

**AGENDA
CITY OF ST. CHARLES
GOVERNMENT OPERATIONS COMMITTEE
ALD. TODD BANCROFT, CHAIR**

**MONDAY, MARCH 5, 2018
IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – 2 EAST MAIN STREET**

- 1. Call to Order**
- 2. Roll Call**
- 3. Omnibus Vote**
 - a. Budget Revisions – February, 2018
- 4. Police Department**
 - a. Recommendation to approve an Ordinance Amending Title 5, Entitled “Business Licenses and Regulations” Chapter 5.08, “Alcoholic Beverages”, 5.08.090, “License - Classifications”, Section 5.08.100, “License Fees; Late Night Permit Fees; Fees Established, and Section 5.08.130 “License-Hours of Sale” of the St. Charles Municipal Code.
 - b. Recommendation to approve a Proposal for a New Class D-9 Liquor License for 210 Cedar, LLC, to be located at 210 Cedar Avenue, St. Charles, Illinois 60174.
 - c. Recommendation to approve an Ordinance amending Ordinance 2015-M-47 of the St. Charles Municipal Code.
- 5. Public Works**
 - a. Recommendation to Approve Resolution Authorizing Application to Kane County Grant Program.
- 6. Finance Department**
 - a. Recommendation to Approve a One Year Proposal with Sikich, LLP to Perform the City’s Financial Statement Audit for the Fiscal Year End April 30, 2018.
 - b. Recommendation to approve an Ordinance providing for the issue of not to exceed \$22,900,000 General Obligation Corporate Purpose Bonds, Series 2018A for capital project purposes and not to exceed \$4,800,000 Taxable General Obligation Corporate Purpose Refunding Bonds, Series 2018B for refunding purposes, authorizing the execution of a bond order and escrow agreement, providing for the levy of taxes to pay said bonds, and authorizing the sale of each series of bonds to the purchaser thereof.
- 7. Executive Session**
 - Personnel – 5 ILCS 120/2(c)(1)
 - Pending Litigation – 5 ILCS 120/2(c)(11)
 - Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
 - Property Acquisition – 5 ILCS 120/2(c)(5)
 - Collective Bargaining – 5 ILCS 120/2(c)(2)
 - Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

8. **Additional Items from Mayor, Council, Staff, or Citizens.**
9. **Adjournment**

ADA Compliance

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the ADA Coordinator, Jennifer McMahon, at least 48 hours in advance of the scheduled meeting. The ADA Coordinator can be reached in person at 2 East Main Street, St. Charles, IL, via telephone at (630) 377 4446 or 800 526 0844 (TDD), or via e-mail at jmcmahon@stcharlesil.gov. Every effort will be made to allow for meeting participation. Notices of this meeting were posted consistent with the requirements of 5 ILCS 120/1 et seq. (Open Meetings Act).

CITY OF ST. CHARLES
Budget Revision Listing

Feb 2018

JE TYPE	JE #	BUDGET #	COMPANY	FISCAL YEAR	PERIOD	DATE	ACCT-UNIT	ACCOUNT	AMOUNT	DESCRIPTION
Budget Transfer	146	100	1000	2018	10	02/01/2018	100300	52201	500.00	For Tim Beam Retirement
Budget Transfer	146	100	1000	2018	10	02/01/2018	100300	52319	(500.00)	For Tim Beam Retirement
Budget Transfer	146	100	1000	2018	10	02/01/2018	100110	52101	200.00	For meals-business for CA
Budget Transfer	146	100	1000	2018	10	02/01/2018	100110	54201	(200.00)	For meals-business for CA
Budget Transfer	146	100	1000	2018	10	02/01/2018	100110	55400	1.00	Inventory Carrying Charge
Budget Transfer	146	100	1000	2018	10	02/01/2018	100110	55401	(1.00)	Inventory Carrying Charge
Budget Transfer	146	100	1000	2018	10	02/01/2018	100200	54402	100.00	Copier maintenance-IS
Budget Transfer	146	100	1000	2018	10	02/01/2018	100200	54480	(100.00)	Copier maintenance-IS
Budget Transfer	146	100	1000	2018	10	02/01/2018	100220	51304	125.00	IGFOA membership dues
Budget Transfer	146	100	1000	2018	10	02/01/2018	100220	51300	(125.00)	IGFOA membership dues
Budget Transfer	146	100	1000	2018	10	02/01/2018	100400	50104	900.00	Fire Admin Other Wages
Budget Transfer	146	100	1000	2018	10	02/01/2018	100400	50101	(900.00)	Fire Admin Other Wages
Budget Transfer	146	100	1000	2018	10	02/01/2018	100510	52304	900.00	Chemicals & sprays
Budget Transfer	146	100	1000	2018	10	02/01/2018	100510	52306	(900.00)	Chemicals & sprays
Budget Transfer	146	100	1000	2018	10	02/01/2018	100510	52310	900.00	Small tools & equipment
Budget Transfer	146	100	1000	2018	10	02/01/2018	100510	52306	(900.00)	Small tools & equipment
Budget Transfer	146	100	1000	2018	10	02/01/2018	210540	50101	900.00	Part time wages
Budget Transfer	146	100	1000	2018	10	02/01/2018	210540	50100	(900.00)	Part time wages
Budget Transfer	146	100	1000	2018	10	02/01/2018	210541	50201	900.00	Water Op Double Time
Budget Transfer	146	100	1000	2018	10	02/01/2018	210541	50101	(900.00)	Water Op Double Time
Budget Transfer	146	100	1000	2018	10	02/01/2018	220551	50201	900.00	WW Plant Double Time
Budget Transfer	146	100	1000	2018	10	02/01/2018	220551	50200	(900.00)	WW Plant Double Time
146 Total									-	
Budget Addition	147	100	1000	2018	10	02/05/2018	100800	57307	54,039.00	Trsf Range Reserve to Fund 513
Budget Addition	147	100	1000	2018	10	02/05/2018	100900	31199	(54,039.00)	Trsf Range Reserve to Fund 513
Budget Addition	147	100	1000	2018	10	02/05/2018	513800	49100	(54,039.00)	Trsf Range Reserve to Fund 513
Budget Addition	147	100	1000	2018	10	02/05/2018	513900	31199	54,039.00	Trsf Range Reserve to Fund 513
147 Total									-	
Budget Addition	148	100	1000	2018	10	02/06/2018	100300	52100	449.00	2 Retirements-Kintz & Beam
Budget Addition	148	100	1000	2018	10	02/06/2018	100900	31199	(449.00)	2 Retirements-Kintz & Beam
Budget Addition	148	100	1000	2018	10	02/06/2018	100222	54134	10,000.00	Credit Card Chgs Over Budget
Budget Addition	148	100	1000	2018	10	02/06/2018	100900	31199	(10,000.00)	Credit Card Chgs Over Budget
Budget Addition	148	100	1000	2018	10	02/06/2018	100300	54110	10,000.00	Police Legal
Budget Addition	148	100	1000	2018	10	02/06/2018	100900	31199	(10,000.00)	Police Legal
Budget Addition	148	100	1000	2018	10	02/06/2018	800223	56301	196.00	From Software Repl-IC
Budget Addition	148	100	1000	2018	10	02/06/2018	800900	31194	(196.00)	From Software Repl-IC
Budget Addition	148	100	1000	2018	10	02/06/2018	801512	56301	146.00	From Software Repl-Fleet
Budget Addition	148	100	1000	2018	10	02/06/2018	801900	31194	(146.00)	From Software Repl-Fleet
148 Total									-	
Budget Transfer	149	100	1000	2018	10	02/06/2018	100222	52000	100.00	For change counter
Budget Transfer	149	100	1000	2018	10	02/06/2018	100222	54500	(100.00)	For change counter
Budget Transfer	149	100	1000	2018	10	02/06/2018	804530	54303	10,000.00	Add'l tree trimming for fiber

CITY OF ST. CHARLES
Budget Revision Listing

Feb 2018

JE TYPE	JE #	BUDGET #	COMPANY	FISCAL YEAR	PERIOD	DATE	ACCT-UNIT	ACCOUNT	AMOUNT	DESCRIPTION
Budget Transfer	149	100	1000	2018	10	02/06/2018	804530	54514	(10,000.00)	Add'l tree trimming for fiber
Budget Transfer	149	100	1000	2018	10	02/06/2018	100401	54014	200.00	Cable Charges
Budget Transfer	149	100	1000	2018	10	02/06/2018	100401	54201	(200.00)	Cable Charges
Budget Transfer	149	100	1000	2018	10	02/06/2018	100510	52304	900.00	Chemicals & sprays
Budget Transfer	149	100	1000	2018	10	02/06/2018	100510	52306	(900.00)	Chemicals & sprays
Budget Transfer	149	100	1000	2018	10	02/06/2018	100510	52312	500.00	Paints supplies & solvents
Budget Transfer	149	100	1000	2018	10	02/06/2018	100510	52306	(500.00)	Paints supplies & solvents
Budget Transfer	149	100	1000	2018	10	02/06/2018	100510	52402	500.00	Motor Vehicle parts
Budget Transfer	149	100	1000	2018	10	02/06/2018	100510	52306	(500.00)	Motor Vehicle parts
Budget Transfer	149	100	1000	2018	10	02/06/2018	100510	54012	900.00	For City Water
Budget Transfer	149	100	1000	2018	10	02/06/2018	100510	54011	(900.00)	For City Water
Budget Transfer	149	100	1000	2018	10	02/06/2018	100510	54013	900.00	For City Sewer
Budget Transfer	149	100	1000	2018	10	02/06/2018	100510	54011	(900.00)	For City Sewer
Budget Transfer	149	100	1000	2018	10	02/06/2018	800223	54250	245.00	For Adobe software
Budget Transfer	149	100	1000	2018	10	02/06/2018	800223	54201	(245.00)	For Adobe software
149 Total										
									-	
Roll Forward of Budget for Enc	150	100	1000	2018	10	02/06/2018	200520	54256	4,860.00	R/F PO#90474/Inv#1442844 EAM
Roll Forward of Budget for Enc	150	100	1000	2018	10	02/06/2018	200900	31198	(4,860.00)	R/F PO#90474/Inv#1442844 EAM
Roll Forward of Budget for Enc	150	100	1000	2018	10	02/06/2018	210540	54256	4,860.00	R/F PO#90474/Inv#1442844 EAM
Roll Forward of Budget for Enc	150	100	1000	2018	10	02/06/2018	210900	31198	(4,860.00)	R/F PO#90474/Inv#1442844 EAM
Roll Forward of Budget for Enc	150	100	1000	2018	10	02/06/2018	220550	54256	4,860.00	R/F PO#90474/Inv#1442844 EAM
Roll Forward of Budget for Enc	150	100	1000	2018	10	02/06/2018	220900	31198	(4,860.00)	R/F PO#90474/Inv#1442844 EAM
Roll Forward of Budget for Enc	150	100	1000	2018	10	02/06/2018	513500	54256	4,860.00	R/F PO#90474/Inv#1442844 EAM
Roll Forward of Budget for Enc	150	100	1000	2018	10	02/06/2018	513900	31198	(4,860.00)	R/F PO#90474/Inv#1442844 EAM
Roll Forward of Budget for Enc	150	100	1000	2018	10	02/06/2018	513600	54256	7,560.00	R/F PO#90474/Inv#1442844
Roll Forward of Budget for Enc	150	100	1000	2018	10	02/06/2018	513900	31198	(7,560.00)	R/F PO#90474/Inv#1442844
150 Total										
									-	
Budget Transfer	151	100	1000	2018	10	02/07/2018	100400	54250	1,600.00	E Dispatches software mainten
Budget Transfer	151	100	1000	2018	10	02/07/2018	100400	54160	(1,600.00)	E Dispatches software mainten
Budget Transfer	151	100	1000	2018	10	02/07/2018	100300	54402	1,000.00	Copier maintenance-Police
Budget Transfer	151	100	1000	2018	10	02/07/2018	100300	54480	(1,000.00)	Copier maintenance-Police
Budget Transfer	151	100	1000	2018	10	02/07/2018	210541	52305	1,500.00	SCBA Cylinders
Budget Transfer	151	100	1000	2018	10	02/07/2018	210541	52314	(1,500.00)	SCBA Cylinders
Budget Transfer	151	100	1000	2018	10	02/07/2018	210541	54513	1,500.00	Sign/Arrow Board Rental
Budget Transfer	151	100	1000	2018	10	02/07/2018	210541	54456	(1,500.00)	Sign/Arrow Board Rental
Budget Transfer	151	100	1000	2018	10	02/07/2018	210541	52805	3,000.00	Street repair mats/main break
Budget Transfer	151	100	1000	2018	10	02/07/2018	210541	52700	(3,000.00)	Street repair mats/main break
Budget Transfer	151	100	1000	2018	10	02/07/2018	210541	54301	5,000.00	Hauling svcs/wtr main breaks
Budget Transfer	151	100	1000	2018	10	02/07/2018	210541	54456	(5,000.00)	Hauling svcs/wtr main breaks
Budget Transfer	151	100	1000	2018	10	02/07/2018	210542	55401	2,500.00	Inventory Overhead-Wtr Meter
Budget Transfer	151	100	1000	2018	10	02/07/2018	210541	54480	(2,500.00)	Inventory Overhead-Wtr Meter
Budget Transfer	151	100	1000	2018	10	02/07/2018	220551	52400	2,500.00	Gasoline budget short
Budget Transfer	151	100	1000	2018	10	02/07/2018	220551	52314	(2,500.00)	Gasoline budget short

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JE TYPE	JE #	BUDGET #	COMPANY	FISCAL YEAR	PERIOD	DATE	ACCT-UNIT	ACCOUNT	AMOUNT	DESCRIPTION
Budget Transfer	151	100	1000	2018	10	02/07/2018	801512	52311	400.00	Hardware supplies
Budget Transfer	151	100	1000	2018	10	02/07/2018	801512	52402	(400.00)	Hardware supplies
Budget Transfer	151	100	1000	2018	10	02/07/2018	801512	54110	2,000.00	Fleet legal bills
Budget Transfer	151	100	1000	2018	10	02/07/2018	801512	54482	(2,000.00)	Fleet legal bills
	151 Total								-	
Budget Transfer	152	100	1000	2018	10	02/08/2018	100200	54403	10,000.00	Phone & network maint agreemnt
Budget Transfer	152	100	1000	2018	10	02/08/2018	100200	54256	(10,000.00)	Phone & network maint agreemnt
Budget Transfer	152	100	1000	2018	10	02/08/2018	100603	54110	1,100.00	For B&CE Legal
Budget Transfer	152	100	1000	2018	10	02/08/2018	100603	50100	(1,100.00)	For B&CE Legal
Budget Transfer	152	100	1000	2018	10	02/08/2018	100603	52002	900.00	Code books for new supervisor
Budget Transfer	152	100	1000	2018	10	02/08/2018	100603	50100	(900.00)	Code books for new supervisor
Budget Transfer	152	100	1000	2018	10	02/08/2018	801512	54250	331.00	For Fleet software maint
Budget Transfer	152	100	1000	2018	10	02/08/2018	801512	54482	(331.00)	For Fleet software maint
	152 Total								-	
Roll Forward Budget for Non PO	153	100	1000	2018	10	02/08/2018	100600	51401	1,193.00	R/F R Colby NY Lodging
Roll Forward Budget for Non PO	153	100	1000	2018	10	02/08/2018	100900	31197	(1,193.00)	R/F R Colby NY Lodging
	153 Total								-	
Budget Transfer	154	100	1000	2018	10	02/14/2018	100221	54531	500.00	For bid notices
Budget Transfer	154	100	1000	2018	10	02/14/2018	100221	54402	(500.00)	For bid notices
Budget Transfer	154	100	1000	2018	10	02/14/2018	100222	56004	630.00	For Paymentus kiosk
Budget Transfer	154	100	1000	2018	10	02/14/2018	100222	54520	(630.00)	For Paymentus kiosk
Budget Transfer	154	100	1000	2018	10	02/14/2018	100300	52300	200.00	Janitorial/kitchen supplies
Budget Transfer	154	100	1000	2018	10	02/14/2018	100300	52400	(200.00)	Janitorial/kitchen supplies
Budget Transfer	154	100	1000	2018	10	02/14/2018	100510	52304	1,000.00	Chemicals & sprays
Budget Transfer	154	100	1000	2018	10	02/14/2018	100510	52306	(1,000.00)	Chemicals & sprays
Budget Transfer	154	100	1000	2018	10	02/14/2018	100510	52402	500.00	MV Parts
Budget Transfer	154	100	1000	2018	10	02/14/2018	100510	52501	(500.00)	MV Parts
Budget Transfer	154	100	1000	2018	10	02/14/2018	100600	55400	1.00	Inv Carrying Charge
Budget Transfer	154	100	1000	2018	10	02/14/2018	100600	55401	(1.00)	Inv Carrying Charge
Budget Transfer	154	100	1000	2018	10	02/14/2018	100604	54001	200.00	Cellular Service
Budget Transfer	154	100	1000	2018	10	02/14/2018	100604	54480	(200.00)	Cellular Service
Budget Transfer	154	100	1000	2018	10	02/14/2018	200520	51500	100.00	New Hire Testing
Budget Transfer	154	100	1000	2018	10	02/14/2018	200520	51501	(100.00)	New Hire Testing
Budget Transfer	154	100	1000	2018	10	02/14/2018	200520	54361	830.00	WC Excess Premium Audit
Budget Transfer	154	100	1000	2018	10	02/14/2018	200520	54402	(830.00)	WC Excess Premium Audit
Budget Transfer	154	100	1000	2018	10	02/14/2018	200522	52300	20.00	Kitchen/Janitorial Supplies
Budget Transfer	154	100	1000	2018	10	02/14/2018	200522	52311	(20.00)	Kitchen/Janitorial Supplies
Budget Transfer	154	100	1000	2018	10	02/14/2018	210540	54361	385.00	WC Excess Premium Audit
Budget Transfer	154	100	1000	2018	10	02/14/2018	210540	54402	(385.00)	WC Excess Premium Audit
Budget Transfer	154	100	1000	2018	10	02/14/2018	800223	54513	8.00	Equipment Rental
Budget Transfer	154	100	1000	2018	10	02/14/2018	800223	54450	(8.00)	Equipment Rental
Budget Transfer	154	100	1000	2018	10	02/14/2018	801512	55150	62.00	WC Medical Payments
Budget Transfer	154	100	1000	2018	10	02/14/2018	801512	54480	(62.00)	WC Medical Payments

CITY OF ST. CHARLES
Budget Revision Listing

Feb 2018

JE TYPE	JE #	BUDGET #	COMPANY	FISCAL YEAR	PERIOD	DATE	ACCT-UNIT	ACCOUNT	AMOUNT	DESCRIPTION
Budget Transfer	154	100	1000	2018	10	02/14/2018	100603	52002	200.00	For B&CE Books & Subscriptions
Budget Transfer	154	100	1000	2018	10	02/14/2018	100603	52000	(200.00)	For B&CE Books & Subscriptions
Budget Transfer	154	100	1000	2018	10	02/14/2018	100603	54110	1,000.00	For B&CE Legal
Budget Transfer	154	100	1000	2018	10	02/14/2018	100603	50100	(1,000.00)	For B&CE Legal
154 Total									-	
Budget Transfer	155	100	1000	2018	10	02/14/2018	100300	51300	(4,000.00)	Trf budget for tuition reimbur
Budget Transfer	155	100	1000	2018	10	02/14/2018	100300	51305	4,000.00	Trf budget for tuition reimbur
Budget Transfer	155	100	1000	2018	10	02/14/2018	210542	55150	562.00	WC Medical Payments
Budget Transfer	155	100	1000	2018	10	02/14/2018	210542	54480	(562.00)	WC Medical Payments
Budget Transfer	155	100	1000	2018	10	02/14/2018	220552	52400	2,500.00	For WWTP Gasoline
Budget Transfer	155	100	1000	2018	10	02/14/2018	220552	52314	(2,500.00)	For WWTP Gasoline
Budget Transfer	155	100	1000	2018	10	02/14/2018	801512	54250	1,250.00	For Fleet Software Maint
Budget Transfer	155	100	1000	2018	10	02/14/2018	801512	54482	(1,250.00)	For Fleet Software Maint
Budget Transfer	155	100	1000	2018	10	02/14/2018	803500	55180	2,500.00	For tree damage claim
Budget Transfer	155	100	1000	2018	10	02/14/2018	803500	55150	(2,500.00)	For tree damage claim
155 Total									-	
Budget Transfer	156	100	1000	2018	10	02/19/2018	220552	54312	23,828.00	For Sewer Lining project
Budget Transfer	156	100	1000	2018	10	02/19/2018	220552	54464	(23,828.00)	For Sewer Lining project
156 Total									-	
Budget Addition	157	100	1000	2018	10	02/19/2018	100400	51205	2,338.00	Unemployment-Fire
Budget Addition	157	100	1000	2018	10	02/19/2018	100900	31199	(2,338.00)	Unemployment-Fire
Budget Addition	157	100	1000	2018	10	02/19/2018	804530	51205	4,939.00	Unemployment-Comm
Budget Addition	157	100	1000	2018	10	02/19/2018	804900	31199	(4,939.00)	Unemployment-Comm
157 Total									-	
Budget Adjustment	158	100	1000	2018	10	02/19/2018	100800	57003	125,000.00	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	100800	57004	30,478.00	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	100800	57005	(410.00)	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	100800	57307	(8,039.00)	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	100900	31199	(147,029.00)	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	305800	57004	(30,478.00)	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	305900	31199	30,478.00	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	306800	57005	410.00	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	306900	31199	(410.00)	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	322800	57003	(125,000.00)	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	322900	31199	125,000.00	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	513800	49100	8,039.00	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	513900	31199	(8,039.00)	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	705800	49100	(125,000.00)	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	705800	49300	125,000.00	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	710800	49100	410.00	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	710800	49300	(410.00)	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	713800	49100	(30,478.00)	Adjust interfund transfers
Budget Adjustment	158	100	1000	2018	10	02/19/2018	713800	49300	30,478.00	Adjust interfund transfers

