAS, the revenues that will be pledged to the payment of the Alternate Bonds are (a) all collections distributed to the City from those taxes imposed by the State of Illinois pursuant to the Income Tax Act, as supplemented and amended, or substitute taxes therefor as provided for by the State of Illinois in the future (such distributive share referred to herein as the “Revenue Sharing Receipts”), and (b) all collections distributed to the City from those taxes imposed by the State of Illinois pursuant to the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers’ Occupation Tax Act, each as supplemented and amended from time to time, or substitute taxes therefor as provided by the State of Illinois in the future (collectively, the “Sales Taxes” and, together with the Revenue Sharing Receipts, the “Pledged Revenues”); and

WHEREAS, if the Pledged Revenues are insufficient to pay the principal and interest when due on the Alternate Bonds, ad valorem property taxes levied upon all taxable property in the City without limitation as to rate or amount will be authorized to be extended and collected to pay the principal of and interest on the Alternate Bonds;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Incorporation of Recitals. The City Council hereby finds that the recitals to this Ordinance are true, complete and correct and hereby incorporates them in to this Ordinance.

Section 2. Determination to Issue Bonds. It is necessary and in the best interests of the City to undertake the Project in accordance with the preliminary plans and estimates described above. The Alternate Bonds are hereby authorized to be issued for such purpose and sold from time to time in an aggregate principal amount not to exceed \$3,000,000.

Section 3. Publications. Within ten (10) days after the adoption of this Ordinance by the City Council, this Ordinance preceded by the notice in substantially the form attached hereto as **Exhibit A** shall be published in a newspaper of general circulation in the City. If no petition asking that the issuance of the Alternate Bonds be submitted to referendum, signed by the greater of (a) 7.5% of the registered voters in the City, or (b) 200 of those registered voters or 15% of those registered voters, whichever is less, is filed with the City Clerk within thirty (30) days after the date of the publication of this Ordinance and said notice, then the Alternate Bonds shall be authorized to be issued.

Section 4. Additional Ordinances. If no petition meeting the requirements of applicable law is filed during the petition period referred to above, then the City Council may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Alternate Bonds and prescribing all the details of the Alternate Bonds so long as the maximum amount of the Alternate Bonds as set forth in this Ordinance is not exceeded and there is no material change in the Project or the purposes described herein. Such additional ordinances or proceedings shall in all instances become effective immediately without publication or posting or any further act or requirement. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the issuance of the Alternate Bonds under applicable law.

Section 5. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 6. Repealer. 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.

[Remainder of Page Intentionally Left Blank.]

ADOPTED by the City Council of the City of Villa Grove, Douglas County, Illinois, at its special meeting on the twenty-ninth day of August, A.D., 2022, by a roll call vote as follows:

Blaney, Thelma I. absent

Hooker, Anthony L. yea

Cheely, Kerry S. absent

Johnson, Derek S. yea

Garrett, Ryan P. yea

Pangburn, Matthew M. absent

Eversole-Gunter, Cassandra A. yea

Cassandra A. Eversole-Gunter
Cassandra A. Eversole-Gunter
Mayor

ATTEST:

Michelle L. Osborne
Michelle L. Osborne
City Clerk

SEAL



EXHIBIT A
FORM OF NOTICE

**NOTICE OF INTENT TO ISSUE
GENERAL OBLIGATION BONDS
(ALTERNATE REVENUE SOURCE)
AND RIGHT TO FILE PETITION**

Notice is hereby given that pursuant to an ordinance (the "Ordinance") adopted by the City Council of the City of Villa Grove, Douglas County, Illinois (the "City"), on August 29, 2022, the City intends to issue its General Obligation Bonds (Alternate Revenue Source) in an aggregate principal amount not to exceed \$3,000,000 (the "Alternate Bonds") for the purpose of providing funds to acquire, construct, furnish and equip a new community center in the City (the "Project"). The revenues that will be pledged to the payment of the Alternate Bonds are (a) all collections distributed to the City from those taxes imposed by the State of Illinois pursuant to the Income Tax Act, as supplemented and amended, or substitute taxes therefor as provided for by the State of Illinois in the future (such distributive share referred to herein as the "Revenue Sharing Receipts"), and (b) all collections distributed to the City from those taxes imposed by the State of Illinois pursuant to the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, each as supplemented and amended from time to time, or substitute taxes therefor as provided by the State of Illinois in the future (collectively, the "Sales Taxes" and, together with the Revenue Sharing Receipts, the "Pledged Revenues"). The City will also levy ad valorem property taxes upon all taxable property in the City without limitation as to rate or amount to pay the principal of and interest on the Alternate Bonds. A complete copy of the Ordinance follows this notice.

Notice is hereby further given that a petition signed by 200 or more electors of the City (said number of electors being equal to the greater of (a) 7.5% of the registered voters in the City, or (b) 200 of those registered voters or 15% of those registered voters, whichever is less) may be submitted to the City Clerk within thirty (30) days after the date of publication of this notice and the Ordinance asking that the question of the issuance of the Alternate Bonds be submitted to referendum. If such petition is filed with the City Clerk within thirty (30) days of the publication of this notice and the Ordinance, the question of the issuance of the Alternate Bonds shall be submitted to the electors of the City at the election to be held on November 2, 2022. The Circuit Court may declare that an emergency referendum should be held prior to said election date pursuant to the provisions of Section 2A-1.4 of the Election Code of the State of Illinois, as amended. If no such petition is filed with the City Clerk within said 30-day period, the Alternate Bonds shall be authorized to be issued.

By order of the City Council of the City of Villa Grove, Douglas County, Illinois.

Dated this twenty-ninth day of August, 2022.

/s/ Michelle Osborne _____
City Clerk
City of Villa Grove, Douglas County, Illinois