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Feb 2018

JE TYPE	JE #	BUDGET #	COMPANY	FISCAL YEAR	PERIOD	DATE	ACCT-UNIT	ACCOUNT	AMOUNT	DESCRIPTION
158 Total										
Budget Addition	159	100	1000	2018	10	02/20/2018	210540	55311	11,271.00	Revised Amort IEPA Loan
Budget Addition	159	100	1000	2018	10	02/20/2018	210540	55301	5,016.00	Revised Amort IEPA Loan
Budget Addition	159	100	1000	2018	10	02/20/2018	210900	31199	(16,287.00)	Revised Amort IEPA Loan
Budget Addition	159	100	1000	2018	10	02/20/2018	100603	54110	2,000.00	B&CE Legal Bills
Budget Addition	159	100	1000	2018	10	02/20/2018	100900	31199	(2,000.00)	B&CE Legal Bills
159 Total										
Budget Addition	160	100	1000	2018	10	02/21/2018	803500	54110	750.00	For S Murphy Claim Legal
Budget Addition	160	100	1000	2018	10	02/21/2018	803900	31199	(750.00)	For S Murphy Claim Legal
160 Total										
Budget Addition	161	100	1000	2018	10	02/21/2018	100604	54160	20,000.00	Prairie Ctr-Plan Review-Reimb
Budget Addition	161	100	1000	2018	10	02/21/2018	100999	45102	(20,000.00)	Prairie Ctr-Plan Review-Reimb
Budget Addition	161	100	1000	2018	10	02/21/2018	100604	54160	5,000.00	East HS-Dev Review-Reimbursabl
Budget Addition	161	100	1000	2018	10	02/21/2018	100999	45102	(5,000.00)	East HS-Dev Review-Reimbursabl
161 Total										
Budget Transfer	162	100	1000	2018	10	02/21/2018	220551	54464	7,332.00	Emerg repair to lift station
Budget Transfer	162	100	1000	2018	10	02/21/2018	220551	54371	(7,332.00)	Emerg repair to lift station
Budget Transfer	162	100	1000	2018	10	02/21/2018	100220	54133	2,500.00	Banking service charges
Budget Transfer	162	100	1000	2018	10	02/21/2018	100220	54201	(2,500.00)	Banking service charges
Budget Transfer	162	100	1000	2018	10	02/21/2018	100510	52304	2,500.00	Chemicals & sprays
Budget Transfer	162	100	1000	2018	10	02/21/2018	100510	52313	(2,500.00)	Chemicals & sprays
Budget Transfer	162	100	1000	2018	10	02/21/2018	200520	54135	1,200.00	Collection Services
Budget Transfer	162	100	1000	2018	10	02/21/2018	200520	54360	(1,200.00)	Collection Services
Budget Transfer	162	100	1000	2018	10	02/21/2018	220552	54464	23,828.00	Correct Previous Trsf-Wrong AC
Budget Transfer	162	100	1000	2018	10	02/21/2018	220552	54464	(23,828.00)	Correct Previous Trsf-Wrong AC
162 Total										
Budget Transfer	163	100	1000	2018	10	02/23/2018	220552	54465	4,500.00	For additional sewer line work
Budget Transfer	163	100	1000	2018	10	02/23/2018	220552	52805	(4,500.00)	For additional sewer line work
163 Total										
Budget Addition	164	100	1000	2018	10	02/23/2018	100110	54110	10,000.00	For City Admin Legal
Budget Addition	164	100	1000	2018	10	02/23/2018	100900	31199	(10,000.00)	For City Admin Legal
Budget Addition	164	100	1000	2018	10	02/23/2018	100210	54110	3,000.00	For HR Legal
Budget Addition	164	100	1000	2018	10	02/23/2018	100900	31199	(3,000.00)	For HR Legal
Budget Addition	164	100	1000	2018	10	02/23/2018	100210	54120	10,000.00	For HR Negotiations Legal
Budget Addition	164	100	1000	2018	10	02/23/2018	100900	31199	(10,000.00)	For HR Negotiations Legal
Budget Addition	164	100	1000	2018	10	02/23/2018	100222	54134	10,000.00	For UB Credit Card Charges
Budget Addition	164	100	1000	2018	10	02/23/2018	100900	31199	(10,000.00)	For UB Credit Card Charges
Budget Addition	164	100	1000	2018	10	02/23/2018	210542	55180	600.00	For Liability Claim-Auto Dmg
Budget Addition	164	100	1000	2018	10	02/23/2018	210900	31199	(600.00)	For Liability Claim-Auto Dmg
164 Total										
Budget Transfer	165	100	1000	2018	10	02/23/2018	100110	52000	184.00	For office supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	100110	51400	(184.00)	For office supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	100110	52100	150.00	Refreshment supplies-retreat

CITY OF ST. CHARLES
Budget Revision Listing

Feb 2018

JE TYPE	JE #	BUDGET #	COMPANY	FISCAL YEAR	PERIOD	DATE	ACCT-UNIT	ACCOUNT	AMOUNT	DESCRIPTION
Budget Transfer	165	100	1000	2018	10	02/23/2018	100110	51400	(150.00)	Refreshment supplies-retreat
Budget Transfer	165	100	1000	2018	10	02/23/2018	100110	51105	200.00	For 401A
Budget Transfer	165	100	1000	2018	10	02/23/2018	100110	50101	(200.00)	For 401A
Budget Transfer	165	100	1000	2018	10	02/23/2018	100401	52308	100.00	For Fire Dept Lumber supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	100401	52402	(100.00)	For Fire Dept Lumber supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	100500	54402	300.00	For PW Admin Copier maint
Budget Transfer	165	100	1000	2018	10	02/23/2018	100500	54399	(300.00)	For PW Admin Copier maint
Budget Transfer	165	100	1000	2018	10	02/23/2018	200522	52000	25.00	For office supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	200522	52001	(25.00)	For office supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	200522	52100	15.00	For increased cost in water
Budget Transfer	165	100	1000	2018	10	02/23/2018	200522	52001	(15.00)	For increased cost in water
Budget Transfer	165	100	1000	2018	10	02/23/2018	210540	52100	110.00	For increased cost in water
Budget Transfer	165	100	1000	2018	10	02/23/2018	210540	54001	(110.00)	For increased cost in water
Budget Transfer	165	100	1000	2018	10	02/23/2018	210540	54135	200.00	For collection services
Budget Transfer	165	100	1000	2018	10	02/23/2018	210540	54001	(200.00)	For collection services
Budget Transfer	165	100	1000	2018	10	02/23/2018	210541	52000	10.00	For office supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	210541	52001	(10.00)	For office supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	220550	52100	110.00	For increased cost in water
Budget Transfer	165	100	1000	2018	10	02/23/2018	220550	51400	(110.00)	For increased cost in water
Budget Transfer	165	100	1000	2018	10	02/23/2018	220550	52305	11.00	For safety supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	220550	54110	(11.00)	For safety supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	220550	54135	300.00	For collection services
Budget Transfer	165	100	1000	2018	10	02/23/2018	220550	54110	(300.00)	For collection services
Budget Transfer	165	100	1000	2018	10	02/23/2018	220551	52100	100.00	For increased cost in water
Budget Transfer	165	100	1000	2018	10	02/23/2018	220551	52304	(100.00)	For increased cost in water
Budget Transfer	165	100	1000	2018	10	02/23/2018	220551	52300	100.00	For janitorial supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	220551	52304	(100.00)	For janitorial supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	800223	52000	350.00	For office supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	800223	51300	(350.00)	For office supplies
Budget Transfer	165	100	1000	2018	10	02/23/2018	800223	54467	700.00	Repair & maint
Budget Transfer	165	100	1000	2018	10	02/23/2018	800223	54201	(700.00)	Repair & maint
Budget Transfer	165	100	1000	2018	10	02/23/2018	800223	54501	500.00	For inventory freight
Budget Transfer	165	100	1000	2018	10	02/23/2018	800223	54201	(500.00)	For inventory freight
Budget Transfer	165	100	1000	2018	10	02/23/2018	801512	52101	200.00	For OT meals
Budget Transfer	165	100	1000	2018	10	02/23/2018	801512	52300	(200.00)	For OT meals
Budget Transfer	165	100	1000	2018	10	02/23/2018	801512	52401	900.00	For fleet vehicle fluids
Budget Transfer	165	100	1000	2018	10	02/23/2018	801512	52402	(900.00)	For fleet vehicle fluids
Budget Transfer	165	100	1000	2018	10	02/23/2018	801512	54250	600.00	For Fleet software maint
Budget Transfer	165	100	1000	2018	10	02/23/2018	801512	54482	(600.00)	For Fleet software maint
165 Total									-	
Budget Addition	166	100	1000	2018	10	02/23/2018	507663	54110	3,000.00	For First St legal-RFP/Develop
Budget Addition	166	100	1000	2018	10	02/23/2018	507900	31199	(3,000.00)	For First St legal-RFP/Develop
166 Total									-	



Memo

Date: 02/21/2018
To: Chief Keegan
From: Deputy Chief Mahan
CC:
Re: Proposed Amendment to 5.08.090 "License – Classifications"

This memo is intended to provide additional information in regard to the proposal to add a Class D-9 license to this code which would allow for alcohol service at a Small Event Venue.

The concept of a Small Event Venue is to have a space available for rent for purposes of holding a meeting, party, or gathering. The venue provides the event space and some related amenities. The event host can arrange for food service through a caterer. For events where the host wishes to have alcohol service, this amendment would provide the option of providing their own alcohol or contracting with a St. Charles "Class B or C (Restaurant or Tavern) license holder."

Currently under existing code, a St. Charles Class B or C license holder could apply for an E-6 special event license in order to cater an event at a location such as this. However, that would require that specific license holder to make application for an E-6 permit 45 days in advance of the event and would require each event held at this venue to come before the LCC, Government Operations, and City Council for approval. In addition the code limits the number of E-6 permits issued annually to any one licensee to four (4) 1-day events.

This proposed D-9 would allow for a contracted St. Charles Class B or C license holder to cater individual events at this location without obtaining an E-6 permit each and every time. It does however require both the venue owner and the caterer to be licensed (Class D-9, and Class B or C, respectively) as well as to be insured.

EM

Draft: New Classification of License for Small Event Venues including 210 Cedar

D-9. Class D-9 licenses shall authorize the ~~sale-service~~ or delivery of alcoholic liquors, for the consumption on the premises only, at a Small Event Venue. Small Event Venues shall consist of a business for which the exclusive activity is to provide space for catered private parties of less than seventy five (75) persons, where there is service for consumption at tables of hors d'oeuvres, a buffet, or full multiple course meal, and at which alcoholic liquor may be served ~~or sold~~ incident to such food service. Each venue event at which alcoholic liquor may be served shall be prearranged under the sponsorship of a particular person or organization. Venue events shall not be open to the general public, but attendance shall be by appointment or special invitation of the sponsors. No admission charge shall be levied to guests at such event venues, except for an event sponsored by a non-for-profit corporation or association registered with the State of Illinois. A Class D-9 license does not permit the direct retail sale of alcoholic liquor from the D-9 licensee to the event sponsor or any event attendees.

~~As an alternative to~~ For purposes of selling delivery or service or and service of alcoholic liquor for a particular event on the premises, the holder of a Class D-9 license ~~shall may instead~~ engage the services of a vendor who holds a then current and otherwise valid Class B or Class C license issued by the City of St. Charles for the purpose of supplying, opening, dispensing, selling, and/or serving alcoholic liquors for consumption on the premises where the service of food predominates.

As an alternative to selling engaging the services of a vendor who holds a then current and otherwise valid Class B or Class C license issued by the City of St. Charles for the purpose of selling or delivering alcoholic liquor for a particular event on the premises, the holder of a Class D-9 License may instead allow for the consumption of alcoholic liquors, on the premises, that have been brought onto the premises by a person or persons who have contracted for an event to be held on the premises where the service of food predominates, subject to the following:

1. The licensee shall take control of such alcoholic liquors promptly upon delivery thereof to the premises, and shall provide BASSET trained servers for the opening, dispensing, sale, and/or serving of such alcoholic liquors during the event.
2. Any and all alcoholic liquors shall be opened, dispensed, ~~sold~~ and/or served on the premises only by such servers, and only to attendees of the event.
3. A certificate of insurance reflecting coverage for general liability purposes in the amounts otherwise due from and in place for the licensee shall be provided to the licensee by the patron or patrons supplying the alcoholic liquors, and the City of St. Charles and the Local Liquor Control Commission of the City shall be named as an additional insured on the policy.
4. Any alcoholic liquor remaining unserved after the conclusion of the event may be returned to the person or persons who supplied them, to be transported off the premises only in accordance with law.
- 4.5. A partially consumed bottle of wine that is to be removed from the premises shall be securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a transparent, one-time use, tamperproof bag.

City of St. Charles
Ordinance No. 2086-M-_____

Ordinance Amending Title 5, Entitled “Business Licenses and Regulations” Chapter 5.08, “Alcoholic Beverages”, 5.08.090, “License - Classifications”, Section 5.08.100, “License Fees; Late Night Permit Fees; Fees Established, and Section 5.08.130 “License-Hours of Sale” of the St. Charles Municipal Code

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION ONE: That Title 5 “Business Licenses and Regulations” Chapter 5.08, “Alcoholic Beverages”, 5.08.090, “License – Classifications be amended by adding the following:

5.08.090 – License - Classifications

Local liquor licenses for the retail sale of alcoholic liquor shall be divided into the following classes and sub-classes:

4. **Class D – Specific Alcoholic Liquor Sales and Site Specific Licenses** -Class D licenses are divided into the following sub-classes:
 - **D-1. Class D-1** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of any resort hotel or motel only and shall be issued only to the operator of said resort hotel or motel. The licensee shall be permitted sales of alcoholic liquors as permitted by Class B and C licenses. Additionally, each of the residence rooms of the resort hotel or motel may have a mini-bar that may be accessed only by a special key obtained from the hotel management by a patron that may be served alcoholic liquors. Class D-1 licenses shall authorize the sale of alcoholic liquors from one (1) halfway house and from two (2) motorized food and beverage cars operating on the eighteen (18) hole golf course for consumption on said golf course only, subject to the following restrictions: all alcoholic liquors shall be served in other than glass containers; all cars shall only operate on designated golf cart paths.
 - **D-2. Class D-2** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of any hotel or motel only and shall be issued only to the operator of said hotel or motel. Additionally, each of the residence rooms of the hotel or motel may have a mini-bar that may be accessed only by a special key obtained from the hotel management by a patron that may be served alcoholic liquors.
 - **D-3. Class D-3** licenses shall authorize the retail sale of alcoholic liquors for *consumption on the premises of a golf club or any banquet hall at a golf club* in conjunction with the service of sit down meals. One (1) or more portable or permanent bars are permitted, when the person who operates the banquet hall makes such retail sale of alcoholic liquor. Class D-3 licenses shall authorize the sale of alcoholic liquors from one (1) halfway house and from two (2) motorized food and beverage cars operating on eighteen (18) hole and nine (9) hole golf courses for

consumption on said golf course only, subject to the following restrictions: all alcoholic liquors shall be served in other than glass containers; all cars shall only operate on designated golf paths.

- **D-4. Class D-4-1** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises only, of any club, provided, that such club shall have been in existence for at least six (6) months prior to the filing of an application for a license under this chapter and shall have maintained clubrooms for such period of time immediately preceding the filing of its application. (Ord. 2015-M-14 § 1; Ord. 2010-M-29 § 1; Ord. 2008-M-80 § 1.)
- **D-5. Class D-5** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises only, of the theater premises located at 105 East Main St. The sale of alcoholic liquors shall be from one (1) permanent location in the vestibule, one (1) service bar in the balcony, and up to two (2) other service bars as dictated by the event.
- **D-6. Class D-6** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises only in conjunction with the operation of the Q Center, located on the premises at 1405 North Fifth Ave. Alcoholic liquor sales are limited to individuals and their guests who are participating in events under the direct control of the licensee. The license shall not be removed from the location at 1405 North Fifth Ave. without the approval of the City Council and consent of the Local Liquor Control Commissioner.
- **D-7 Class D7** licenses shall authorize the retail sale of wine and beer for consumption on the premises only for non-for-profit organization of such theatre located at 111 West Main Street. The sale of beer and wine shall be from one (1) permanent location in the vestibule and service will only be allowed when theatre events are being held on this premise.
- **D-8. Class D-8** licenses authorize the retail sale and consumption of beer and wine at anarts and entertainment studio, while the patron(s) are participating in an arts, crafts or other class that are offered by the licensee. The consumption of beer and wine is restricted to the licensed premises and shall be limited to members of a group assembled on the premises for the purpose of attending an art, crafts, or other classes offered by an art studio, arts and crafts school, or similar leisure/entertainment business while the licensee is conducting classes.

Partially consumed bottles of wine can be removed from the premises but only securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a transparent, one- time use, tamperproof bag and not for public distribution or consumption.

- **D-9. Class D-9** licenses shall authorize the service or delivery of alcoholic liquors, for the consumption on the premises only, at a Small Event Venue. Small Event Venues shall consist of a business for which the exclusive activity is to provide space for catered private parties of less than seventy five (75) persons, where there is service for consumption at tables of hors d'oeuvres, a buffet, or full multiple course meal, and at which alcoholic liquor may be served incident to such food service. Each venue event at which alcoholic liquor may be served shall be prearranged under the sponsorship of a particular person or organization. Venue events shall not be open to the general public, but attendance shall be by appointment or special invitation of the sponsors. No admission charge shall be levied to guests at such event venues, except for an event sponsored by a non-for-profit corporation or association registered with the State of Illinois. A Class D-9 license does not permit the direct retail sale of alcoholic liquor from the D-9 licensee to the event sponsor or any event attendees.

For purposes of delivery or service of alcoholic liquor for a particular event on the premises, the holder of a Class D-9 license shall engage the services of a vendor who holds a then current and otherwise valid Class B or Class C license issued by the City of St. Charles for the purpose of supplying, opening, dispensing, selling, and/or serving alcoholic liquors for consumption on the premises where the service of food predominates.

As an alternative to engaging the services of a vendor who holds a then current and otherwise valid Class B or Class C license issued by the City of St. Charles for the purpose of selling or delivering alcoholic liquor for a particular event on the premises, the holder of a Class D-9 License may instead allow for the consumption of alcoholic liquors, on the premises, that have been brought onto the premises by a person or persons who have contracted for an event to be held on the premises where the service of food predominates, subject to the following:

1. The licensee shall take control of such alcoholic liquors promptly upon delivery thereof to the premises, and shall provide BASSET trained servers for the opening, dispensing, and/or serving of such alcoholic liquors during the event.
 2. Any and all alcoholic liquors shall be opened, dispensed, and/or served on the premises only by such servers, and only to attendees of the event.
 3. A certificate of insurance reflecting coverage for general liability purposes in the amounts otherwise due from and in place for the licensee shall be provided to the licensee by the patron or patrons supplying the alcoholic liquors, and the City of St. Charles and the Local Liquor Control Commission of the City shall be named as an additional insured on the policy.
 4. Any alcoholic liquor remaining unserved after the conclusion of the event may be returned to the person or persons who supplied them, to be transported off the premises only in accordance with law.
 5. A partially consumed bottle of wine that is to be removed from the premises shall be securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a transparent, one-time use, tamperproof bag.
5. **Class E – Temporary Licenses** - Class E licenses shall authorize the retail sale of beer and wine (or alcoholic liquors if permitted by a Class E-1, E-4 or E-5 license) for consumption on the premises only and only for special events or catered functions where the dispensing of food predominates. The Local Liquor Control Commissioner may, with the advice and consent of the City Council, issue two (2) or more Class E licenses so as to authorize and delineate two (2) or more licensed premises to operate in conjunction with any such special event or catered function. Class E licenses are divided into the following sub-classes:
- **E-1. Class E-1** licenses shall authorize, at the Local Liquor Control Commissioner with advice and consent of the City Council, either the retail sale of beer and wine or the retail sale of alcoholic liquors for consumption on the premises only. Class E-1 shall be issued for special events or catered functions, where the dispensing of food predominates. Applicants for Class E-1 licenses shall be limited to St. Charles organizations or groups, unless the Local Liquor Control Commissioner, with advice and consent of City Council, approves otherwise. There shall be no Class E-1 licenses issued beginning at 12:00 a.m. Friday, before Columbus Day and ending 12:00 a.m. Monday, on Columbus Day.

- **E-2. Class E-2** licenses shall authorize the retail sale of beer and wine for consumption on the premises only. Class E-2 licenses shall be issued to only Class B and Class C liquor licensees for special events or catered functions where the dispensing of food predominates. There shall be no Class E-2 licenses issued beginning at 12:00 a.m. Friday before Columbus Day and ending 12:00 a.m. Monday, on Columbus Day. Notwithstanding the restrictions on the issuance of Class E-2 licenses in the preceding sentence, Class E-2 licenses may be issued during said period subject to the following provisions:
 1. A Class E-2 license may be issued only in the event the principal street access in front of the licensed premises is blocked due to road closure resulting from a festival taking place during said October period;
 2. In addition to all other conditions and restrictions applicable to Class E-2 licenses, the Local Liquor Control Commissioner may impose such additional conditions and/or restrictions as he deems necessary; and
 3. The Local Liquor Control Commissioner may, with the advice and consent of the City Council waive or vary any conditions and/or restriction applicable to a Class E-2 license, if deemed appropriate under the circumstances.
- **E-3. The Class E-3** license shall authorize the retail sale of beer and wine for consumption on the premises only and within the pre-designated area of the Kane County Fair Grounds. Class E-3 shall also authorize the retail sale of wine and/or beer in original packages only. The retail area and consumption areas must be pre-approved by the Chief of Police (with a site drawing) at the time of the liquor license application. Further, wine and beer tasting bars shall be permitted in accordance with St. Charles Municipal Code 5. 08. 260.
- **Class E-3** license shall be issued solely to the Kane County Fair for the conduct of the annual Kane County Fair and not more than twenty (20) days of events that the Local Liquor Control Commissioner and Chief of Police deem licensable per calendar year. Each of the events shall be subject to approval by the Chief of Police so as to avoid conflicts between other events and festivals occurring in the City. The Class E-3 license shall be valid only for the scheduled dates as outlined above and are subject to daily fees in accordance with St. Charles Municipal Code 5. 08. 100.
- **E-4. Class E-4** licenses shall authorize at the Local Liquor Control Commissioner's discretion, and subject to prior approval by the City Council, either the sale or delivery of beer and wine, or alcoholic liquors, for consumption on City owned property, including but not by way of limitation, 1st Street Plaza. There shall be no Class E-4 licenses issued during the second full week of October, beginning 12:00 a.m. Friday and ending 12:00 a.m. Monday
- **E-5. Class E-5** licenses shall authorize, at the Local Liquor Control Commissioner, with advice and consent of the City Council, either the sale or delivery of beer and wine or alcoholic liquors, for consumption on the premises only. The Class E-5 license shall be issued solely for the conduct of not more than twenty (20) days of events that the Local Liquor Control commissioner, City Council and Chief of Police deem licensable per calendar year at specific premises. Each of the events may not be more than one day in duration. The schedule of such events shall be subject to approval by the Chief of Police so as to avoid conflicts between said events and major festivals or events occurring in the City, including, but not limited to, Flea

Market held at the Kane County Fairgrounds, Riverfest, Scarecrow Festival, and the St. Patrick's Day Parade. Such license shall be issued solely for specific premises that is open to the public and kept, used, maintained, advertised and held out to the public as a place where retail business activities or operations are conducted, other than the sale of alcoholic liquor. Events shall be permitted solely on such dates and during such times as are set forth in any Class E-5 license issued.

- **E-6. Class E-6 Temporary License Permits** shall authorize the retail sale of beer and wine or the retail sale of alcoholic liquor for consumption on the premises only until 1:00 a.m. or 2:00 a.m. on a specified date. This license shall be issued to Class B and C license holders only for special events or catered functions with the dispensing of food. The issuance of the Class E-6 Temporary License Permit shall be at the discretion of the Local Liquor Control Commissioner, with advice and consent of City Council. Application for a Class E-6 Temporary License Permit shall be submitted 45 days in advance of a scheduled date. No more than four (4) permits shall be issued to any licensee per fiscal year. A license permit is per event during a 24-hour period. There shall be no Class E-6 Temporary License permits issued during the second full week of October beginning 12:00 a.m. on Friday and ending 12:00 a.m. on Monday.
- **E-7. Class E-7 Temporary License Permits** shall authorize the retail sale of beer and wine for consumption on the premises only. Class E-7 licenses shall be issued to only Class A-2 and A-2B liquor licenses for special events or catered functions where the dispensing of food predominates. The issuance of the Class E-7 Temporary License Permit shall be at the discretion of the local Liquor Control Commissioner, with advice and consent of City Council. No more than four (4) permits shall be issued to any one licensee per fiscal year. Application for a Class E-7 Temporary License Permit shall be submitted at least 45 days prior to a scheduled event. The hours of service for beer and wine under the E-7 Temporary License Permit shall be restricted to the hours of 12:00 p.m. – 9:00 p.m., Monday through Sunday.” In the event any Class E license (with respect to any Class E-5 license, if required in whole or in part by the Local Liquor Control Commissioner, City Council or Chief of Police) is for an out of doors special event or catered function, the following shall apply, in addition to all other requirements:
 1. The license shall rope off or fence the licensed premises.
 2. A sign limiting beer and wine (or alcoholic liquors if permitted by a Class E-1 or Class E-4 license) consumption to the roped off or fenced area shall be prominently displayed by licensee at all times.
 3. The license shall provide for the pickup of all litter and trash.
 4. The Local Liquor Control Commissioner, with the advice and consent of the City Council, in consultation with the Chief of Police, shall designate on each license issued the number of St. Charles police personnel and/or adult members of the licensee required to be present on the licensed premises at all times beer and wine (or alcoholic liquors if permitted by Class E-1 license) is being served, to supervise liquor sales and check identification of persons. The licensee shall be responsible for any and all compensation of police personnel at the then current over time rate. The licensee shall be required to post a cash deposit to secure the payment of such estimated compensation. If said deposit does not cover actual amount due, licensee is responsible for any balance due.

5. A tamper proof wrist band, of a design and in a color (a separate color must be used for each day) approved by the Chief of Police, or his designee, shall be placed on the wrist of each person eligible to purchase beer or wine (or alcoholic liquors if permitted by a Class E-1 license) prior to that person being given access to the licensed premises. Minors shall not be permitted in any licensed premises. Notwithstanding the foregoing, the Local Liquor Control Commissioner may, with the advice and consent of the City Council, and as designated in any license, permit minors to be present in a licensed premises where food is also served.

SECTION TWO: That Title 5 “Business Licenses and Regulations” Chapter 5.08, “Alcoholic Beverages”, Section 5.08.100, “License Fees; Late Night Permit Fees; Fees Established of the St. Charles Municipal Code be amended by adding the following:

Class License	Annual License Fee	Comments
A-1	\$1,600.00	Package Liquor Stores Only
A-2	\$1,600.00	Grocery Stores
A-2B	\$1,600.00	Wine/Beer Sales Only
A-4	\$1,600.00	Brewery, Distillery, and Winery Sales
A-5	\$1,800.00	Wine by Glass & Bottle Sales
A-6	\$1,600.00	Gasoline Station with Convenience Store
B-1	\$1,200.00	Basic Restaurant Liquor License
B-2	\$1,800.00	Purchase Wine w/Takeout
B-3	\$1,800.00	On Premise Consumption & Retail Sale of Wine
C-1 & C2	\$1,200.00	Basic Tavern Liquor License
C-3	\$1,800.00	Sale of Bottled Wine
D-1	\$4,000.00	Pheasant Run
D-2	\$2,000.00	Hotels
D-3	\$2,000.00	Banquet Halls/Country Clubs
D-4	\$1,000.00	Moose/Clubs
D-5	\$2,000.00	Arcada
D-6	\$2,000.00	Q-Center
D-7	\$500.00	Steele Beam Theatre
D-8	\$1,200.00	Arts & Entertainment License
<u>D-9</u>	<u>\$500.00</u>	<u>Small Event Venues</u>
E-1	\$50.00 per day	Not for Profit
E-2	\$100.00 per day	Special Events B/C licensees
E-3	\$50.00 per day	Kane County Fair
E-4	\$100.00 per day	City Owned Premises
E-5	\$500.00 annual	Harley Davidson
E-6	\$100.00 per day	Special Late Night Permit Event

E-7	\$100.00 per day	Special Events A-2/A-2B licensees
F-1	\$100.00	BYOB Beer and Wine Only
F-2	\$250.00	BYOB Beer, Wine, and Spirits
G-1	\$1,600	Brewery/Restaurant
V	\$1000 - Initial License \$500 - Each Renewal License \$100 - Per each video gaming terminal	Video Gaming

SECTION THREE: That Title 5 “Business Licenses and Regulations” Chapter 5.08, “Alcoholic Beverages”, 5.08.130, “License – Hours of Sale” be amended by adding the following:

2. It shall be unlawful for any person holding a Class B- 1, B- 2, B- 3, C- 1, C- 2, C- 3, D-8, **D-9**, or G-1 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any ALCOHOLIC BEVERAGES 5.08-21 licensed premises, any alcoholic liquor between the hours of 12:00 midnight and 7:00 a. m.

SECTION FOUR: That after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form pursuant to the authority of the City Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

SECTION FIVE: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this ____ day of _____, 2018.

PASSED by the City Council of the City of St. Charles, Illinois this ____ day of _____, 2018.

APPROVED by the Mayor of the City of St. Charles, Illinois, this ____ day of _____, 2018.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes : _____
Nays : _____

Absent : _____

APPROVED AS TO FORM:

City Attorney

DATE: _____

5.08.130 – License - Hours of Sale

1. It shall be unlawful for any person holding a Class A- 1, A- 2, A- 213, A- 4, A- 5, A-6, F- 1, F- 2 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises any alcoholic liquor prior to the hour of 7: 00 a.m. and after the hour of 10:00 p.m.
2. It shall be unlawful for any person holding a Class B- 1, B- 2, B- 3, C- 1, C- 2, C- 3, D-8, D-9, or G- 1 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any ALCOHOLIC BEVERAGES 5.08-21 licensed premises, any alcoholic liquor between the hours of 12:00 midnight and 7:00 a. m.
3. It shall be lawful for any person holding a B- 1, B-2, B- 3, C- 1, C-2, C- 3, or G-1 license issued pursuant to this chapter to sell, offer for sale, in or upon any licensed premises, any alcoholic liquor until 2:00 a.m. on January 1 without being issued a Late Night Permit.
4. It shall be unlawful for any person holding a Class D- 1 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 2:00 a.m. and 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday and Friday; between the hours of 3:00 a. m. and 7:00 a.m.
5. It shall be unlawful for any person holding a Class D- 2, D-4, D- 5, D- 6, or D- 7 license issued pursuant to this liquor chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 2:00 a.m. and 7:00 a.m.
6. It shall be unlawful for any person holding a Class E-2 license or E-4 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 12:00 midnight and 10:00 a.m.
7. It shall be unlawful for any person holding a Class E-5 license issued pursuant to this chapter to sell or deliver, in or upon any licensed premises, any alcoholic liquor, except during those hours as specifically set forth in said Class E-5 license.
8. It shall be lawful for any person holding a Class E-6 Temporary License Permit issued pursuant to 5.08-22 this chapter to sell, offer for sale in or upon any licensed premises, any alcoholic liquor until 1:00 a.m. or 2:00 a.m. (on specified date as stated on approved permit by City Council).
9. It shall be unlawful for any person holding a Class E-2 license or E-4 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 12:00 midnight and 10:00 a.m. on Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday.
10. It shall be unlawful for any person holding a Class E-5 license issued pursuant to this chapter to sell or deliver, in or upon any licensed premises, any alcoholic liquor, except during those hours as specifically set forth in said Class E-5 license.
11. It shall be lawful for any person holding a Class E-6 Temporary License Permit issued pursuant to 5.08-22 this chapter to sell, offer for sale in or upon any licensed premises, any alcoholic liquor until 1:00 a.m. or 2:00 a.m. (on specified date as stated on approved permit by City Council).



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 4c

Title:	Recommendation to approve an Ordinance amending Ordinance 2015-M-47 of the St. Charles Municipal Code.
Presenter:	Chief Keegan

Meeting: Government Operations Committee Date: March 5, 2018

Proposed Cost:	Budgeted Amount: \$	Not Budgeted: <input type="checkbox"/>
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Executive Summary (if not budgeted please explain):

As you're aware, our current Video Gaming Ordinance was approved on October 19, 2015. As a result of some delays in the State of Illinois' budget, (tethered to the taxes collected on behalf of the local municipality-noted in Section Seven of our current ordinance) this ordinance did not become active and machines didn't go "live" until September of 2016.

In addition to the ordinance in place (attached for your review and consideration), Section Six states that "this ordinance shall be repealed on 4-30-18 unless reauthorized by ordinance." As a result of this "sunset clause", I bring the ordinance forward for further city council consideration.

Over the course of the last 18-months, I've consistently brought both revenue reports and licensing reports to either the Government Services Committee or the Government Operations Committee for "informational purposes". In addition, I serve as the police department's liaison to our Liquor Control Commission (commission responsible for licensing oversight) and routinely bring tobacco, massage, and alcohol violations to their attention. Over the course of the licensing period in question, I have not had the occasion to report any violations in regards to our video gaming ordinance. We also communicate and interact regularly with the Illinois State Police and its agents at the Illinois Gaming Board. They have not reported to us any concerns with our licensed establishments.

Areas of Concern

In addition to what I've discussed in regards to the "sunset clause" and the licensing activity, I have also attached two reports as frames of reference concerning this program and its implementation; specifically revenue.

- One such report is the revenue report (Attachment A) that outlines the distribution of "taxes" collected by the State of Illinois. This report covers the activity since the implementation of our ordinance going "live" in September of 2016. Keep in mind, most establishments came on line in the months following the ordinance being approved so the report varies based upon the length of time each establishment was "live".
- The second such report (Attachment B) is a specific business in St. Charles from the "establishment perspective". Although I am not highlighting the business per se, I am breaking down the revenue report in greater detail per the request of an elected official. The column and report reads as follows for the trial period:

1. NTI (net terminal income) is \$148,023.00
2. Our Share is \$7,401.19 (.16666 of collected taxes)
3. States Share is \$37,006.09
4. These two numbers equal a Tax Rate of 30% (state/municipality share) or \$44,407.28
5. The remainder is then shared between both the terminal operator and the establishment 50/50 per ILCS 40/25 (Attachment C) as follows:
6. \$148,023.00 (minus \$44,407.28) = \$103,615.72
7. This number divided by 2 = \$51,807.86
8. So, from inception of our ordinance and per the most recent distribution report, this specific business was distributed \$51,807.86 during our trial period.

Please see the attached reports for further information. As always, I stand ready to answer any questions you might have concerning this information.

Attachments (please list):

Attachments A, B & C, referenced above; Ordinance

Recommendation/Suggested Action (briefly explain):

Recommendation to approve an Ordinance amending Ordinance 2015-M-47 of the St. Charles Municipal Code

City of St. Charles, Illinois
Ordinance No. 2018-M- _____

An Ordinance Amending Ordinance 2015-M-47, of the
St. Charles Municipal Code

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES,
KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION ONE: That Ordinance 2015-M-47 of the St. Charles Municipal Code, be and is hereby amended by removing the following:

“Section Six: That this Ordinance shall be automatically repealed on April 30, 2018 unless reauthorized by an Ordinance enacted by the City Council.”

SECTION TWO: That Ordinance 2015-M-47 of the St. Charles Municipal Code, be and is hereby amended by removing following:

"Section Seven: That this Ordinance shall be in full force and effect at such time as the State of Illinois budget which contemplates municipalities receiving the 1/6th of revenue attributable to video gaming for the current fiscal year is approved by the State of Illinois approval, and publication in pamphlet form as provided by law."

That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

SECTION THREE: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this ____ day of _____, 2018.

PASSED by the City Council of the City of St. Charles, Illinois this ____ day of _____, 2018.

APPROVED by the Mayor of the City of St. Charles, Illinois, this ____ day of _____, 2018.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes : _____

Nays : _____

Absent : _____

**ILLINOIS GAMING BOARD
VIDEO GAMING REPORT**

St. Charles

January 2016 - January 2018

2/16/2018

11:18 am

Municipality	Establishment	License Number	VGT Count	VGT Wagering Activity			VGT Income			VGT Tax Distribution				
				Amount Played	Amount Won	Net Wagering Activity	Funds In	Funds Out	NTI	NTI Tax Rate (30%)	State Share	Municipality Share		
St. Charles	A'Salute' Inc.	160702452	2	\$2,091,601.88	\$1,923,949.67	\$167,652.21	\$577,279.00	\$409,626.79	\$167,652.21	\$50,296.35	\$41,913.65	\$8,382.70		
St. Charles	ALIBI BAR & GRILL LTD.	150704430	5	\$106,741.01	\$99,928.29	\$6,812.72	\$41,254.00	\$34,441.28	\$6,812.72	\$2,043.81	\$1,703.17	\$340.64		
St. Charles	Alley 64, INC.	160702383	5	\$7,601,859.00	\$7,043,908.41	\$557,950.59	\$2,655,434.00	\$2,097,409.16	\$558,024.84	\$167,408.29	\$139,506.93	\$27,901.36		
St. Charles	BK & MM VENTURES LLC	160702415	5	\$5,543,310.83	\$5,108,786.69	\$434,524.14	\$1,730,909.00	\$1,296,303.36	\$434,605.64	\$130,382.22	\$108,651.88	\$21,730.34		
St. Charles	DAWN'S CAFE, LTD.	160702454	2	\$392,797.64	\$353,122.50	\$39,675.14	\$121,456.00	\$81,780.86	\$39,675.14	\$11,902.80	\$9,919.02	\$1,983.78		
St. Charles	DAWN'S VOODOO ROOM, LTD.	170702226	3	\$33,968.66	\$29,946.69	\$4,021.97	\$13,175.00	\$9,153.03	\$4,021.97	\$1,206.60	\$1,005.50	\$201.10		
St. Charles	GOLREN ENTERPRISES, INC.	160703386	5	\$1,360,903.53	\$1,251,657.99	\$109,245.54	\$500,718.00	\$391,472.46	\$109,245.54	\$32,774.08	\$27,311.77	\$5,462.31		
St. Charles	KILLOUGH LLC	160702650	4	\$323,128.13	\$297,527.05	\$25,601.08	\$127,669.00	\$102,067.92	\$25,601.08	\$7,680.48	\$6,400.40	\$1,280.08		
St. Charles	L. A. MANSON CORPORATION	160703156	5	\$1,278,253.49	\$1,160,350.64	\$117,902.85	\$397,761.00	\$279,858.15	\$117,902.85	\$35,371.40	\$29,476.18	\$5,895.22		
St. Charles	MARK VII HOSPITALITY LIMITED	170702225	5	\$81,805.59	\$77,791.85	\$4,013.74	\$26,358.00	\$22,344.21	\$4,013.79	\$1,204.19	\$1,003.49	\$200.70		
St. Charles	NLHM Inc.	160702847	4	\$141,638.63	\$128,197.60	\$13,441.03	\$49,199.00	\$35,757.97	\$13,441.03	\$4,032.56	\$3,360.46	\$672.10		
St. Charles	Northwoods Pub & Grill Inc.	160702493	5	\$4,603,437.68	\$4,218,184.63	\$385,253.05	\$1,499,001.00	\$1,113,747.95	\$385,253.05	\$115,576.68	\$96,313.94	\$19,262.74		
St. Charles	Panman, LLC	160703257	5	\$20,167.79	\$17,246.68	\$2,921.11	\$8,129.00	\$5,207.89	\$2,921.11	\$876.43	\$730.36	\$146.07		
St. Charles	Riverside Pizza, Inc.	160702553	4	\$1,864,741.40	\$1,716,718.40	\$148,023.00	\$645,893.00	\$497,870.00	\$148,023.00	\$44,407.28	\$37,006.09	\$7,401.19		
St. Charles	SAINT CHARLES SPORTS, LLC	160702605	5	\$1,933,510.94	\$1,784,184.33	\$149,326.61	\$597,399.00	\$448,072.39	\$149,326.61	\$44,798.26	\$37,331.88	\$7,466.38		
St. Charles	St. Charles Lodge No. 1368, Loyal Order of Moose	160802392	5	\$2,361,313.56	\$2,146,438.64	\$214,874.92	\$802,601.00	\$587,726.08	\$214,874.92	\$64,462.94	\$53,719.13	\$10,743.81		
REPORT TOTAL:				16 Establishments	69	\$29,739,179.76	\$27,357,940.06	\$2,381,239.70	\$9,794,235.00	\$7,412,839.50	\$2,381,395.50	\$714,424.37	\$595,353.85	\$119,070.52

**ILLINOIS GAMING BOARD
VIDEO GAMING REPORT**

Video Gaming Business A
September 2016 - January 2018

2/14/2018

1:47 pm

Establishment	Municipality	# Terminals	VGT Wagering Activity			VGT Income			VGT Tax Distribution					Remaining Profits \$103,615.72
			Amount Played	Amount Won	Net Wagering Activity	Funds In	Funds Out	NTI	NTI Tax Rate (30%)	State Share	Municipality Share	Municipality Share + State Share = 30%	Terminal Operator 50%	Establishment (VG Business A) 50%
Video Gaming Business A	St. Charles	4	\$1,864,741.40	\$1,716,718.40	\$148,023.00	\$645,893.00	\$497,870.00	\$148,023.00	\$44,407.28	\$37,006.09	\$7,401.19	\$44,407.28	\$51,807.86	\$51,807.86



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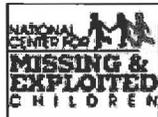
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(230 ILCS 40/25)

Sec. 25. Restriction of licensees.

(a) Manufacturer. A person may not be licensed as a manufacturer of a video gaming terminal in Illinois unless the person has a valid manufacturer's license issued under this Act. A manufacturer may only sell video gaming terminals for use in Illinois to persons having a valid distributor's license.

(b) Distributor. A person may not sell, distribute, or lease or market a video gaming terminal in Illinois unless the person has a valid distributor's license issued under this Act. A distributor may only sell video gaming terminals for use in Illinois to persons having a valid distributor's or terminal operator's license.

(c) Terminal operator. A person may not own, maintain, or place a video gaming terminal unless he has a valid terminal operator's license issued under this Act. A terminal operator may only place video gaming terminals for use in Illinois in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, and licensed veterans establishments. No terminal operator may give anything of value, including but not limited to a loan or financing arrangement, to a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment as any incentive or inducement to locate video terminals in that establishment. **Of the after-tax profits from a video gaming terminal, 50% shall be paid to the terminal operator and 50% shall be paid to the licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment, notwithstanding any agreement to the contrary.** A video terminal operator that violates one or more requirements of this subsection is guilty of a Class 4 felony and is subject to termination of his or her license by the Board.

(d) Licensed technician. A person may not service, maintain, or repair a video gaming terminal in this State

unless he or she (1) has a valid technician's license issued under this Act, (2) is a terminal operator, or (3) is employed by a terminal operator, distributor, or manufacturer.

(d-5) Licensed terminal handler. No person, including, but not limited to, an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator licensed pursuant to this Act, shall have possession or control of a video gaming terminal, or access to the inner workings of a video gaming terminal, unless that person possesses a valid terminal handler's license issued under this Act.

(e) Licensed establishment. No video gaming terminal may be placed in any licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment unless the owner or agent of the owner of the licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment has entered into a written use agreement with the terminal operator for placement of the terminals. A copy of the use agreement shall be on file in the terminal operator's place of business and available for inspection by individuals authorized by the Board. A licensed establishment, licensed truck stop establishment, licensed veterans establishment, or licensed fraternal establishment may operate up to 5 video gaming terminals on its premises at any time.

(f) (Blank).

(g) Financial interest restrictions. As used in this Act, "substantial interest" in a partnership, a corporation, an organization, an association, a business, or a limited liability company means:

(A) When, with respect to a sole proprietorship, an individual or his or her spouse owns, operates, manages, or conducts, directly or indirectly, the organization, association, or business, or any part thereof; or

(B) When, with respect to a partnership, the individual or his or her spouse shares in any of the profits, or potential profits, of the partnership activities; or

(C) When, with respect to a corporation, an individual or his or her spouse is an officer or director, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of any class of stock of the corporation; or

(D) When, with respect to an organization not covered in (A), (B) or (C) above, an individual or his or her spouse is an officer or manages the business affairs, or the individual or his or her spouse is the owner of or otherwise controls 10% or more of the assets of the organization; or

(E) When an individual or his or her spouse furnishes 5% or more of the capital, whether in cash, goods, or services, for the operation of any business, association, or organization during any calendar year; or

(F) When, with respect to a limited liability company, an individual or his or her spouse is a member, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of the membership interest of the limited liability company.

For purposes of this subsection (g), "individual" includes all individuals or their spouses whose combined interest would qualify as a substantial interest under this subsection (g) and whose activities with respect to an organization, association, or business are so closely aligned or coordinated as to constitute the activities of a single entity.

(h) Location restriction. A licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment that is (i) located within 1,000 feet of a facility operated by an organization licensee licensed under the Illinois Horse Racing Act of 1975 or the home dock of a riverboat licensed under the Riverboat Gambling Act or (ii) located within 100 feet of a school or a place of worship under the Religious Corporation Act, is ineligible to operate a video gaming terminal. The location restrictions in this subsection (h) do not apply if (A) a facility operated by an organization licensee, a school, or a place of worship moves to or is established within the restricted area after a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment becomes licensed under this Act or (B) a school or place of worship moves to or is established within the restricted area after a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment obtains its original liquor license. For the purpose of this subsection, "school" means an elementary or secondary public school, or an elementary or secondary private school registered with or recognized by the State Board of Education.

Notwithstanding the provisions of this subsection (h), the Board may waive the requirement that a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment not be located within 1,000 feet from a facility operated by an organization licensee licensed under the Illinois Horse Racing Act of 1975 or the home dock of a riverboat licensed under the Riverboat Gambling Act. The Board shall not grant such waiver if there is any common ownership or control, shared business activity, or contractual arrangement of any type between the establishment and the organization licensee or owners licensee of a riverboat. The Board shall adopt rules to implement the provisions of this paragraph.

(i) Undue economic concentration. In addition to considering all other requirements under this Act, in deciding whether to approve the operation of video gaming terminals by a terminal operator in a location, the Board shall consider the impact of any economic concentration of such operation of video gaming terminals. The Board shall not allow a terminal operator to operate video gaming terminals if the Board determines such operation will result in undue economic concentration. For purposes of this Section, "undue economic concentration" means that a terminal operator would have such actual or potential influence over video gaming terminals in Illinois as to:

- (1) substantially impede or suppress competition among terminal operators;
- (2) adversely impact the economic stability of the video gaming industry in Illinois; or
- (3) negatively impact the purposes of the Video Gaming Act.

The Board shall adopt rules concerning undue economic concentration with respect to the operation of video gaming terminals in Illinois. The rules shall include, but not be limited to, (i) limitations on the number of video gaming terminals operated by any terminal operator within a defined geographic radius and (ii) guidelines on the discontinuation of operation of any such video gaming terminals the Board determines will cause undue economic concentration.

(j) The provisions of the Illinois Antitrust Act are fully and equally applicable to the activities of any licensee under this Act.

(Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13; 98-77, eff. 7-15-13; 98-112, eff. 7-26-13; 98-756, eff. 7-16-14.)

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AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 4b

Title: Recommendation to approve a Proposal for a New Class D-9 Liquor License for 210 Cedar, LLC, to be located at 210 Cedar Avenue, St. Charles, Illinois 60174.

Presenter: Police Chief James Keegan

Meeting: Government Operations Committee Date: March 5, 2018

Proposed Cost: \$ Budgeted Amount: \$ Not Budgeted:

Executive Summary (if not budgeted please explain):
 This is an application request for a New Class D-9 Liquor License for 210 Cedar, LLC to be located at 210 Cedar Avenue, St. Charles. The location will be used as a private event space; clients will pay by the hour to rent space for meetings/events. No food or beverages will be prepared or served by 210 Cedar, LLC. Clients will purchase food and beverages through licensed caterers/bar services that are vetted by 210 Cedar, LLC or have the option/ability for BYOB. Neither of these options can run concurrent with one another; in laymen’s terms, either an event can choose a licensed caterer or allow BYOB practices subjected to mandated provisions codified within our code. Regardless, there will always be a representative of 210 Cedar, LLC on site and available to serve as an event coordinator.

Pursuant to this item being presented at the Government Operations Committee meeting on Monday, March 5, 2018 to seek approval; it was brought before the Liquor Control Commission on February 20, 2018 where it was approved by a 3 – 1 vote.

Attachments (please list):
 Liquor License Application; Background Check; Site Plan

Recommendation/Suggested Action (briefly explain):
 Recommendation to approve a Proposal for a New Class D-9 Liquor License for 210 Cedar, LLC, to be located at 210 Cedar Avenue, St. Charles, Illinois 60174.

**City of St. Charles, Illinois Liquor Control Commissioner
CITY RETAIL LIQUOR DEALER LICENSE APPLICATION
APPLICATION FEE IS NON-REFUNDABLE**



Incomplete applications will not be accepted.
Completed applications may be submitted to:
Two East Main Street, St. Charles, IL 60174-1984

Date Application Received: _____ New Application Renewal Application

APPLICATION CHECKLIST

Check items to confirm all are attached to this application	Applicant	Office Use Only
Application Fee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Completed Application for all questions applicable to your business.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Lease/Proof of Ownership	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Dram Shop Insurance or a letter from insurance agent with a proposed quote.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Articles of Corporation, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Completed B.A.S.S.E.T. (Beverage Alcohol Sellers & Servers Training) form – filled out for all employees. A copy of the B.A.S.S.E.T. certificate is only needed for each manager. It is the business establishment’s responsibility to keep copies of all B.A.S.S.E.T. certificates on file for all of their employees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Site Plan for Establishment (Drawn to scale including the parking lot, patio and/or deck, outdoor seating).	<input type="checkbox"/>	<input type="checkbox"/>
Copy of Floor Plan for Establishment (Drawn to scale and must include the layout of the establishment with tables, chairs, aisles, displays, cash register, bar, and lounge area with dimensions, percentage, and square footage noted for each space). Be sure to also include all fixed objects , such as pool tables, bar stools, vending/amusement machines; as well as all exits .	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Business Plan, to include: <input type="checkbox"/> Hours of Operation <input type="checkbox"/> Copy of Menu <input type="checkbox"/> Whether or not live music will be played at this establishment <input type="checkbox"/> Will there be outdoor seating and/or outdoor designated smoking area <input type="checkbox"/> Do not include a marketing or financial plan with this business plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are any building alterations planned for this site? If not sure, please contact Building & Code Enforcement at 630.377.4406 and/or Fire Prevention Bureau at 630.377.4458 to discuss whether or not a walk-thru and/or permit are necessary for this business.	<input type="checkbox"/>	<input type="checkbox"/>
All managers have been fingerprinted who are employed by your establishment. When new management is hired, it is imperative you contact the Mayor’s office to be fingerprinted so the City’s business files are appropriately updated.	<input type="checkbox"/>	<input type="checkbox"/>

OFFICIAL USE ONLY

Approved* Denied Date Approved/Denied: _____ Customer Number: _____

Signature of Mayor, Liquor Control Commissioner

Date Issued

***ISSUANCE OF THIS LICENSE IS CONTINGENT ON MEETING ALL REQUIRED BUILDING AND FIRE DEPARTMENT REQUIREMENTS.**

APPLICANT INFORMATIONA. Type of Business: Individual Partnership Corporation Other (explain):B. Business Name:
210 Cedar, LLCC. Business Address:
210 Cedar Ave. St. Charles, IL 60174

D. IL Tax ID Number: [REDACTED] E. Business Phone: 630-212-7898 F. Business E-mail: [REDACTED] G. Business Website:

H. Contact Person: Karen Ramella I. Title: Owner J. Phone No.: [REDACTED]

K. If Corporation, Corporation Name:

L. Corporation Address (city, state, zip code):

BUSINESS ESTABLISHMENT LOCATION INFORMATIONA. Type of Establishment: Package Restaurant Tavern Hotel/Banquet/Arcada/Q-Center Other

B. Address applying for liquor license (exact street address): 210 Cedar Ave. St. Charles, IL 60174 C. Number of Parking Spaces: public parking D. Outside Dining s.f. [17.20.020-R]: N/A E. Holding Bar s.f. [5.08.010-F]: N/A

F. Total Building s.f.: 1245 G. Total Number of Seats: 48 H. Number of Bar Seats: N/A I. Sale Counter s.f.: N/A J. Live Entertainment Area s.f. [5.08.010-H]: N/A

K. Kitchen s.f.: N/A L. Cooler s.f.: N/A M. Dry Storage s.f.: N/A N. Seating Area s.f.: 1000 O. Retail/public Area s.f.: N/A P. Service Bar s.f. [5.08.010-O]: N/A

Q. Brief Business Plan description based on type of establishment listed above:

210 Cedar is a private event venue available for rental, with an event coordinator, employed by 210 Cedar, LLC, present during the events to provide or facilitate the provision of services for the event. Clients will hire caterers and/or bar service to service their needs. 210 Cedar will not prepare, sell or serve food or beverage. Possible use of the space would include bridal showers, baby showers, celebratory dinners, holiday parties, corporate events, fundraising events, etc. Events will end by 11:00 pm.

MANAGER INFORMATIONFull Name, include middle initial: Karen L. Ramella Title: Owner
Birthdate: [REDACTED] Birthplace: [REDACTED] Driver's License#: [REDACTED] Home Phone: [REDACTED]
Home Address: [REDACTED]Full Name, include middle initial: Lance A. Ramella Title: Co-Owner
Birthdate: [REDACTED] Birthplace: [REDACTED] Driver's License#: [REDACTED] Home Phone: [REDACTED]
Home Address: [REDACTED]Full Name, include middle initial: Title:
Birthdate: Birthplace: Driver's License#: Home Phone:
Home Address:

PROPOSED FLOOR PLAN/LAYOUT OF PROPERTY

Mandatory: attach to this application a floorplan or layout of the proposed facility to include the following:

CLASS B LICENSES

1.	Every application for a Class B license, whether an initial application or a renewal application, shall have attached thereto a site drawing of the proposed licensed premises, drawn to scale showing the following (check off once complete): a. The location of all rooms, segregated areas, including outdoor seating areas and the square footage thereof; b. The designated use of each room or segregated area (i.e. dining room, holding bar, service bar, kitchen, restrooms, outdoor seating areas, all rooms and segregated areas, including outdoor areas where alcoholic liquor may be served or consumed and all locations where live entertainment may be provided); c. The proposed seating capacity of rooms or segregated areas where the public is permitted to consume food and/or alcoholic beverages and/or live entertainment may be provided.**
2.	The site drawing is subject to the approval of the Local Liquor Control Commissioner. The Local Liquor Commissioner may impose such restrictions as he deems appropriate on any license by noting the same on the approved site drawing or as provided on the face of the license.
3.	A copy of the approved site drawing shall be attached to the approved license and is made a part of said license.
4.	It shall be unlawful for any Class B licensee to operate and/or maintain the licensed premises in any manner inconsistent with the approved site drawing.

CLASS C LICENSES

1.	Every application for a Class C license, whether an initial application or a renewal application, shall have attached thereto a site drawing of the proposed licensed premises, drawn to scale, showing the following (check off once complete): a. The location of all rooms, segregated areas, including outdoor seating areas and the square footage thereof; b. The designated use of each room or segregated area (e.g. dining room, holding bar, service bar, kitchen, restrooms, outdoor seating areas, all rooms and segregated areas, including outdoor areas, where alcoholic liquor may be served or consumed and all locations where live entertainment may be provided); c. The proposed seating capacity of rooms or segregated areas where the public is permitted to consume food and/or alcoholic beverages and/or live entertainment may be provided.**
2.	The site drawing is subject to the approval of the Local Liquor Commissioner. The Local Liquor Commissioner may impose such restrictions as he deems appropriate on any licensee by noting the same on the approved site drawing or as provided on the face of the license.
3.	A copy of the approved site drawing shall be attached to the approved license and is made a part of said license.
4.	It shall be unlawful for any Class C licensee to operate and/or maintain the licensed premises in any manner inconsistent with the approved site drawing.

****THE FIRE PREVENTION BUREAU WILL FURNISH ALL FINAL, PERMITTED OCCUPANCY NUMBERS FOR THIS LICENSE.**

CORPORATION / PREMISES QUESTIONS

1.	<p>If applicant is an individual or partnership, is each and every person a United States citizen (5.08.070-2)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Is any individual a naturalized citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, print name(s), date(s), and place(s) of naturalization:</p>
2.	<p>List the type of business of the applicant (5.08.070-3): Personal Services</p>
3.	<p>Number of years of experience for the above listed type of business (5.08.070-4): 0</p>
4.	<p>Amount of merchandise that normally will be in inventory when in operation (5.08.070-5): \$ N/A</p>
5.	<p>Location/address and description of business to be operated under this applied for license (5.08.070-6):</p> <p>210 Cedar Ave. St. Charles, IL 60174</p>
6.	<p>Is the premises owned or leased (5.08.070-6A)? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased</p>
7.	<p>If the premises are leased, list the names and addresses of all direct owners or owners of beneficial interests in any trusts, if premises are held in trust (5.08.070-6B):</p> <p>Name of Building Owner:</p> <p>Address of Building Owner:</p> <p>Mailing Address of Building Owner (if different):</p> <p>Phone Number: _____ E-mail Address: _____</p> <p>Name of Building Owner:</p> <p>Address of Building Owner:</p> <p>Mailing Address of Building Owner (if different):</p> <p>Phone Number: _____ E-mail Address: _____</p> <p>Name of Building Owner:</p> <p>Address of Building Owner:</p> <p>Mailing Address of Building Owner (if different):</p> <p>Phone Number: _____ E-mail Address: _____</p>
8.	<p>Does the applicant currently operate, or operated in the past, any other establishment within the City of St. Charles that requires a liquor license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please list the business name(s) and address(es):</p>

15.	<p>Complete ONLY if yes was answered to the questions above (14):</p> <p>Name: _____ Name of Business: _____</p> <p>Position with the Business: _____</p> <p>Date(s) of Denial: _____</p> <p>Reason(s) for Denial of License: _____</p>
16.	<p>Date of Incorporation (Illinois Corporations) (5.08.070-10): Nov. 3, 2017</p> <p>Date qualified under Illinois Business Corporation Act to transact business in Illinois (Foreign Corporation):</p>
17.	<p>Has the applicant and all designated managers read and do they all understand and agree not to violate any liquor laws of the United States, the State of Illinois, and any of the ordinances of the City of St. Charles in conducting business(5.08.070-11)?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Have you, or in the case of a corporation, the local manager, or in the case of a partnership any of the partners, ever been convicted of any violation of any law pertaining to alcoholic liquor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Have you, or in the case of a corporation the local manager, or in the case of a partnership any of the partners, ever been convicted of a felony? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Have you ever been convicted of a gambling offense? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If a partnership or corporation, include all partners and the local manager(s).)</p> <p>Will you and all your employees refuse to serve or sell alcoholic liquor to an intoxicated person or to a minor?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
18.	<p>Mandatory: All individual owners, partners, officers, directors, and/or persons holding directly or beneficially more than five (5) percent in interest of the stock of owners by interest listed on page 1 of this application must be fingerprinted by the City of St. Charles Police Department (5.08.070-A12).</p> <p>Has this been done? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, date(s): _____</p>
19.	<p>Mandatory: Has the applicant attached proof of Dram Shop Insurance to this application or already furnished it to the City of St. Charles (5.08.060)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If already furnished, date of delivery: _____</p> <p>NOTE: Insurance must be issued from May 1, 20XX – April 30, 20XX in accordance with City code 5.08.060. Request a prorated rate from your insurance company if you are applying for a new license during this timeframe.</p>

20. **Mandatory:** Is the premises within 100 feet of any real property of any church; school; hospital; home for the aged or indigent persons; home for veterans, their wives/husbands, or children; and/or any military or naval station **(5.08.230)**?

Yes No

COMMENTS/ADDITIONAL INFORMATION

B.A.S.S.E.T. TRAINING

Please list employees required to have B.A.S.S.E.T training on this page – include all managers, assistant managers, bartenders, and clerks who are permitted to make alcoholic liquor sales. **Include copies of certificates for managers only and mark Manager if applicable. Add another page, if needed.**

Name: Karen Ramella L (First) (Last) (Middle) Manager

Home Street Address: [REDACTED]

City, State, Zip: Geneva, IL 60134

Date of Course: July 20, 2016 Place Course was Taken: online

Birthdate: 10-19-63 Certificate Granted: 5A-0105321 Expiration: 7/17/19

Name: (First) (Last) (Middle) Manager

Home Street Address:

City, State, Zip:

Date of Course: Place Course was Taken:

Birthdate: Certificate Granted: Expiration:

Name: (First) (Last) (Middle) Manager

Home Street Address:

City, State, Zip:

Date of Course: Place Course was Taken:

Birthdate: Certificate Granted: Expiration:

Name: (First) (Last) (Middle) Manager

Home Street Address:

City, State, Zip:

Date of Course: Place Course was Taken:

Birthdate: Certificate Granted: Expiration:

NEW MANAGEMENT REQUIREMENTS

Whenever a new manager comes on board, the City must be notified and that person must be fingerprinted.

It is the business establishment's responsibility to keep copies of all B.A.S.S.E.T. certificates on file for their employees.

APPLICATION FOR LATE NIGHT PERMIT

SUPPLEMENTAL TO LIQUOR LICENSE FOR CLASS B/C

To: **St. Charles Liquor Control Commission**

Date:

I now possess or have applied for a liquor license Class

Applicant's Name:

Name of Business:

Business Address:

Business Phone:

SUPPLEMENTAL PERMIT APPLIED FOR

Payment of Late Night Permit fee is required at the time the permit is issued.

1:00 a.m. Late Night Permit – fee of \$800.00

2:00 a.m. Late Night Permit – fee of \$2,300.00

NOTE: Other permits that may be available upon request include:

- Class E – Special Event License (1 to 3-day event @ \$100.00 per day)
- Outdoor Dining Permit (Contact Community & Economic Development @ 630.377.4443)

SIGNATURES



Applicant's Signature

Liquor Commissioner hereby directs City Clerk to issue permit indicated above.

Liquor Commissioner's Signature

Date

ADDENDUM TO RETAIL LIQUOR LICENSE APPLICATION**To be completed by the City of St. Charles Police Department**

Date:

Name of Applicant:

Name of Business:

Address of Business:

Ward Number:

To Liquor Control Commissioner, City of St. Charles, Illinois

Pursuant to the provision of the City of St. Charles Municipal Code, Chapter 5.08, Alcoholic Beverages, the following guide shall be in effect for the investigation of an applicant for a Retail Dealer's Liquor License:

1. Date on which applicant will begin selling retail alcoholic liquors at this location:
2. Is the location within 100 feet of any church; school; hospital; home for the aged or indigent persons; home for veterans, their wives/husbands or children; or any military or naval station? Yes No
3. If the answer to question 2 is yes, answer the following: Is applicant's place of business a hotel offering restaurant service, a regularly organized club, a restaurant, a food shop, or other place where the sale of alcoholic liquors is not the principal business? Yes No
If yes, answer a, b and c:
 - a. State the kind of such business:
 - b. Give date on which applicant began the kind of business named at this location:
 - c. Has the kind of business designated been established at this location for such purpose prior to February 1, 1934, and carried on continuously since such time by either the applicant or any other person?
 Yes No
4. If premises for which an alcoholic liquor license is herein applied for are within 100 feet of a church, have such premises been licensed for the sale of alcoholic liquor at retail prior to the establishment of such church? Yes No
If yes, have the premises been continuously operated and licensed for the sale of alcoholic liquor at retail since the original alcoholic liquor license was issued therefore? Yes No
5. Is the place for which the alcoholic liquor license is sought a dwelling house, flat, or apartment used for residential purposes?
 Yes No
6. Is there any access leading from premises to any other portion of the same building or structure used for dwelling or lodging purposes and which is permitted to be used or kept accessible for use by the public? (Connection between premises and such other portion of building or structure as is used only by the applicant, his/her family and personal guests not prohibited.)
 Yes No
7. If applicant conducts or will conduct in the same place any other class of business in addition to that of City Retailer of Alcoholic Liquor, state the kind and nature of such business: Yes No

8.	Are all rooms where liquor will be sold for consumption on the premises continuously lighted during business hours by natural light or artificial white light so that all parts of the interior shall be clearly visible? <input type="checkbox"/> Yes <input type="checkbox"/> No
9.	Are premises located in any building belonging to or under the control of the State of Illinois or any other political subdivision thereof, such as county, city, etc.? <input type="checkbox"/> Yes <input type="checkbox"/> No
10.	Are the premises for which license is herein applied for a store or place of business where the majority of customers are minors of school age or where the principal business transacted consists of school books, school supplies, food or drinks for such minors? <input type="checkbox"/> Yes <input type="checkbox"/> No
11.	It is required by the City of St. Charles that all employees undergo BASSET training. Provide a copy of the certificate of training completion for each manager. All certificates for managers have been submitted: <input type="checkbox"/> Yes <input type="checkbox"/> No
12.	From your observation and investigation, has applicant—to the best of your knowledge—truthfully answered all questions? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, state exceptions:
13.	Have all persons named in this application been fingerprinted? <input type="checkbox"/> Yes <input type="checkbox"/> No Fingerprinted by: _____ Date: _____
14.	Other necessary data:

**SIGNATURES
ENDORSEMENTS AND APPROVALS**

INVESTIGATING OFFICER

_____ Investigating Officer Signature	_____ Badge Number & Rank
--	------------------------------

ENDORSEMENT OF THE CHIEF OF POLICE

Recommend Issuing Liquor License: Yes No

_____ Signature Of Chief of Police	_____ Date
---------------------------------------	---------------

ENDORSEMENT OF THE LIQUOR CONTROL COMMISSIONER

Recommend Issuing: Yes No Date: _____

Comments

Liquor Commissioner

ENDORSEMENT OF THE FIRE CHIEF

Recommend Issuing: Yes No Date: _____

Comments:

Fire Chief

ENDORSEMENT OF THE BUILDING COMMISSIONER

Recommend Issuing: Yes No Date: _____

Comments:

Zoning Classification: _____

Building Commissioner

ENDORSEMENT OF THE FINANCE DIRECTOR

Recommend Issuing: Yes No Date: _____

Comments:

Finance Director

APPROVAL OF THE CITY COUNCIL

Approved for Issuing: Yes No Vote: Ayes _____ Nays _____

Date: _____

Attested to by City Clerk

January 10, 2018

To Whom it May Concern,

210 Cedar, LLC is a private event space. Clients will pay an hourly fee to rent the space for events, meetings, etc. 210 Cedar will NOT prepare, sell or serve any food or beverage. Clients will purchase food and beverage through licensed caterers/bar services who have been vetted by 210 Cedar. An employee of 210 Cedar will always be on site to serve as an Event Coordinator. All events will require an application and contract.

210 Cedar is applying for a liquor license that will allow its clients to serve liquor at their private events. At the very least, we are asking for a license that allows licensed caterers or bar service companies to provide liquor for events hosted at 210 Cedar. If possible, we would also like to offer a BYOB package to our clients. Again, 210 Cedar will not provide, sell or serve the liquor. If allowed to offer a BYOB package, 210 Cedar will require Day of Event Insurance for host liquor liability, which will protect the client should any alcohol related incidents occur.

210 Cedar does not intend to have a permanent bar, rather we will have a small portable bar, allowing clients a flexible floor plan (some clients may not wish to serve liquor). Seating will also be very flexible to accommodate different needs. Events will end by 11:00 pm.

As weather permits, 210 Cedar would like to use the outdoor area as additional event space. How does this effect licensing?

Thank you for your consideration,
Karen and Lance Ramella

**TRUSTEE'S DEED
GENERAL**

THE GRANTORS Tony T. Herman and Cheryl A. Herman as Co Trustees of the Herman Trust No. 101 dated March 1, 2008 of 210 Cedar Avenue St. Charles, County of Kane, State of Illinois, for and in consideration of TEN DOLLARS in hand paid, and pursuant to the power and authority vested in the Grantors as co trustee, convey and quit claim to the Richard and Mary Ramella Family Trust u/t/a dated February 13th, 2002, (Grantee's Address) 108 7th Place Geneva.IL 60134 of the County of Kane, all interest in the following described real estate situated in the County of Kane in the State of Illinois, to wit:

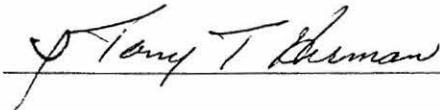
Lot 6 (Except the North 20 feet) in Block 21 of the Original Town of St. Charles, on the East side of the Fox River, in the City of St. Charles, Kane County, Illinois

SUBJECT TO: Covenants, conditions and restrictions of record, building lines, and easements, if any.

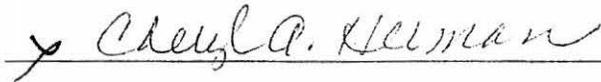
hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Illinois.

Permanent Real Estate Index Number(s): 09-27-384-011
Address of Real Estate: 210 Cedar Avenue St. Charles, IL. 60174

Dated this 17th day of November, 2017



Tony T. Herman, trustee

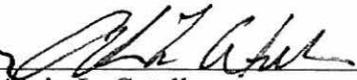


Cheryl A. Herman, trustee

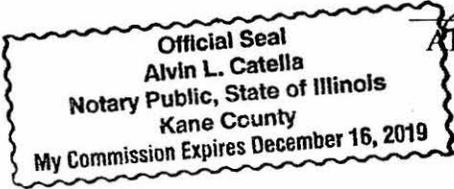
STATE OF ILLINOIS, COUNTY OF KANE ss.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT TONY T. HERMAN and CHERYL A. HERMAN co trustees personally known to me to be the person(s) whose name(s) are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed, and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 17th day of November, 2017



Alvin L. Catella (Notary Public)



Prepared By:
Alvin L. Catella 801 East Main Street St. Charles, IL. 60174

Mail To: Kate L McCracken, Esq. 1001 E. Main St. Suite G St. Charles, IL 60174

TAX PAYER ADDRESS: Richard E. Ramella and Mary M. Ramella Family Trust
C/o Karen & Lance Ramella
108 7th Place
Geneva, IL. 60134

QUOTE REFERENCE: LIQ/226788

ILLINOIS LIQUOR LIABILITY QUOTE

PLEASE READ CAREFULLY. THIS QUOTATION IS NOT A BINDER OF INSURANCE. IT DOES NOT NECESSARILY PROVIDE THE TERMS AND/OR COVERAGE REQUESTED IN YOUR PROPOSAL. THIS QUOTE IS VALID FOR 30 DAYS FROM: 07 September 2017

Coverholder:	Illinois RB Jones 155 North Wacker Suite 1830 Chicago IL 60506	Retail Broker:	Wine Sergi & Co LLC 225 Smith Road Saint Charles IL 60174
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1. Name and address of Assured (Licensee in respect of Location 1)

Ramella Family Trust
210 Cedar Ave
St. Charles
Illinois
60174

2. Sale or gifts of alcohol made by the licensee/s above limited to the following location

210 Cedar Ave
St. Charles
Illinois
60174

3. Period: From 01 November 2017 to 01 November 2018 both days at 12:01 a.m. Central Standard Time

4. Insurance to be effected with certain UNDERWRITERS AT LLOYD'S, LONDON: 100%

5. Classification of Risk	Amount of Gross Annual Receipts
HALL OPERATOR & OR CATERER (NO SALE)	\$0

Producer Commission 10.00% of Total Premium	Total Premium:	\$525.00
	Policy Fee:	\$150.00
	Total Payable:	\$675.00

LIMIT OF LIABILITY
Combined Single Limit **\$1,000,000**

FORMS ATTACHED:
LII 12 (01/07)
AIF 2273 Limited Common Law Coverage

COVERAGE IS SUBJECT TO SIGNED AND DATED APPLICATION. PLEASE REFER ANY REQUEST TO BIND TO COVERHOLDER.

Form **LLC-5.5**

Illinois
Limited Liability Company Act
Articles of Organization

FILE # **06562949**

Secretary of State **Jesse White**
Department of Business Services
Limited Liability Division
www.cyberdriveillinois.com

Filing Fee: \$500
Expedited Fee: \$100
Approved By: TLB

FILED
NOV 03 2017
Jesse White
Secretary of State

1. Limited Liability Company Name: 210 CEDAR, LLC

2. Address of Principal Place of Business where records of the company will be kept:

GENEVA, IL 60134

3. The Limited Liability Company has one or more members on the filing date.

4. Registered Agent's Name and Registered Office Address:

KAREN RAMELLA

GENEVA, IL 60134-2100

5. Purpose for which the Limited Liability Company is organized:

"The transaction of any or all lawful business for which Limited Liability Companies may be organized under this Act."

6. The LLC is to have perpetual existence.

7. Name and business addresses of all the managers and any member having the authority of manager:

RAMELLA, KAREN

GENEVA, IL 60134

RAMELLA, LANCE

GENEVA, IL 60134

8. **Name and Address of Organizer**

I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Organization are to the best of my knowledge and belief, true, correct and complete.

Dated: NOVEMBER 03, 2017

KAREN RAMELLA
108 7TH PLACE
GENEVA, IL 60134

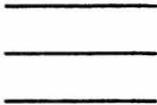
BASSET Card



July 20, 2016



Letter ID: L1426538128



KAREN RAMELLA
108 7TH PLACE
GENEVA IL 60134

License No.: 5A-0105312
Expiration Date: 7/17/2019
License Type: Basset Card

Your "Student ID number" is: 2424792

Your "Trainer's ID number" is: 5A-0105312

Your BASSET Card is located BELOW

DO NOT throw away this letter as you will need your "Student ID number" directly above to re-print your card.

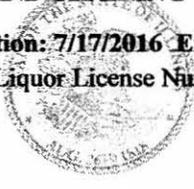
IMPORTANT:

To re-print your card, visit the Illinois Liquor Control Commission website at ILCC.illinois.gov
(click on the RESOURCES tab to access the "BASSET Card Lookup" page).

ILLINOIS LIQUOR CONTROL COMMISSION
100 W. Randolph Street, Suite 7-801 - Chicago, IL 60601
**BEVERAGE ALCOHOL SELLERS AND SERVERS
EDUCATION AND TRAINING [BASSET] CARD**

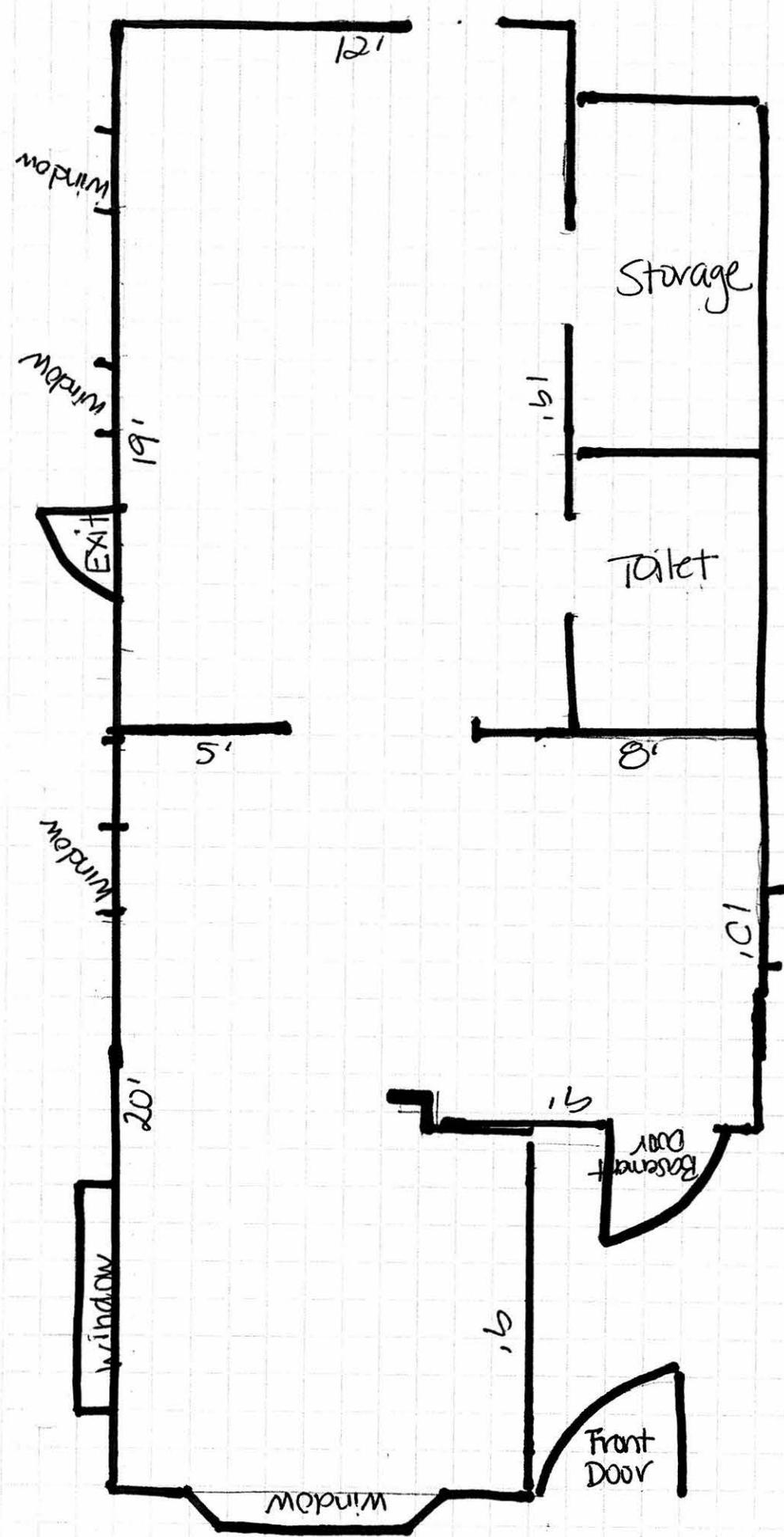
Date of Certification: 7/17/2016 Expires: 7/17/2019
Trainer's IL Liquor License Number: 5A-0105312

KAREN RAMELLA
108 7TH PLACE
GENEVA IL 60134



****Card is not transferrable****

210 Cedar Ave
St. Charles, IL



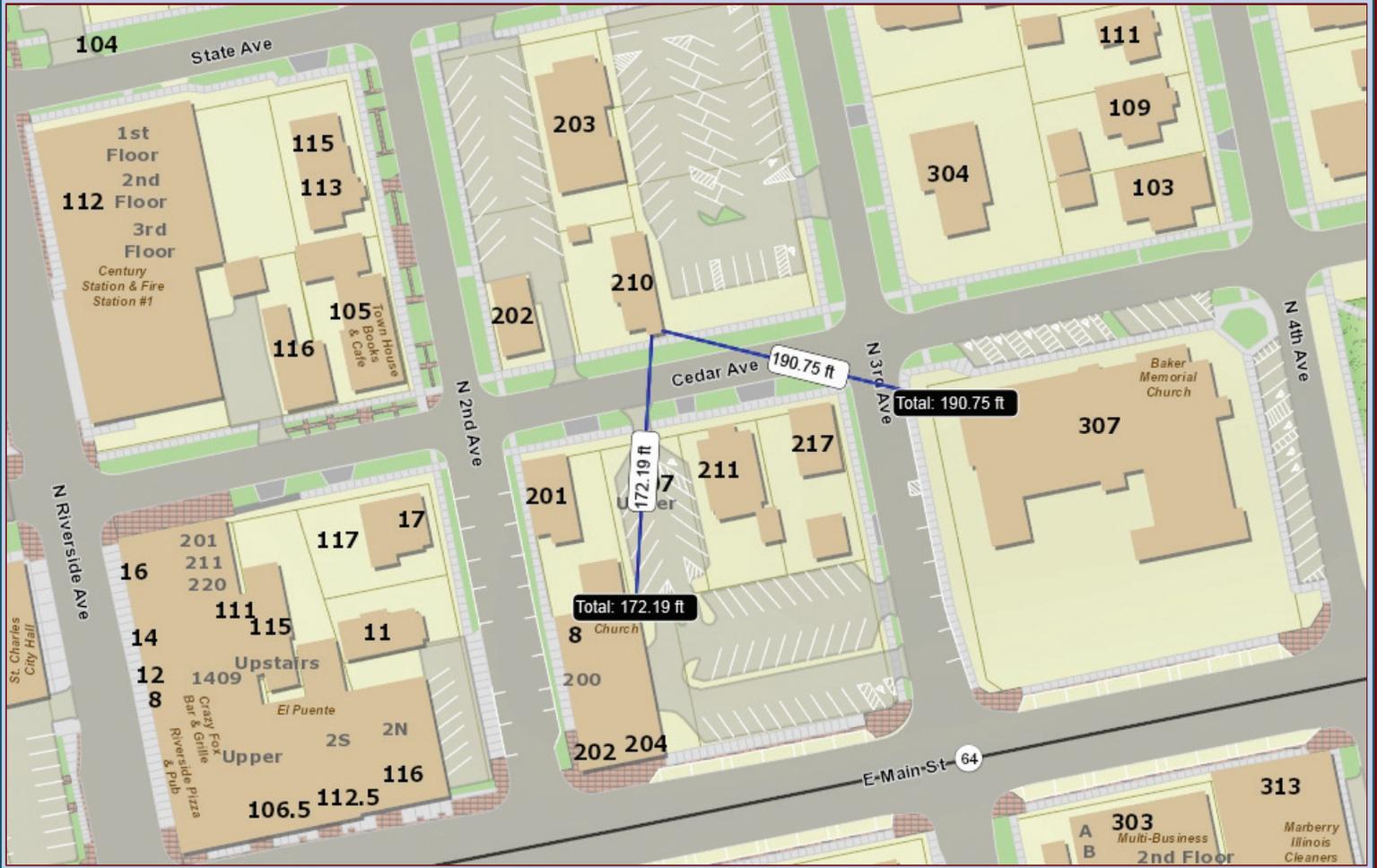


City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-1400 Fax: 630-377-4440 - www.stcharlesil.gov

Distance from 210 Cedar to local churches

RAYMOND ROGINA Mayor
MARK KOENEN City Administrator



Date Source:
City of St. Charles, Illinois
Kane County, Illinois
Cook County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: February 27, 2018 10:19 AM



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Project: 18-001-01

August 24, 2017

Karen Ramella
Emailed to karenramella@gmail.com



ST. CHARLES
SINCE 1834

#1 City for Families
by FamilyCircle 2011

Re: Proposed Private Event Venue business use at 210 Cedar Ave.
St. Charles, IL 60174

Ms. Ramella:

The property located at 210 Cedar Ave. is zoned CBD-2 Mixed Use Business District under the St. Charles Zoning Ordinance. The property is also located in the Downtown Overlay Zoning District, which further limits first floor uses; however the property received an exemption from the Downtown Overlay District restrictions in 2015. Therefore, the allowable uses of the property are those listed in the Zoning Ordinance for the CBD-2 district.

Per the description provided in your email on August 17, 2017 (attached), the proposed business will be a private event venue available for rental, with an event coordinator employed by the business present during the events to provide or facilitate the provision of services for the event.

The St. Charles Zoning Ordinance does not have a category for an event venue or banquet facility not associated with some other use (such as a hotel or restaurant).

The business can be categorized as a "Personal Services" use, provided the event coordinator is at the location providing some type of services to the persons renting the venue. "Personal Services" is a permitted use in the CBD-2 district and is therefore a permitted use at this property.

The property is located within the City's Historic District. Any exterior change, including changes to signs or awnings, requires a review by the City's Historic Preservation Commission prior to the issuance of a permit.

Please be aware that there may be other building or life safety code requirements that need to be met before this use can be established in the building. I understand you have already held a Chapter 34 review and should be receiving this information.

If you need further clarification regarding this information, please contact the Community & Economic Development Department at (630) 377-4443.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell Colby", is written over a light blue horizontal line.

Russell Colby, Planning Division Manager
Community & Economic Development Department

C: Ann Dvorak, Murray Commercial

RAYMOND P. ROGINA *Mayor*

MARK KOENEN, P.E. *City Administrator*

Inspection Report



August 22, 2017

Panache (VACANT)
210 CEDAR AV
St. Charles, IL 60174

An inspection of your facility on Aug 22, 2017 revealed the violations listed below.

ORDER TO COMPLY: Since these conditions are contrary to law, you must correct them upon receipt of this notice. An inspection to determine compliance with this Notice will be conducted on Aug 22, 2017.

If you fail to comply with this notice before the reinspection date listed, you may be liable for the penalties provided for by law for such violations.

Violations

KNOX Existing Knox box

Note A Knox box will be required. Applications can be obtained at the Fire Department administration office, 112 N. Riverside Ave.

DOOR Conforming door hardware

Note Exit door shall not require special knowledge to open.
Recommend replacing keyed deadbolts with thumb latches.

For further information, please contact the Fire Prevention Bureau at (630)377-4457

A handwritten signature in black ink, appearing to read "John Kessler".

KESS01 John Kessler
Inspector

A handwritten signature in black ink, appearing to read "Lance Ramella".

Lance Ramella

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 5a

Title:

Recommendation to Approve Resolution Authorizing Application to Kane County Grant Program

Presenter:

Karen Young/Peter Suhr

Meeting: Government Operations Committee

Date: March 5, 2018

Proposed Cost: n/a

Budgeted Amount: \$1,621,233

Not Budgeted:

Each year Kane County offers grant programs to help improve the quality of life within Kane County. The City of St. Charles successfully received funding in the past from the Kane County Riverboat Grant Program to assist with the completion of the Bob Leonard Riverwalk Project, Municipal Center Parking Lot and most recently the 7th Avenue Creek Watershed Plan and design project. Staff is proposing to submit an application for the Kane County Riverboat Grant funding for the 7th Avenue Creek Project.

The 7th Avenue Creek project application includes the costs associated with the construction for the culvert replacement at the Public Works entrance off of 7th Avenue and the lining/repairs to the existing culvert under 7th Avenue. The total amount proposed in the budget for FY18/19 is \$1,621,233, with the grant application being proposed at \$100,000.

The 2018 grant application will be requesting an amount of \$100,000 for this project, which is the maximum allowable amount under this grant. As part of the application submittal to the County, approval of the attached resolution is required. Staff has been working closely with Kane County staff on the submittal and for these reasons staff requests that the City Council approve the resolution to authorize the application of the grant and to allow staff to execute all documents upon receipt of grant monies.

Attachments *(please list):*

* Resolutions Authorizing Application to Kane County Riverboat Grants

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve a Resolution Authorizing Application to Kane County Riverboat Grant and that the City Administrator be authorized to execute all necessary documents for the 7th Avenue Creek Project.

City of St. Charles, Illinois
Resolution No. _____

**A Resolution Authorizing Application for Kane County Development
Funds and Execution of all Necessary Documents**

**Presented & Passed by the
City Council on _____**

WHEREAS, the City of St. Charles has determined that it is in its best interests to submit an application for Kane County Riverboat Funds for the 7th Avenue Creek Project, and;

WHEREAS, said project will include the construction for the 7th Avenue Creek and 7th Avenue Creek Tributary, and;

WHEREAS, the Kane County Board must approve said application and will require the City of St. Charles to execute a Funding Agreement and other necessary documents upon approval.

NOW THEREFORE, be it resolved by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, as follows:

SECTION ONE: That Mark Koenen, City Administrator, is hereby authorized to execute an application for Kane County Riverboat Funds, a Funding Agreement and other necessary documents upon approval of the application by the Kane County Board, and any requests for payment and documentation required to be submitted by the City of St. Charles to Kane County requesting the dispersal of funds.

SECTION TWO: That any changes to the above-stated project description must be approved by the City of St. Charles.

SECTION THREE: This Resolution shall be in full force and effect upon its passage and approval.

PRESENTED to the City Council of the City of St. Charles, Illinois, this _____ day of _____ 2018.

PASSED by the City Council of the City of St. Charles, Illinois, this _____ day of _____ 2018.

APPROVED by the Mayor of the City of St. Charles, Illinois, this _____ day of _____ 2018.

Resolution No. _____

Page 2

Ray P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 6a

Title: Recommendation to Approve a One Year Proposal with Sikich, LLP to Perform the City's Financial Statement Audit for the Fiscal Year End April 30, 2018

Presenter: Chris Minick, Finance Director

Meeting: Government Operations Committee

Date: March 5, 2018

Proposed Cost: \$ 77,649

Budgeted Amount: \$

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

State statutes require an independent audit of the City's finances annually. Sikich LLP of Naperville, IL, currently performs these services for the City. The City's contract with Sikich expired with the completion of the financial statement audit for the fiscal year ended April 30, 2017. Sikich has agreed to perform the financial statement audit for the fiscal year ended April 30, 2018 at the same cost as the FY 16-17 audit. The proposal is for one year only as staff will be issuing a Request for Proposal (RFP) for these services once the FY 17-18 audit is completed. We anticipate releasing the RFP for the FY 18-19 audit in early November of 2018.

Sikich is an industry leader in governmental accounting, finance and consulting and staff has been extremely satisfied with the service received from Sikich and recommends approval of the proposal.

Attachments *(please list):*

Proposal letter from Sikich

Recommendation/Suggested Action *(briefly explain):*

Recommendation to Approve a One Year Proposal with Sikich LLP to Perform the City's Financial Statement Audit for the Fiscal Year End April 30, 2018.

February 21, 2018

The Honorable Mayor
Members of the City Council
C/O Christopher Minick
Director of Finance
City of St. Charles
Two East Main Street
St. Charles, Illinois 60174-1984

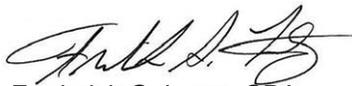
Ladies and Gentlemen:

Sikich LLP appreciates being considered for reappointment as independent auditors of the City of St. Charles for the year ended April 30, 2018. We have received your request for a one year proposal for audit services. We agree to offer a one year proposal at the same fee level as the audit for the year ended April 30, 2017.

This fee proposal assumes that the City will provide the auditors with same level of support and assistance that was provided during the April 30, 2017 audit, including electronic copies of adjusted trial balances by individual funds, a year-to-date general ledger with details of postings to all accounts, subsidiary ledgers that agree or are reconciled to the general ledger, and will prepare certain schedules of account analysis and confirmations of account balances.

We appreciate this opportunity and look forward to continuing to serve the City of St. Charles.

Sincerely,



Frederick G. Lantz, CPA
Partner-in-Charge, Government Services



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 6b

Title:

Recommendation to approve an Ordinance providing for the issue of not to exceed \$22,900,000 General Obligation Corporate Purpose Bonds, Series 2018A for capital project purposes and not to exceed \$4,800,000 Taxable General Obligation Corporate Purpose Refunding Bonds, Series 2018B for refunding purposes, authorizing the execution of a bond order and escrow agreement, providing for the levy of taxes to pay said bonds, and authorizing the sale of each series of bonds to the purchaser thereof.

Presenter:

Chris Minick, Finance Director

Meeting: Government Operations Committee

Date: March 5, 2018

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

Attached is an ordinance authorizing the City to issue General Obligation Bond Series 2018A and Taxable General Obligation Refunding Bonds Series 2018B.

Approximately \$17.0 million of the \$22.9 million Series A bonds will be used to finance a majority of the construction of the Police Station building, as discussed during the February 10, 2018 City Council Retreat. The remainder of the bonds will be used to finance projects contemplated in the 2017-18 budget, including, electric system improvements, street rehabilitation, reimburse the City for 7th Ave Creek property purchases and improvements to date, and Water and Wastewater SCADA improvements.

The Series B bonds will be issued to refinance bonds issued previously. Currently, there is one bond series that has been identified as a potential candidate for refinancing (Series 2010A). However, as part of the Tax Cuts and Jobs Act that went into effect January 1, any refunding of tax exempt bonds must be made with taxable, bonds. As taxable bonds carry a higher interest rate, this limits the refunding opportunities for the City. Currently, the present value of savings for these bonds would be \$88,000 or 2.53% of refunded par. The ordinance contains a present value savings threshold of 3% of refunded par. However, market conditions change daily which could result in savings above the threshold. Our underwriters will continue to monitor the situation and by approving this ordinance we maintain the flexibility to be able to refund the bonds if the savings level so warrants.

Attachments *(please list):*

Ordinance

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve an Ordinance providing for the issue of not to exceed \$22,900,000 General Obligation Corporate Purpose Bonds, Series 2018A for capital project purposes and not to exceed \$4,800,000 Taxable General Obligation Corporate Purpose Refunding Bonds, Series 2018B for refunding purposes, authorizing the execution of a bond order and escrow agreement, providing for the levy of taxes to pay said bonds, and authorizing the sale of each series of bonds to the purchaser thereof.

ORDINANCE NUMBER _____

AN ORDINANCE providing for the issuance of not to exceed \$22,900,000 General Obligation Corporate Purpose Bonds, Series 2018A and not to exceed \$4,800,000 General Obligation Corporate Purpose Refunding Bonds, Series 2018B, of the City of St. Charles, Kane and DuPage Counties, Illinois, authorizing the execution of a bond order and escrow agreement in connection therewith, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds and authorizing the sale of each series of said bonds to the purchaser thereof.

Adopted by the City Council on the
19th day of March, 2018.

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ORDINANCE NUMBER _____

AN ORDINANCE providing for the issuance of not to exceed \$22,900,000 General Obligation Corporate Purpose Bonds, Series 2018A and not to exceed \$4,800,000 General Obligation Corporate Purpose Refunding Bonds, Series 2018B, of the City of St. Charles, Kane and DuPage Counties, Illinois, authorizing the execution of a bond order and escrow agreement in connection therewith, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds and authorizing the sale of each series of said bonds to the purchaser thereof.

PREAMBLES

WHEREAS

A. The City of St. Charles, Kane and DuPage Counties, Illinois (the “City”), has a population in excess of 25,000, and pursuant to the provisions of the 1970 Constitution of the State of Illinois and particularly Article VII, Section 6(a) thereof, is a home rule unit and as such may exercise any power or perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt.

B. Pursuant to the home rule provisions of said Section 6, the City has the power to incur debt payable from ad valorem property tax receipts or from any other lawful source and maturing within 40 years from the time it is incurred without prior referendum approval.

C. The City Council of the City (the “Corporate Authorities”) has determined it is necessary and desirable for the construction, acquisition and installation of certain public capital infrastructure improvements, including but not limited to street and roadway improvements, water and sewer improvements, police station improvements, and electrical improvements in and for the City, together with such engineering, electrical, financial, legal and other professional services related thereto as may be advisable and necessary (such improvements and related expenses and costs being the “2018A Project”), at an estimated cost of not to exceed

\$22,900,000 and, there being no funds on hand and allocable to the purpose, the Corporate Authorities have determined it is necessary and desirable to borrow not to exceed \$22,900,000 at this time pursuant to the hereinafter Act and, in evidence of such borrowing, to issue general obligation corporate purpose bonds of the City up to such principal amount.

D. The City has heretofore issued for various lawful corporate purposes the following outstanding and validly subsisting and unpaid general obligation bonds: General Obligation Corporate Purpose Bonds, Series 2010A, dated December 14, 2010 (referred to herein as the “*Series 2010A Bonds*” or the “*Prior Bonds*”).

E. The Corporate Authorities have determined that in connection with the issuance of the hereinafter defined Series 2018B Bonds, it is necessary and convenient for the public health, safety and welfare to realize debt service savings for the City (the “*Refunding*”) by refunding all or stated portions (as set forth in the hereinafter defined Escrow Agreement) of the Prior Bonds (such Prior Bonds to be refunded being the “*Refunded Bonds*”), and that such Refunded Bonds be called for redemption in advance of their maturity, and it is necessary and desirable to make such call for the redemption of the Refunded Bonds on the earliest practicable call date, and provide for the giving of proper notice to the registered owners of the Refunded Bonds.

F. To accomplish the Refunding, including payment of related costs of issuance of bonds and of the Refunding, it is deemed necessary and desirable to provide for the issuance of not to exceed \$4,800,000 principal amount general obligation corporate purpose bonds.

G. The Corporate Authorities do hereby determine that it is advisable and in the best interest of the City to borrow the aggregate principal amounts of not to exceed \$22,900,000 for the purpose of paying the costs of the 2018A Project and not to exceed \$4,800,000 for the purpose of paying the costs of the Refunding.

H. The Corporate Authorities have heretofore, and it hereby expressly is, determined that it is desirable and in the best interests of the City that certain designated representatives of the City be authorized to sell such bonds from time to time and accordingly, it is necessary that said designated representatives be so authorized with certain parameters as hereinafter set forth.

NOW THEREFORE Be It Ordained by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, in the exercise of its home rule powers, as follows:

Section 1. Definitions. Words and terms used in this Ordinance shall have the meanings given them, unless the context or use clearly indicates another or different meaning is intended. Words and terms defined in the singular may be used in the plural and vice-versa. Reference to any gender shall be deemed to include the other and also inanimate persons such as corporations, where applicable.

A. The following words and terms are as defined in the preambles.

2018A Project

City

Corporate Authorities

Prior Bonds

Refunded Bonds

Refunding

Series 2010A Bonds

B. The following words and terms are defined as set forth.

“Act” means the Illinois Municipal Code, as supplemented and amended, and also the home rule powers of the City under Section 6 of Article VII of the Illinois Constitution of 1970; and in the event of conflict between the provisions of the code and

home rule powers, the home rule powers shall be deemed to supersede the provisions of the code.

“Ad Valorem Property Taxes” means the real property taxes levied to pay each Series of the Bonds as described and levied in (Section 11 of) this Ordinance.

“Bond Counsel” means Chapman and Cutler LLP, Chicago, Illinois.

“Bond Fund” means, collectively, the Bond Funds established and defined for each Series of Bonds in (Section 16 of) this Ordinance.

“Bond Moneys” means the Ad Valorem Property Taxes and any other moneys deposited into each Bond Fund, and investment income held in each Bond Fund.

“Bond Order” means a Bond Order as authorized to be executed by Designated Representatives of the City as provided in (Section 13 of) this Ordinance, and by which the final terms of the Bonds will be established.

“Bond Purchase Agreement” means the contract for the sale of one or more Series of the Bonds by and between the City and the Purchaser.

“Bond Register” means the books of the City kept by the Bond Registrar to evidence the registration and transfer of the Bonds.

“Bond Registrar” means Amalgamated Bank of Chicago, having trust offices located in the City of Chicago, Illinois, or its successors, in its capacity as bond registrar and paying agent under this Ordinance, or a substituted bond registrar and paying agent as hereinafter provided.

“Bond Year” means the twelve calendar month period beginning on December 2 of any calendar year and ending on the subsequent December 1.

“Bonds” means any of the one or more Series of general obligation bonds of various names authorized to be issued by this Ordinance.

“*Book Entry Form*” means the form of the Bonds as fully registered and available in physical form only to the Depository.

“*Business Day*” means any day other than a day on which banks in New York, New York, Chicago, Illinois, or the city in which the Bond Registrar maintains an office designated for the purpose, are required or authorized to close.

“*Code*” means the Internal Revenue Code of 1986, as amended.

“*Continuing Disclosure Undertaking*” means the undertaking by the City for the benefit of the Purchaser as authorized in (Section 15 of) this Ordinance.

“*Counties*” means The Counties of Kane and of DuPage, Illinois.

“*County Clerks*” means the respective County Clerks of the Counties.

“*Depository*” means The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York, its successors, or a successor depository qualified to clear securities under applicable state and federal laws.

“*Designated Representatives*” means the Mayor, City Administrator and Finance Director, or successors and assigns.

“*Escrow Agent*” means Amalgamated Bank of Chicago, Chicago, Illinois, as escrow agent.

“*Escrow Agreement*” means the written escrow agreement between the City and the Escrow Agent, as more particularly referred to in (Section 16 of) this Ordinance.

“*Government Securities*” means direct full faith and credit obligations of the United States of America (including, bills, notes, bonds and obligations of the State and Local Government Series).

“*Ordinance*” means this Ordinance, numbered as set forth on the title page, and passed by the Corporate Authorities on the 19th day of March, 2018.

“Outstanding” or *“outstanding”* refers to Bonds and Prior Bonds which are outstanding and unpaid; provided, however, such term shall not include Bonds and Prior Bonds (i) which have matured and for which moneys are on deposit with proper paying agents, or are otherwise properly available, sufficient to pay all principal thereof and interest thereon, or (ii) the provision for payment of which has been made by the City by the deposit in an irrevocable trust or escrow of funds or direct, full faith and credit obligations of the United States of America, the principal of and interest on which will be sufficient to pay at maturity or as called for redemption all the principal of and interest on such Bonds or Prior Bonds.

“Purchase Price” means the price to be paid for a Series of the Bonds as set forth in a Bond Order, *provided* that no Purchase Price for any Series of Bonds shall be less than ninety-six percent (96.0%) of the par value of said Series of Bonds, plus accrued interest from the date of issue to the date of delivery, if any.

“Purchaser” means (a) with respect to the Series 2018A Bonds, Robert W. Baird & Co. Incorporated, Naperville, Illinois (*“Robert W. Baird”*), and (b) with respect to the Series 2018B Bonds (i) for any negotiated underwriting, Robert W. Baird, and (ii) for any private placement, as determined by the Designated Representatives in consultation with Robert W. Baird, as placement agent, a bank or financial institution authorized to do business in the State of Illinois or an “accredited investor” as described in Rule 501 of Regulation D promulgated under the Securities Act of 1933, as amended.

“Qualified Investments” means any investments for City funds as may be from time to time authorized under Illinois law.

“*Record Date*” means the 15th day of the month preceding any regular interest payment date and 15 days preceding any interest payment date occurring on other than the first day of a given month occasioned by a redemption of Bonds.

“*Series*” means any of the one or more separate series of the Bonds authorized to be issued pursuant to this Ordinance.

“*Stated Maturity*” means, with respect to any Bond or any interest thereon, the fixed date on which the principal of such Bond or the interest thereon is due and payable, whether by maturity or otherwise.

“*Tax-exempt*” means, with respect to the Series 2018A Bonds and any of the Series 2018B Bonds issued on a tax-exempt basis, the status of interest paid and received thereon as excludable from the gross income of the owners thereof under the Code for federal income tax purposes except to the extent that such interest may be taken into account in computing an adjustment used in determining the alternative minimum tax for certain corporations.

“*Term Bonds*” means Bonds subject to mandatory redemption by operation of the Bond Fund and designated as term bonds herein.

C. Definitions also appear in the above preambles or in specific sections, as appearing below. The table of contents preceding and the headings in this Ordinance are for the convenience of the reader and are not a part of this Ordinance.

Section 2. Incorporation of Preambles. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are true, correct and complete and do incorporate them into this Ordinance by this reference.

Section 3. Determination To Issue Bonds. It is necessary and in the best interests of the City to provide for the 2018A Project and the Refunding, to pay all necessary or advisable

related costs, and to borrow money and issue the Bonds for the purpose of paying a part of such costs. It is hereby found and determined that such borrowing of money is for a proper public purpose or purposes and is in the public interest, and is authorized pursuant to the Act; and these findings and determinations shall be deemed conclusive.

Section 4. Bond Details. A. SERIES 2018A BONDS. For the purpose of providing for the 2018A Project, there shall be issued and sold Bonds in one Series to be designated “*General Obligation Corporate Purpose Bonds, Series 2018A*” or such other name or names or Series designations as may be appropriate and as stated in a relevant Bond Order, in not to exceed the principal amount of \$22,900,000. Such Bonds (the “*Series 2018A Bonds*”) shall mature in the amounts (not to exceed \$2,100,000 per Stated Maturity date) and in the years as shall be set forth in the relevant Bond Order, *provided, however, that* the maximum Stated Maturity date of the Series 2018A Bonds shall not extend past December 1, 2037. Each Series 2018A Bond shall bear interest at a rate not to exceed seven percent (7.0%) per annum, from the later of its Dated Date as herein provided or from the most recent interest payment date to which interest has been paid or duly provided for, until the principal amount of such Series 2018A Bond is paid or duly provided for, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable on June 1 and December 1 of each year, commencing on such June 1 or December 1 as shall be provided in a relevant Bond Order. Further, the amount of debt service due on the Series 2018A Bonds in any Bond Year shall not exceed \$2,200,000.

B. SERIES 2018B BONDS. For the purpose of providing for the Refunding, there shall be issued and sold Bonds to be designated “[*Taxable*] *General Obligation Corporate Purpose Refunding Bonds, Series 2018B*” or such other name or names or Series designations as may be appropriate and issued on a taxable or Tax-exempt basis, all as stated in a relevant Bond Order,

and in not to exceed the principal amount of \$4,800,000. Such Bonds (the “*Series 2018B Bonds*”) shall mature in the amounts (not to exceed \$580,000 per Stated Maturity date) and in the years as shall be set forth in the relevant Bond Order, *provided, however, that* the maximum Stated Maturity date the Series 2018B Bonds shall not extend past December 1, 2030. Each Series 2018B Bond shall bear interest at a rate not to exceed five percent (5.0%) per annum, from the later of its Dated Date as herein provided or from the most recent interest payment date to which interest has been paid or duly provided for, until the principal amount of such Series 2018B Bond is paid or duly provided for, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable on June 1 and December 1 of each year, commencing on such June 1 or December 1 as shall be provided in a relevant Bond Order. Further, the amount of debt service due on the Series 2018B Bonds in any Bond Year shall not exceed \$532,318.

C. GENERAL. The Bonds shall be dated on or before the date of issuance as may be set forth in a relevant Bond Order (for each Series, a “*Dated Date*”); and each Bond shall also bear the date of authentication thereof. The Bonds shall be fully registered and in Book Entry Form, shall be in denominations of \$5,000 or integral multiples thereof (but no single Bond shall represent principal maturing on more than one date), and shall be numbered consecutively within Series in such fashion as shall be determined by the Bond Registrar. The Bonds shall become due and payable serially or as Term Bonds (subject to right of prior redemption) on December 1 of the years in which the Bonds are to mature. Interest on each Bond shall be paid by check or draft of the Bond Registrar, payable upon presentation thereof in lawful money of the United States of America, to the person in whose name such Bond is registered at the close of business on the applicable Record Date and mailed to the registered owner of the Bond as shown in the Bond Registrar or at such other address furnished in writing by such Registered Owner, or as

otherwise may be agreed with the Depository for so long as the Depository or its nominee is the registered owner as of a given Record Date. The principal of the Bonds shall be payable in lawful money of the United States of America upon presentation thereof at the office of the Bond Registrar maintained for the purpose or at successor Bond Register or locality. Further conditions of sale and delivery are set forth below (Section 13).

Section 5. Registration of Bonds; Persons Treated as Owners. The City shall cause the Bond Register to be kept at the office of the Bond Registrar maintained for such purpose, which is hereby constituted and appointed the registrar of the City for the Bonds. The City shall prepare, and the Bond Registrar or such other agent as the City may designate shall keep custody of, multiple Bond blanks executed by the City for use in the transfer and exchange of Bonds. Subject to the provisions of this Ordinance relating to the Bonds in Book Entry Form, any Bond may be transferred or exchanged, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in this Ordinance. Upon surrender for transfer or exchange of any Bond at the office of the Bond Registrar maintained for the purpose, duly endorsed by or accompanied by a written instrument or instruments of transfer or exchange in form satisfactory to the Bond Registrar and duly executed by the registered owner or an attorney for such owner duly authorized in writing, the City shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees or, in the case of an exchange, the registered owner, a new fully registered Bond or Bonds of like tenor, of the same Series and maturity, bearing the same interest rate, of authorized denominations, for a like aggregate principal amount. The Bond Registrar shall not be required to transfer or exchange any Bond during the period from the close of business on the Record Date for an interest payment to the opening of business on such interest payment date or during the period of 15 days preceding the giving of notice of redemption of Bonds or to transfer or exchange any Bond all or any portion of

which has been called for redemption. The execution by the City of any fully registered Bond shall constitute full and due authorization of such Bond, and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond; *provided, however*, the principal amount of Bonds of each maturity authenticated by the Bond Registrar shall not at any one time exceed the authorized principal amount of Bonds for such maturity less the amount of such Bonds which have been paid. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid. No service charge shall be made to any registered owner of Bonds for any transfer or exchange of Bonds, but the City or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds.

Section 6. Book Entry Provisions. The Bonds shall be initially issued in Book Entry Form. Upon initial issuance, the ownership of each such Bond shall be registered in the Bond Register in the name of the Depository or a designee or nominee of the Depository (such depository or nominee being the “*Book Entry Owner*”). Except as otherwise expressly provided, all of the Outstanding Bonds from time to time shall be registered in the Bond Register in the name of the Book Entry Owner (and accordingly in Book Entry Form as such term is used in this Ordinance). Any City officer, as representative of the City, is hereby authorized, empowered, and directed to execute and deliver or utilize a previously executed and delivered Letter of Representations or Blanket Letter of Representations (either being the “*Letter of Representations*”) substantially in the form common in the industry, or with such changes therein as the officer executing the Letter of Representations on behalf of the City shall approve, his or

her execution thereof to constitute conclusive evidence of approval of such changes, as shall be necessary to effectuate Book Entry Form. Without limiting the generality of the authority given with respect to entering into such Letter of Representations, it may contain provisions relating to (a) payment procedures, (b) transfers of the Bonds or of beneficial interests therein, (c) redemption notices and procedures unique to the Depository, (d) additional notices or communications, and (e) amendment from time to time to conform with changing customs and practices with respect to securities industry transfer and payment practices. With respect to Bonds registered in the Bond Register in the name of the Book Entry Owner, none of the City, any City officer, or the Bond Registrar shall have any responsibility or obligation to any broker-dealer, bank, or other financial institution for which the Depository holds Bonds from time to time as securities depository (each such broker-dealer, bank, or other financial institution being referred to herein as a “*Depository Participant*”) or to any person on behalf of whom such a Depository Participant holds an interest in the Bonds. Without limiting the meaning of the immediately preceding sentence, the City, any City officer, and the Bond Registrar shall have no responsibility or obligation with respect to (a) the accuracy of the records of the Depository, the Book Entry Owner, or any Depository Participant with respect to any ownership interest in the Bonds, (b) the delivery to any Depository Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register or as otherwise expressly provided in the Letter of Representations, of any notice with respect to the Bonds, including any notice of redemption, or (c) the payment to any Depository Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any amount with respect to principal of or interest on the Bonds. No person other than a registered owner of a Bond as shown in the Bond Register shall receive a Bond certificate with respect to any Bond. In the event that (a) the City determines that the Depository is incapable of discharging its responsibilities described herein

and in the Letter of Representations, (b) the agreement among the City, the Bond Registrar, and the Depository evidenced by the Letter of Representations shall be terminated for any reason, or (c) the City determines that it is in the best interests of the City or of the beneficial owners of the Bonds either that they be able to obtain certificated Bonds or that another depository is preferable, the City shall notify the Depository and the Depository shall notify the Depository Participants of the availability of Bond certificates, and the Bonds (of a given Series if applicable) shall no longer be restricted to being registered in the Bond Register in the name of the Book Entry Owner. Alternatively, at such time, the City may determine that the Bonds of such Series shall be registered in the name of and deposited with a successor depository operating a system accommodating Book Entry Form, as may be acceptable to the City, or such depository's agent or designee, but if the City does not select such alternate book entry system, then the Bonds of such Series shall be registered in whatever name or names registered owners of Bonds transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

Section 7. Execution; Authentication. The Bonds shall be executed on behalf of the City by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its City Clerk, as they may determine, and shall be impressed or imprinted with the corporate seal or facsimile seal of the City. In case any such officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. All Bonds shall have thereon a certificate of authentication, substantially in the form provided, duly executed by the Bond Registrar as authenticating agent of the City and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of

authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Ordinance.

Section 8. Redemption.

A. *Optional Redemption.* If so provided in the Bond Order, any Bond shall be subject to redemption prior to maturity at the option of the City, from any available moneys, in whole or in part and if in part in such principal amounts and from such maturities as shall be determined by the City and within any maturity by lot, on any date which is not later than the date which is 10 1/2 years from the Dated Date and on any date thereafter and at any redemption price which is not in excess of 103% of par, plus accrued interest to the date fixed for redemption.

B. *Term Bonds; Mandatory Redemption and Covenants; Effect of Purchase of Term Bonds.* The Bonds may be subject to mandatory redemption (as Term Bonds) as provided in a Bond Order. Bonds designated as Term Bonds shall be made subject to mandatory redemption by operation of the Bond Fund at a price of not to exceed par and accrued interest, without premium, on December 1 of the years and in the amounts as shall be determined in a Bond Order. The City covenants that it will redeem Term Bonds pursuant to the mandatory redemption requirement for such Term Bonds. Proper provision for mandatory redemption having been made, the City covenants that the Term Bonds so selected for redemption shall be payable as at maturity, and taxes shall be levied and collected as provided herein accordingly. If the City purchases Term Bonds of any maturity and cancels the same from Bond Moneys as hereinafter described, then an amount equal to the principal amount of Term Bonds so purchased shall be deducted from the mandatory redemption requirements provided for Term Bonds of such maturity, first, in the current year of such requirement, until the requirement for the current year has been fully met, and then in any order of such Term Bonds as due at maturity or subject to

mandatory redemption in any year, as the City shall determine. If the City purchases Term Bonds of any maturity and cancels the same from moneys other than Bond Moneys, then an amount equal to the principal amount of Term Bonds so purchased shall be deducted from the amount of such Term Bonds as due at maturity or subject to mandatory redemption requirement in any year, as the City shall determine.

C. Redemption Procedures. Term Bonds subject to redemption shall be identified, notice given, and paid and redeemed pursuant to the procedures as follows.

(1) *Redemption Notice.* For a mandatory redemption, unless otherwise notified by the City, the Bond Registrar will proceed on behalf of the City as its agent to provide for the mandatory redemption of such Term Bonds without further order or direction hereunder or otherwise.

(2) *Selection of Bonds within a Maturity.* For purposes of any redemption of less than all of the Bonds of a Series of a single maturity, the particular Bonds or portions of Bonds of that Series to be redeemed shall be selected by lot by the Bond Registrar for the Bonds of that Series of such maturity by such method of lottery as the Bond Registrar shall deem fair and appropriate; *provided*, that such lottery shall provide for the selection for redemption of Bonds or portions thereof so that any \$5,000 Bond or \$5,000 portion of a Bond shall be as likely to be called for redemption as any other such \$5,000 Bond or \$5,000 portion. The Bond Registrar shall make such selection (1) upon or prior to the time of the giving of official notice of redemption, or (2) in the event of a refunding or defeasance, upon advice from the City that certain Bonds have been refunded or defeased and are no longer Outstanding as defined.

(3) *Official Notice of Redemption.* The Bond Registrar shall promptly notify the City in writing of the Bonds or portions of Bonds selected for redemption and, in the

case of any Bond selected for partial redemption, the principal amount thereof to be redeemed. Unless waived by the registered owner of Bonds to be redeemed, official notice of any such redemption shall be given by the Bond Registrar on behalf of the City by mailing the redemption notice by first class U.S. mail not less than 30 days and not more than 60 days prior to the date fixed for redemption to each registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar. All official notices of redemption shall include the name of the Bonds and at least the information as follows:

(a) the redemption date;

(b) the redemption price;

(c) if less than all of the Outstanding Bonds of a Series of a particular maturity are to be redeemed, the identification (and, in the case of partial redemption of Bonds of that Series within such maturity, the respective principal amounts) of the Bonds to be redeemed;

(d) a statement that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after said date; and

(e) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the office designated for that purpose of the Bond Registrar.

(4) *Conditional Redemption.* Unless moneys sufficient to pay the redemption price of the Bonds to be redeemed shall have been received by the Bond Registrar prior to

the giving of such notice of redemption, such notice may, at the option of the City, state that said redemption shall be conditional upon the receipt of such moneys by the Bond Registrar on or prior to the date fixed for redemption. If such moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Bonds, and the Bond Registrar shall give notice, in the same manner in which the notice of redemption was given, that such moneys were not so received and that such Bonds will not be redeemed.

(5) *Bonds Shall Become Due.* Official notice of redemption having been given as described, the Bonds or portions of Bonds so to be redeemed shall, subject to the stated condition in paragraph (4) immediately preceding, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Bond Registrar at the redemption price. The procedure for the payment of interest due as part of the redemption price shall be as herein provided for payment of interest otherwise due.

(6) *Insufficiency in Notice Not Affecting Other Bonds; Failure to Receive Notice; Waiver.* Neither the failure to mail such redemption notice, nor any defect in any notice so mailed, to any particular registered owner of a Bond, shall affect the sufficiency of such notice with respect to other registered owners. Notice having been properly given, failure of a registered owner of a Bond to receive such notice shall not be deemed to invalidate, limit or delay the effect of the notice or redemption action described in the notice. Such notice may be waived in writing by a registered owner of a Bond entitled to receive such notice, either before or after the event, and such waiver shall be the

equivalent of such notice. Waivers of notice by registered owners shall be filed with the Bond Registrar, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver. In lieu of the foregoing official notice, so long as the Bonds are held in Book Entry Form, notice may be given as provided in the Letter of Representations, and the giving of such notice shall constitute a waiver by the Depository and the Book Entry Owner, as registered owner, of the foregoing notice. After giving proper notification of redemption to the Bond Registrar, as applicable, the City shall not be liable for any failure to give or defect in such notice.

(7) *New Bond in Amount Not Redeemed.* Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of like tenor, of authorized denominations, of the Series and the same maturity, and bearing the same rate of interest in the amount of the unpaid principal.

(8) *Effect of Nonpayment upon Redemption.* If any Bond or portion of Bond called for redemption shall not be so paid upon surrender thereof for redemption, the principal shall become due and payable on demand, as aforesaid, but, until paid or duly provided for, shall continue to bear interest from the redemption date at the rate borne by the Bond or portion of Bond so called for redemption.

(9) *Bonds to Be Cancelled; Payment to Identify Bonds.* All Bonds which have been redeemed shall be cancelled and destroyed by the Bond Registrar and shall not be reissued. Upon the payment of the redemption price of Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

(10) *Additional Notice.* The City agrees to provide such additional notice of redemption as it may deem advisable at such time as it determines to redeem Bonds, taking into account any requirements or guidance of the Securities and Exchange Commission, the Municipal Securities Rulemaking Board, the Governmental Accounting Standards Board, or any other federal or state agency having jurisdiction or authority in such matters; *provided, however,* that such additional notice shall be (1) advisory in nature, (2) solely in the discretion of the City (unless a separate agreement shall be made), (3) not be a condition precedent of a valid redemption or a part of the Bond contract, and (4) any failure or defect in such notice shall not delay or invalidate the redemption of Bonds for which proper official notice shall have been given. Reference is also made to the provisions of the Continuing Disclosure Undertaking of the City with respect to the Bonds, which may contain other provisions relating to notice of redemption of Bonds.

(11) *Bond Registrar to Advise City.* As part of its duties hereunder, the Bond Registrar shall prepare and forward to the City a statement as to notices given with respect to each redemption together with copies of the notices as mailed.

Section 9. Form of Bonds. The Bonds shall be in substantially the form hereinafter set forth; *provided, however,* that if the text of the Bonds is to be printed in its entirety on the front side of the Bonds, then the second paragraph on the front side and the legend “See Reverse Side for Additional Provisions” shall be omitted and the text of paragraphs set forth for the reverse side shall be inserted immediately after the first paragraph.

[FORM OF BONDS - FRONT SIDE]

REGISTERED
NO. _____

REGISTERED
\$ _____

**UNITED STATES OF AMERICA
STATE OF ILLINOIS
COUNTIES OF KANE AND DUPAGE
CITY OF ST. CHARLES
[TAXABLE] GENERAL OBLIGATION CORPORATE PURPOSE [REFUNDING] BOND,
SERIES 2018[A][B]**

See Reverse Side for
Additional Provisions.

Interest Maturity Dated
Rate: ____% Date: December 1, 20__ Date: _____, 20__ CUSIP: 787758 ____

Registered Owner: CEDE & CO.

Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS that the City of St. Charles, Kane and DuPage Counties, Illinois, a municipality, home rule unit, and political subdivision of the State of Illinois (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above (but subject to right of prior redemption), the Principal Amount identified above and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on such Principal Amount from the later of the Dated Date of this Bond identified above or from the most recent interest payment date to which interest has been paid or duly provided for, at the Interest Rate per annum identified above, such interest to be payable on June 1 and December 1 of each year, commencing _____ 1, 201_, until said Principal Amount is paid or duly provided for. The principal of this Bond is payable in lawful money of the United States of America upon presentation hereof at the office maintained for that purpose at Amalgamated Bank of Chicago located in the City of Chicago, Illinois, as paying agent and bond registrar (the

“Bond Registrar”). Payment of interest shall be made to the Registered Owner hereof as shown on the registration books of the City maintained by the Bond Registrar at the close of business on the applicable Record Date. The Record Date shall be the 15th day of the month preceding any interest payment date. Interest shall be paid by check or draft of the Bond Registrar, payable upon presentation in lawful money of the United States of America, mailed to the address of such Registered Owner as it appears on such registration books, or at such other address furnished in writing by such Registered Owner to the Bond Registrar, or as otherwise agreed by the City and the Bond Registrar for so long as this Bond is held by a qualified securities clearing corporation as depository, or nominee, in Book Entry Form as provided for same.

Reference is hereby made to the further provisions of this Bond set forth on the reverse hereof, and such further provisions shall for all purposes have the same effect as if set forth at this place.

It is hereby certified and recited that all conditions, acts, and things required by the constitution and laws of the State of Illinois to exist or to be done precedent to and in the issuance of this Bond, have existed and have been properly done, happened, and been performed in regular and due form and time as required by law; that the indebtedness of the City, represented by the Bonds, and including all other indebtedness of the City, howsoever evidenced or incurred, does not exceed any constitutional or statutory or other lawful limitation.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar.

IN WITNESS WHEREOF the City of St. Charles, Kane and DuPage Counties, Illinois, by its City Council, has caused this Bond to be executed by the manual or duly authorized facsimile signature of its Mayor and attested by the manual or duly authorized facsimile signature of its City Clerk and its corporate seal or a facsimile thereof to be impressed or reproduced hereon, all as appearing hereon and as of the Dated Date identified above.

Mayor, City of St. Charles
Kane and DuPage Counties, Illinois

ATTEST:

City Clerk, City of St. Charles
Kane and DuPage Counties, Illinois

[SEAL]

[FORM OF AUTHENTICATION]

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Ordinance and is one of the [Taxable] General Obligation Corporate Purpose [Refunding] Bonds, Series 2018[A][B], having a Dated Date of _____, 20__, of the City of St. Charles, Kane and DuPage Counties, Illinois.

AMALGAMATED BANK OF CHICAGO
Chicago, Illinois
as Bond Registrar

Date of Authentication: _____, 20__

By _____
Authorized Officer

[FORM OF BONDS - REVERSE SIDE]

This bond and each bond of the series of which it forms a part (the “*Bonds*”) are issued pursuant to the Illinois Municipal Code, as supplemented and amended and also the home rule powers of the City under Section 6 of Article VII of the Illinois Constitution of 1970; and in the event of conflict between the provisions of the code and home rule powers, the home rule powers shall be deemed to supersede the provisions of said code (collectively, the “*Act*”). The Bonds are being issued to pay the costs of the [2018A Project] [Refunding], all as more fully defined and described in proceedings adopted by the City Council of the City (the “*Corporate Authorities*”) and in an ordinance authorizing the issuance of the Bonds adopted by the Corporate Authorities on the 19th day of March, 2018 (as supplemented by the Bond Order for the Bonds executed in connection therewith, the “*Ordinance*”), which has been duly approved by the Mayor, and published, in all respects as by law required, to all the provisions of which the holder by acceptance of this Bond assents. For the prompt payment of this Bond, both principal and interest, at maturity or as called for redemption, the full faith and credit of the City are irrevocably pledged, and all taxable property in the City shall be subject to the levy of Ad Valorem Property Taxes, without limitation as to rate or amount, to pay the same.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Laws of the State of Illinois to exist or to be done precedent to and in the issuance of this Bond, have existed and have been properly done, happened and been performed in regular and due form and time as required by law; that the indebtedness of the City, represented by the Bonds, and including all other indebtedness of the City, howsoever evidenced or incurred, does not exceed any constitutional or statutory or other lawful limitation; and that provision has been made for the collection of the Ad Valorem Property Taxes in an amount sufficient to pay the principal of and interest on the Bonds, and further, that the City will properly

account for the Bond Moneys and will comply with all of the covenants and maintain the funds and accounts as provided by the Bond Ordinance.

This Bond is subject to provisions relating to redemption and notice thereof, and other terms of redemption; provisions relating to registration, transfer, and exchange; and such other terms and provisions relating to security and payment as are set forth in the Ordinance; to which reference is hereby expressly made, and to all the terms of which the registered owner hereof is hereby notified and shall be subject.

The City and the Bond Registrar may deem and treat the Registered Owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and neither the City nor the Bond Registrar shall be affected by any notice to the contrary.

[FORM OF ASSIGNMENT]

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

--

Here insert Social Security Number,
Employer Identification Number or
other Identifying Number

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint

as attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

Signature guaranteed: _____

NOTICE: The signature to this transfer and assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Section 10. Security for the Bonds. The Bonds are general obligations of the City, for which the full faith and credit of the City are irrevocably pledged, and are payable from the levy of the Ad Valorem Property Taxes on all of the taxable property in the City, without limitation as to rate or amount.

Section 11. Tax Levy; Abatements. A. For the purpose of providing funds required to pay the interest on the Bonds promptly when and as the same falls due, and to pay and discharge the principal thereof at maturity, there is hereby levied upon all of the taxable property within the City, in the years for which any of the Bonds are outstanding, a direct annual tax for the Bonds sufficient for that purpose (*the “ Ad Valorem Property Taxes”*) as shall be fully set forth in the Bond Order for the Bonds. Bond Moneys shall be applied to pay principal of and interest on said Bonds. Interest on or principal of the Bonds coming due at any time when there are insufficient Bond Moneys to pay the same shall be paid promptly when due from current funds on hand in advance of the deposit of the Ad Valorem Property Taxes; and when the Ad Valorem Property Taxes shall have been collected, reimbursement shall be made to said funds in the amount so advanced. The City covenants and agrees with the purchasers and registered owners of the Bonds that so long as any of the Bonds remain outstanding the City will take no action or fail to take any action which in any way would adversely affect the ability of the City to levy and collect the Ad Valorem Property Taxes. The City and its officers will comply with all present and future applicable laws in order to assure that the Ad Valorem Property Taxes may lawfully be levied, extended, and collected as provided herein.

B. In the event that funds from any lawful source are made available or determined to become available and are appropriated for the purpose of paying any principal of or interest on

the Bonds so as to enable the abatement of the taxes levied herein for the payment of same, the Corporate Authorities shall, by proper proceedings, direct the deposit of such moneys currently or when received into the Bond Fund and further direct the abatement of such taxes by the amount so deposited or to be deposited. A certified copy or other notification of any such proceedings abating taxes may then be filed with the County Clerks in a timely manner to effect such abatement.

Section 12. Filing with County Clerks. Promptly, after this Ordinance becomes effective and upon execution of the first Bond Order, a copy hereof, certified by the City Clerk, together with each executed Bond Order, shall be filed with the County Clerks. Under authority of this Ordinance, the County Clerks shall in and for each of the years as set forth in each and every Bond Order ascertain the rate percent required to produce the aggregate Ad Valorem Property Taxes levied in each of such years; and the County Clerks shall extend the same for collection on the tax books in connection with other taxes levied in such years in and by the City for general corporate purposes of the City; and in each of those years such annual tax shall be levied and collected by and for and on behalf of the City in like manner as taxes for general corporate purposes for such years are levied and collected, without limit as to rate or amount, and in addition to and in excess of all other taxes.

Section 13. Sale of Bonds; Bond Orders; Official Statement. A. The Designated Representatives are hereby authorized to proceed, without any further official authorization or direction whatsoever from the Corporate Authorities, to sell and deliver Bonds as herein provided. The Designated Representatives shall be and are hereby authorized and directed to sell the Bonds of any Series to the Purchaser at the Purchase Price, *provided, however*, that the following conditions shall also be met:

(1) The aggregate compensation to the Purchaser, not including other costs or expenses incurred and approved by the City and paid directly upon delivery of such Series of Bonds, shall not exceed 2.0% of the public offering price of such Series of Bonds.

(2) If requested by Bond Counsel, the Purchaser or placement agent shall provide advice (in the form of written certificate or report) that the terms of such Series of Bonds are fair and reasonable in light of current conditions in the market for Tax-exempt obligations, such as the Series 2018A Bonds or any of the Series 2018B Bonds issued on a Tax-exempt basis.

(3) The net present value savings derived from any Refunding evidenced by the Series 2018B Bonds (as shown in a written certificate or report delivered by Robert W. Baird), shall not be less than 3.0% of the face amount of the Refunded Bonds in fact so refunded.

Nothing in this Section shall require the Designated Representatives to sell the Bonds if in their judgment the conditions in the bond markets shall have markedly deteriorated from the time of adoption hereof, but the Designated Representatives shall have the authority to sell the Bonds in any event so long as the limitations set forth in this Ordinance shall have been met, and it is hereby further expressly provided that the Designated Representatives shall have the authority to

determine whether to sell the Bonds for the Refunding in more than one Series as hereinabove provided. Incidental to any sale of the Bonds, the Designated Representatives shall find and determine that no person holding any office of the City either by election or appointment, is in any manner financially interested, either directly, in his or her own name, or indirectly, in the name of any other person, association, trust or corporation, in the agreement with the Purchaser for the purchase of the Bonds.

B. Upon the sale of the Bonds of any Series, the Designated Representatives and any other officials of the City as shall be appropriate shall be and are hereby authorized and directed to approve or execute, or both, such documents of sale of the Bonds of such Series as may be necessary, including, without limitation, a Bond Order, Preliminary Official Statement, Official Statement, Bond Purchase Agreement, closing documents; such certifications, tax returns, and documentation as may be required by Bond Counsel, including, specifically, a tax agreement, to render their opinions as to the Tax-exempt status of the interest on any of the Bonds issued on a Tax-exempt basis, and documentation as may be advised by Bond Counsel as appropriate, to establish and maintain the Tax-exempt status of the interest on any of the Bonds issued on a Tax-exempt basis. The Preliminary Official Statement relating to the Bonds, such document to be in substantially the form customarily utilized by the City in previous financings, is hereby in all respects authorized and approved; and the proposed use by the Purchaser of an Official Statement (in substantially the form of the Preliminary Official Statement but with appropriate variations to reflect the final terms of the Bonds) is also hereby authorized and approved. The Bond Purchase Agreement for the sale of the Bonds in a negotiated underwriting is hereby in all respects authorized and approved. Any of the Designated Representatives are hereby each authorized to execute each Bond Purchase Agreement, such execution to constitute full and complete approval of all necessary or appropriate completions and revisions as shall appear therein. Upon the sale

of a Series of the Bonds, the Designated Representatives so acting shall prepare the Bond Order for same, which shall include the pertinent details of sale as provided herein, and which shall enumerate the levy of taxes to pay the Bonds, and such shall in due course be entered into the records of the City and made available to the Corporate Authorities. *The authority to sell the Bonds pursuant to any Bond Order as herein provided shall expire on September 19, 2018, provided, however, that the Corporate Authorities expressly provide that any Series 2018B Bonds issued on a Tax-exempt basis shall have a delivery date that is not sooner than 90 days prior to the earliest redemption date for the Prior Bonds and not later than such redemption date.*

Section 14. General Covenants. The City covenants and agrees with the registered owners of the Bonds that, so long as any Bonds remain outstanding and unpaid:

(a) The City will punctually pay or cause to be paid the principal of, interest on and premium, if any, to become due in respect of the Bonds in strict conformity with the terms of the Bonds and this Ordinance, and it will faithfully observe and perform all of the conditions, covenants and requirements thereof and hereof.

(b) The City will preserve and protect the security and the rights of the Bondholders, and will warrant and defend their rights against all claims and demands of all persons. From and after the sale and delivery of any of the Bonds by the City, the Bonds shall be incontestable by the City.

(c) The City will adopt, make, execute and deliver any and all such further ordinances, resolutions, instruments and assurances as may be reasonably necessary or proper to carry out the intention of, or to facilitate the performance of, this Ordinance and for the better assuring and confirming unto the holders of the Bonds of the rights and benefits provided in this Ordinance.

Section 15. Continuing Disclosure Undertaking. Any Designated Representative is hereby authorized, empowered, and directed to execute and deliver the Continuing Disclosure Undertaking in substantially the same form as provided by Bond Counsel and approved by the City Attorney, or with such changes therein as the Designated Representative executing the Continuing Disclosure Undertaking on behalf of the City shall approve, his or her execution thereof to constitute conclusive evidence of his or her approval of such changes. When the Continuing Disclosure Undertaking is executed and delivered on behalf of the City as herein provided, the Continuing Disclosure Undertaking will be binding on the City and the officers, employees, and agents of the City, and the officers, employees, and agents of the City are hereby authorized, empowered, and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Continuing Disclosure Undertaking as executed. Notwithstanding any other provision of this Ordinance, the sole remedies for failure to comply with the Continuing Disclosure Undertaking shall be the ability of the beneficial owner of any Bond to seek mandamus or specific performance by court order, to cause the City to comply with its obligations under the Continuing Disclosure Undertaking.

Section 16. Creation of Funds and Appropriations and Approval of Escrow Agreement.

A. BOND FUND. There is hereby created a “*Series 2018[Series Designation] Bonds Sinking Fund Account*” for each Series of the Bonds (each the “[*Series Designation*]Bond Fund” for said Series), which shall be the fund for the payment of principal of and interest on the relevant Series of the Bonds. Accrued interest received upon delivery of the Bonds, if any, shall be deposited into the relevant Bond Fund and be applied to pay first interest coming due on said Series of Bonds.

The Ad Valorem Property Taxes shall either be deposited into the relevant Bond Fund and used solely and only for paying the principal of and interest on the Bonds or be used to reimburse a fund or account from which advances to the Bond Fund may have been made to pay principal of or interest on the Bonds prior to receipt of Ad Valorem Property Taxes. Interest income or investment profit earned in each Bond Fund shall be retained in said Bond Fund for payment of the principal of or interest on the relevant Series of Bonds on the interest payment date next after such interest or profit is received or, to the extent lawful and as determined by the Corporate Authorities, transferred to such other fund as may be determined. The City hereby pledges, as equal and ratable security for the Bonds, all present and future proceeds of the Ad Valorem Property Taxes for the sole benefit of the registered owners of the Bonds, subject to the reserved right of the Corporate Authorities to transfer certain interest income or investment profit earned in each Bond Fund to other funds of the City, as described in the preceding sentence.

B. EXPENSE FUND. The amount necessary from the proceeds of the Bonds, together with such money in the bond funds for the Refunded Bonds as may be advisable for the purpose, shall be used to pay expenses of issuance of the Bonds and shall be disbursed directly upon the delivery of the Bonds or shall be deposited into a separate fund for each Series, each hereby created, designated the “[*Series Designation*]Expense Fund” to be held by the City and used to pay expenses of issuing the respective Series of Bonds. Disbursements shall be made by Purchaser at the direction of the Treasurer upon the delivery of any Series of Bonds or by the Treasurer from time to time from such fund as necessary with no further official action of the Corporate Authorities, and any funds remaining on deposit in and to the credit of each Expense Fund on the date which is six months after delivery of the Bonds shall be transferred to the corresponding Bond Fund and used to pay interest next coming due on the Bonds.

C. PROJECT FUND. The City hereby creates a separate and segregated fund held by the City to be known as the “2018A Capital Project Fund” (the “Project Fund”). The amount of the proceeds of the Series 2018A Bonds as set forth in a relevant Bond Order shall be set aside into the Project Fund. The Treasurer is hereby authorized to disburse monies from the Project Fund for payment of costs of the 2018A Capital Project in accordance with normal City disbursement procedures with no further official action of the Corporate Authorities.

Without further official action of or direction by the Corporate Authorities, if necessary to ensure the timely payment of principal of and interest on the Series 2018A Bonds, monies on deposit in the Project Fund may be transferred by the Treasurer at any time to the Series 2018A Bond Fund in anticipation of the collection of the Ad Valorem Property Taxes. Any amount so transferred shall be promptly repaid upon the collection of the Ad Valorem Property Taxes.

D. ESCROW AGREEMENT. The amount necessary from the proceeds of the Series 2018B Bonds shall be used to provide for the refunding of the respective Refunded Bonds pursuant to the provisions of an Escrow Agreement, all in accordance with the provisions of such Escrow Agreement, in substantially the same form as provided by Bond Counsel and approved by the City Attorney, made a part hereof by this reference, and hereby approved. The Purchaser, the Escrow Agent and Bond Counsel, be and the same are each hereby authorized to act as agent for the City in the purchase of the Government Securities described and set forth in such Escrow Agreement. Any amounts remaining from the proceeds of the Series 2018B Bonds after accomplishing the Refunding shall be set aside in the Series 2018B Bond Fund for the Refunding Bonds, applied to pay next interest on the Series 2018B Bonds, and taxes abated accordingly.

E. ALTERNATE FUNDS. Alternatively to the creation of any Bond Fund, the Project Fund or any Expense Fund, the Treasurer may allocate Bond Moneys or the proceeds of the Bonds for expenses to one or more related funds of the City already in existence and in

accordance with good accounting practice; *provided, however*, that this shall not relieve the City or the Treasurer of the duty to account and invest for the Bond Moneys and the proceeds of the Bonds as herein provided, as if such funds had in fact been created.

Section 17. General Tax Covenants. This Section and Section 18 shall apply to the Series 2018A Bonds and to any of the Series 2018B Bonds issued on a Tax-exempt basis. The City hereby covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting, or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code, would otherwise cause the interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City acknowledges that, in the event of an examination by the Internal Revenue Service of the exemption from Federal income taxation for interest paid on the Bonds, under present rules, the City may be treated as a “taxpayer” in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the Internal Revenue Service in connection with such an examination. In furtherance of the foregoing provisions, but without limiting their generality, the City agrees: (a) through its officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to comply with all representations, covenants, and assurances contained in certificates or agreements as may be prepared by Bond Counsel; (c) to consult with such Bond Counsel and to comply with such advice as may be given; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

Section 18. Certain Specific Tax Covenants.

A. None of the Bonds shall be a “private activity bond” as defined in Section 141(a) of the Code; and the City certifies, represents, and covenants as follows:

(1) Not more than 5% of the net proceeds and investment earnings of the Bonds is to be used, directly or indirectly, in any activity carried on by any person other than a state or local governmental unit.

(2) Not more than 5% of the amounts necessary to pay the principal of and interest on the Bonds will be derived, directly or indirectly, from payments with respect to any private business use by any person other than a state or local governmental unit.

(3) None of the proceeds of the Bonds is to be used, directly or indirectly, to make or finance loans to persons other than a state or local governmental unit.

(4) Except as may be permitted by reference to the text above at paragraph A(1) of this Section, no user of the real or personal property of the City acquired, constructed, or improved with the proceeds of the Bonds, other than the City or another governmental unit, will use the same on any basis other than the same basis as the general public; and except as noted, no person, other than the City or another governmental unit, will be a user of such property as a result of (i) ownership or (ii) actual or beneficial use pursuant to a lease, a management or incentive payment contract other than as expressly permitted by the Code, or (iii) any other arrangement.

B. The Bonds shall not be “arbitrage bonds” under Section 148 of the Code; and the City certifies, represents, and covenants as follows:

(1) Except for the Bond Fund, the City has not created or established and will not create or establish any sinking fund reserve fund or any other similar fund to provide for the payment of the Bonds. The Bond Fund for each series of the Bonds has been

established and will be funded in a manner primarily to achieve a proper matching of revenues and debt service and will be depleted at least annually to an amount not in excess of 1/12th the particular annual debt service on the Bonds. Money deposited into the Bond Fund for the Bonds will be spent within a 13-month period beginning on the date of deposit, and investment earnings in said Bond Fund will be spent or withdrawn from said Bond Fund within a one-year period beginning on the date of receipt.

(2) Amounts of money related to the Bonds required to be invested at a yield not materially higher than the yield on the Bonds, as determined pursuant to such tax certifications or agreements as the City officers may make in connection with the issuance of the Bonds, shall be so invested; and appropriate City officers are hereby authorized to make such investments.

(3) Unless an applicable exception to Section 148(f) of the Code, relating to the rebate of “excess arbitrage profits” to the United States Treasury (the “*Rebate Requirement*”) is available to the City, the City will meet the Rebate Requirement.

(4) Relating to applicable exceptions, any City officer charged with issuing the Bonds is hereby authorized to make such elections under the Code as such officer shall deem reasonable and in the best interests of the City. If such election may result in a “penalty in lieu of rebate” as provided in the Code, and such penalty is incurred (the “*Penalty*”), then the City shall pay such Penalty.

C. A portion of the proceeds of the Bonds may be used to pay, directly or indirectly, in whole or in part, for expenditures for which an intent to reimburse itself was properly declared under Treasury Regulations Section 1.150-2. Additionally, this Ordinance is in itself a declaration of official intent under Treasury Regulations Section 1.150-2 as to all costs of the 2018A Project or the Refunding paid after the date hereof and prior to issuance of the Bonds.

D. The City reserves the right to use or invest moneys in connection with the Bonds in any manner, notwithstanding the representations and covenants relating to the Tax-exempt status of the Bonds, provided it shall first have received an opinion from Bond Counsel (or, in the event Bond Counsel is unable or unwilling to provide such opinion, then with another firm having a nationally recognized expertise in matters relating to Tax-exempt obligations) to the effect that use or investment of such moneys or the changes in or use of such infrastructure as contemplated will not result in loss or impairment of the status for the Bonds.

Section 19. Taxes Previously Levied. The taxes previously levied to pay principal of and interest on the Refunded Bonds for the years 2018 and thereafter, to the extent such principal and interest is provided for from the proceeds of the Bonds or otherwise as hereinabove described, shall be abated. The filing of a certificate of abatement with the County Clerks shall constitute authority and direction for the County Clerks to make such abatement. The taxes so levied for the Refunded Bonds for the years 2017 and preceding, which have been or are to be collected, shall be applied to the payment either of the Refunded Bonds for which collected or to the payment of the Series 2018B Bonds.

Section 20. Call of the Prior Bonds. In accordance with the redemption provisions of the ordinance authorizing the issuance of the Prior Bonds, the Corporate Authorities do hereby make provision for the payment of and do hereby call (subject only to the delivery of the Series 2018B Bonds and proper funding of the escrow account for the Refunded Bonds) the Refunded Bonds for redemption on December 1, 2020, as provided by the terms of the Escrow Agreement.

Section 21. Municipal Bond Insurance. In the event the payment of principal of and interest on a Series of the Bonds is insured pursuant to a municipal bond insurance policy (a “*Municipal Bond Insurance Policy*”) issued by a bond insurer (a “*Bond Insurer*”), and as long as such Municipal Bond Insurance Policy shall be in full force and effect, the City and the Bond

Registrar agree to comply with such usual and reasonable provisions regarding presentment and payment of such Bonds, subrogation of the rights of the Bondholders to the Bond Insurer when holding such Bonds, amendment hereof, or other terms, as approved by any of the City Officers on advice of counsel, his or her approval to constitute full and complete acceptance by the City of such terms and provisions under authority of this Section.

Section 22. Rights and Duties of Bond Registrar. If requested by the Bond Registrar, any officer of the City is authorized to execute standard form of agreements between the City and the Bond Registrar with respect to the obligations and duties of the Bond Registrar under this Ordinance. In addition to the terms of such agreements and subject to modification thereby, the Bond Registrar by acceptance of duties under this Ordinance agree (a) to act as bond registrar, paying agent, authenticating agent, and transfer agent as provided herein; (b) to maintain a list of Bondholders as set forth herein and to furnish such list to the City upon request, but otherwise to keep such list confidential to the extent permitted by law; (c) to cancel and/or destroy Bonds which have been paid at maturity or submitted for exchange or transfer; (d) to furnish the City at least annually a certificate with respect to Bonds cancelled and/or destroyed; and (e) to furnish the City at least annually an audit confirmation of Bonds paid, Bonds Outstanding and payments made with respect to interest on the Bonds. The City covenants with respect to the Bond Registrar, and the Bond Registrar further covenants and agrees as follows:

(A) The City shall at all times retain a Bond Registrar with respect to the Bonds; it will maintain at the designated office(s) of such Bond Registrar a place or places where Bonds may be presented for payment, registration, transfer or exchange; and it will require that the Bond Registrar properly maintain the Bond Register and perform the other duties and obligations imposed upon it by this Ordinance in a manner consistent with the standards, customs and practices of the municipal securities industry.

(B) The Bond Registrar shall signify its acceptance of the duties and obligations imposed upon it by this Ordinance by executing the certificate of authentication on any Bond, and by such execution the Bond Registrar shall be deemed to have certified to the City that it has all requisite power to accept and has accepted such duties and obligations not only with respect to the Bond so authenticated but with respect to all the Bonds. Any Bond Registrar shall be the agent of the City and shall not be liable in connection with the performance of its duties except for its own negligence or willful wrongdoing. Any Bond Registrar shall, however, be responsible for any representation in its certificate of authentication on Bonds.

(C) The City may remove the Bond Registrar at any time. In case at any time the Bond Registrar shall resign, shall be removed, shall become incapable of acting, or shall be adjudicated a bankrupt or insolvent, or if a receiver, liquidator, or conservator of the Bond Registrar or of the property thereof shall be appointed, or if any public officer shall take charge or control of the Bond Registrar or of the property or affairs thereof, the City covenants and agrees that it will thereupon appoint a successor Bond Registrar. The City shall give notice of any such appointment made by it to each registered owner of any Bond within twenty days after such appointment in any reasonable manner as the City shall select. Any Bond Registrar appointed under the provisions of this Section shall be a bank, trust company, or national banking association maintaining a corporate trust office in Illinois or New York, and having capital and surplus and undivided profits in excess of \$100,000,000. The City Clerk of the City is hereby directed to file a certified copy of this Ordinance with the Bond Registrar.

Section 23. Defeasance. Any Bond or Bonds which (a) are paid and cancelled, (b) which have matured and for which sufficient sums have been deposited with the Bond

Registrar to pay all principal and interest due thereon, or (c) for which sufficient funds and Defeasance Obligations have been deposited with the Bond Registrar or similar institution to pay, taking into account investment earnings on such obligations, all principal of and interest on such Bond or Bonds when due at maturity, pursuant to an irrevocable escrow or trust agreement, shall cease to have any lien on or right to receive or be paid from the Ad Valorem Property Taxes and shall no longer have the benefits of any covenant for the registered owners of Outstanding Bonds as set forth herein as such relates to lien and security of the Outstanding Bonds. All covenants relative to the Tax-exempt status of the Bonds; and payment, registration, transfer, and exchange; are expressly continued for all Bonds whether Outstanding Bonds or not. For purposes of this Section, “*Defeasance Obligations*” means (a) direct and general full faith and credit obligations of the United States Treasury (“*Directs*”), (b) certificates of participation or trust receipts in trusts comprised wholly of Directs or (c) other obligations unconditionally guaranteed as to timely payment by the United States Treasury.

Section 24. Publication of Ordinance. A full, true, and complete copy of this Ordinance shall be published within ten days after passage in pamphlet form by authority of the Corporate Authorities.

Section 25. Severability. 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.

Section 26. Superseder and Effective Date. All ordinances, resolutions, and orders, or parts thereof, in conflict with this Ordinance, are to the extent of such conflict hereby superseded; and this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

ADOPTED: this 19th day of March, 2018

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED: March 19, 2018

Mayor, City of St. Charles
Kane and DuPage Counties, Illinois

Published in pamphlet form by authority of the City Council on March __, 2018.

ATTEST:

City Clerk, City of St. Charles
Kane and DuPage Counties, Illinois

EXTRACT OF MINUTES of the regular public meeting of the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, held at the City Hall, located at 2 East Main Street, in said City, at 7:00 p.m., on Monday, the 19th day of March, 2018.

The Mayor called the meeting to order and directed the City Clerk to call the roll.

Upon the roll being called, the Mayor, being physically present at such place and time, and the following Aldermen, being physically present at such place and time, answered present:

The following Aldermen were allowed by a majority of the Aldermen in accordance with and to the extent allowed by rules adopted by the City Council to attend the meeting by video or audio conference: _____

No Alderman was denied permission to attend the meeting by video or audio conference.

The following Aldermen were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____

* * * * *

There being a quorum present, various business of the City Council was conducted.

* * * * *

The City Council then discussed a proposed bond issuance for refunding and capital improvement purposes for the benefit of the City and considered an ordinance providing for the issuance of General Obligation Corporate Purpose Bonds and General Obligation Corporate Purpose Refunding Bonds of the City, authorizing the execution of a bond order in connection therewith, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds, providing for the execution of an escrow agreement

in connection with such issuance and further providing for the sale of each series of said bonds to the purchaser thereof.

Thereupon, the Mayor presented an ordinance entitled:

AN ORDINANCE providing for the issuance of not to exceed \$22,900,000 General Obligation Corporate Purpose Bonds, Series 2018A and not to exceed \$4,800,000 General Obligation Corporate Purpose Refunding Bonds, Series 2018B, of the City of St. Charles, Kane and DuPage Counties, Illinois, authorizing the execution of a bond order and escrow agreement in connection therewith, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds and authorizing the sale of each series of said bonds to the purchaser thereof.

(the "*Bond Ordinance*").

Alderman _____ moved and Alderman _____ seconded the motion that the Bond Ordinance as presented be adopted.

A City Council discussion of the matter followed. During the discussion, _____, gave a public recital of the nature of the matter, which included a reading of the title of the ordinance and statements (1) that the ordinance provided for the issuance of one or more series of general obligation bonds for the purpose of paying the costs of refunding certain outstanding general obligation corporate purpose bonds and for the purpose of providing for capital improvements at various locations throughout the City, (2) that the bonds are issuable without referendum pursuant to the home rule powers of the City, (3) that the ordinance provides for the sale of the bonds by certain representatives of the City and the execution by one or more bond orders in connection therewith, (4) that the ordinance further provides the levy of taxes to pay the bonds and approves an Escrow Agreement to accomplish the refunding, and (5) that the ordinance provides many details for the bonds, including tax-exempt status covenants, provision for terms and form of the bonds, and appropriations.

The Mayor directed that the roll be called for a vote upon the motion to adopt the ordinance.

Upon the roll being called, the following Aldermen voted AYE: _____

_____ and the following Aldermen voted NAY: _____

WHEREUPON, the Mayor declared the motion carried and the ordinance adopted, and henceforth did approve and sign the same in open meeting, and did direct the City Clerk to record the same in full in the records of the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois.

* * * * *

Other business was duly transacted at said meeting.

* * * * *

Upon motion duly made and carried, the meeting adjourned.

City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

CERTIFICATION OF AGENDA, MINUTES AND ORDINANCE

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois (the “City”), and as such official I am the keeper of the official journal of proceedings, books, records, minutes, and files of the City and of the City Council (the “Corporate Authorities”) of the City.

I do further certify that the foregoing extract of minutes is a full, true, and complete transcript of that portion of the minutes of the meeting (the “Meeting”) of the Corporate Authorities held on the 19th day of March, 2018, insofar as the same relates to the adoption of an ordinance, numbered _____, entitled:

AN ORDINANCE providing for the issuance of not to exceed \$22,900,000 General Obligation Corporate Purpose Bonds, Series 2018A and not to exceed \$4,800,000 General Obligation Corporate Purpose Refunding Bonds, Series 2018B, of the City of St. Charles, Kane and DuPage Counties, Illinois, authorizing the execution of a bond order and escrow agreement in connection therewith, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds and authorizing the sale of each series of said bonds to the purchaser thereof.

(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 Corporate Authorities on the adoption of the Ordinance were taken 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 newspapers, radio or television stations, and other news media requesting such notice; that an agenda (the “Agenda”) for the Meeting was posted at

the location where the Meeting was held and at the principal office of the Corporate Authorities (both such locations being at City Hall) at least 48 hours in advance of the Meeting and also not later than 5:00 p.m. on the Friday preceding the Meeting; that said Agenda contained a separate specific item relating to the consideration of the Ordinance and *that a true, correct, and complete copy of said Agenda as so posted is attached to this certificate*; 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 the Illinois Municipal Code, as amended; and that the Corporate Authorities have complied with all of the provisions of such Act and Code and with all of the procedural rules of the Corporate Authorities in the adoption of the Ordinance.

IN WITNESS WHEREOF I hereunto affix my official signature and the seal of the City this 19th day of March, 2018.

[SEAL]

City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois (the “City”), and as such official I am the keeper of the official journal of proceedings, books, records, minutes, and files of the City and of the City Council (the “Corporate Authorities”) of the City.

I do further certify that on the _____ day of March, 2018, there was published in pamphlet form, by authority of the City Council, a true, correct, and complete copy of Ordinance Number _____ of the City entitled:

AN ORDINANCE providing for the issuance of not to exceed \$22,900,000 General Obligation Corporate Purpose Bonds, Series 2018A and not to exceed \$4,800,000 General Obligation Corporate Purpose Refunding Bonds, Series 2018B, of the City of St. Charles, Kane and DuPage Counties, Illinois, authorizing the execution of a bond order and escrow agreement in connection therewith, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds and authorizing the sale of each series of said bonds to the purchaser thereof.

and providing for the issuance of said bonds, and that the ordinance as so published was on that date readily available for public inspection and distribution, in sufficient number so as to meet the needs of the general public, at my office as City Clerk located in the City.

IN WITNESS WHEREOF I have affixed hereto my official signature and the seal of the City this _____ day of March, 2018.

City Clerk

[SEAL]

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

CERTIFICATE OF FILING

I do hereby certify that I am the duly qualified and acting County Clerk of The County of Kane, Illinois, and as such officer I do hereby certify that on the ____ day of _____, 2018, there was filed in my office a properly certified copy of Ordinance Number _____, duly adopted by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, on the 19th day of March, 2018, and entitled:

AN ORDINANCE providing for the issuance of not to exceed \$22,900,000 General Obligation Corporate Purpose Bonds, Series 2018A and not to exceed \$4,800,000 General Obligation Corporate Purpose Refunding Bonds, Series 2018B, of the City of St. Charles, Kane and DuPage Counties, Illinois, authorizing the execution of a bond order and escrow agreement in connection therewith, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds and authorizing the sale of each series of said bonds to the purchaser thereof.

and approved by the Mayor of said City, and that the same has been deposited in, and all as appears from, the official files and records of my office.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the seal of The County of Kane, Illinois, this ____ day of _____, 2018.

County Clerk of The County
of Kane, Illinois

[SEAL]

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

CERTIFICATE OF FILING

I do hereby certify that I am the duly qualified and acting County Clerk of The County of DuPage, Illinois, and as such officer I do hereby certify that on the ____ day of _____, 2018, there was filed in my office a properly certified copy of Ordinance Number _____, duly adopted by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, on the 19th day of March, 2018, and entitled:

AN ORDINANCE providing for the issuance of not to exceed \$22,900,000 General Obligation Corporate Purpose Bonds, Series 2018A and not to exceed \$4,800,000 General Obligation Corporate Purpose Refunding Bonds, Series 2018B, of the City of St. Charles, Kane and DuPage Counties, Illinois, authorizing the execution of a bond order and escrow agreement in connection therewith, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds and authorizing the sale of each series of said bonds to the purchaser thereof.

and approved by the Mayor of said City, and that the same has been deposited in, and all as appears from, the official files and records of my office.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the seal of The County of DuPage, Illinois, this ____ day of _____, 2018.

County Clerk of The County
of DuPage, Illinois

[SEAL]