

VILLAGE OF BARTLETT

COMMITTEE AGENDA

MAY 2, 2017

FINANCE & GOLF

1. 2007 GO Bonds Refunding
2. General Fund Revenue

POLICE & HEALTH

1. New Police Building and Parking Lot



Agenda Item Executive Summary

Item Name 2007 GO Bonds Refunding Committee or Board Committee

BUDGET IMPACT

Amount: N/A Budgeted N/A

List what fund N/A

EXECUTIVE SUMMARY

The 2007 GO Bonds are eligible for refunding. Due to lower interest rates, the potential present value savings could be over \$230,000.

ATTACHMENTS (PLEASE LIST)

Finance Department Memo
Bond Refunding Analysis
Refunding Bonds Parameters Ordinance

ACTION REQUESTED

- For Discussion Only
- Resolution
- Ordinance
- Motion

Staff: Todd Dowden, Acting Finance Director Date: April 25, 2017

Village of Bartlett
Finance Department Memo
2017 - 13

DATE: April 25, 2017
TO: Paula Schumacher, Acting Village Administrator
FROM: Todd Dowden, Acting Finance Director 
SUBJECT: 2007 GO Bonds Refunding

Recently our 2007 GO Bonds became eligible for refunding. We have been working with our Financial Advisors, Thomas Gavin and Dalena Welkomer, of Robert W. Baird & Co. to consider the savings potential of a refunding. An analysis is attached showing a potential gross debt service savings of over \$260,000 and present value savings of over \$230,000, or over 8% of the refunded principal amount, due to the more favorable interest rates currently available. The analysis is using level debt service for the same term as the remaining original debt. Also included is a parameters ordinance similar to the ordinance used with the Police Station bonds. The ordinance includes a 3% minimum savings requirement or \$83,850. The Government Finance Officers Association recommends the 3% threshold as a best practice.

Dalena Welkomer will be available at the May 2nd Committee meeting to answer any questions. If the Board's direction is to move forward with the refunding, the ordinance will be presented at the May 16, 2017 Board meeting for approval.

Village of Bartlett, Illinois

Hypothetical Illustration for Refunding General Obligation Bonds, Series 2007

Assumed "Aa1" Rating / Bank Qualified Interest Rates

Illustration is subject to change based on market conditions. Actual rates may vary from those assumed.

BEFORE REFUNDING

Bond Year	\$2,795,000			Total
	Principal (12/1)	Rate (6/1 & 12/1)	Interest (6/1 & 12/1)	
2017	\$235,000	4.000%	\$61,944	\$296,944
2018	\$240,000	4.000%	\$114,488	\$354,488
2019	\$250,000	4.000%	\$104,888	\$354,888
2020	\$265,000	4.250%	\$94,888	\$359,888
2021	\$275,000	4.500%	\$83,625	\$358,625
2022	\$280,000	4.500%	\$71,250	\$351,250
2023	\$290,000	4.500%	\$58,650	\$348,650
2024	\$305,000	4.750%	\$45,600	\$350,600
2025	\$320,000	4.750%	\$31,113	\$351,113
2026	\$335,000	4.750%	\$15,913	\$350,913
	\$2,795,000		\$682,356	\$3,477,356

AFTER REFUNDING

Bond Year	\$2,700,000			Total
	Principal (12/1)	Rate (6/1 & 12/1)	Interest (6/1 & 12/1)	
2017	\$225,000	2.000%	\$44,025	\$269,025
2018	\$245,000	2.000%	\$83,550	\$328,550
2019	\$250,000	3.000%	\$78,650	\$328,650
2020	\$265,000	3.000%	\$71,150	\$336,150
2021	\$270,000	3.000%	\$63,200	\$333,200
2022	\$270,000	3.000%	\$55,100	\$325,100
2023	\$275,000	4.000%	\$47,000	\$322,000
2024	\$290,000	4.000%	\$36,000	\$326,000
2025	\$300,000	4.000%	\$24,400	\$324,400
2026	\$310,000	4.000%	\$12,400	\$322,400
	\$2,700,000		\$515,475	\$3,215,475

POTENTIAL DEBT SERVICE SAVINGS	
2017	\$27,919
2018	\$25,938
2019	\$26,238
2020	\$23,738
2021	\$25,425
2022	\$26,150
2023	\$26,650
2024	\$24,600
2025	\$26,713
2026	\$28,513

CALLABLE MATURITIES

Potential Present Value Savings.....	\$236,260
Par Amount of Bonds Refunded ⁽³⁾	\$2,795,000
Potential Percent Present Value Savings ⁽⁴⁾	8.453%

(1) Assumed total costs of issuance of \$25 per \$1,000. Preliminary, subject to change.

(2) Assumed rates are hypothetical interest rates based on current market rates for a current tax-exempt bank-qualified interest rates for a "Aa1" rated general obligation bond as of March 29, 2017. These rates are subject to change, and the actual rates applicable to any bonds that the Village may decide to issue may vary from the assumed rates. If actual rates are higher than these assumed, the interest savings could be less.

(3) Assumed the refunding of the 2017-2026 maturities only.

(4) Calculated using the refunding bond yield of 2.299% as the discount rate.

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EXTRACT OF MINUTES of a regular public meeting of the President and Board of Trustees of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, held in the Village Hall, located at 228 South Main Street, in said Village, at 7:00 p.m., on the 16th day of May, 2017.

The President, Kevin Wallace, called the meeting to order and directed the Village Clerk to call the roll.

Upon roll call, the President and following Trustees were physically present at said location: _____

The following Trustees were allowed by a majority of the members of the President and Board of Trustees in accordance with and to the extent allowed by rules adopted by the President and Board of Trustees to attend the meeting by video or audio conference: _____

No Trustee was not permitted to attend the meeting by video or audio conference.

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

_____ presented and made available to the Trustees and interested members of the public complete copies of an ordinance entitled:

AN ORDINANCE providing for the issuance of not to exceed \$2,950,000 General Obligation Refunding Bonds of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, for the purpose of refunding certain outstanding bonds of said Village, providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on said Bonds, and authorizing the sale of said Bonds to the purchaser thereof.

(the "*Bond Ordinance*").

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

A Board discussion of the matter followed. During the Board discussion, the President gave a public recital of the nature of the matter, which included a reading of the title of the Bond Ordinance and statements that (1) the Bond Ordinance provides for the issuance of not to exceed \$2,950,000 General Obligation Refunding Bonds to refund certain of the Village's outstanding General Obligation Bonds, Series 2007, (2) said Bonds are issuable without referendum pursuant to the home rule powers of the Village, (3) the Bond Ordinance provides for the levy of taxes sufficient to pay the principal of and interest on said Bonds, and (4) the Bond Ordinance sets forth the parameters for the issuance of said Bonds and the sale thereof by designated officials of the Village and (5) summarized the pertinent terms of said parameters, including the manner of sale, length of maturity, rates of interest, purchase price and tax levy for said Bonds.

The President directed that the roll be called for a vote upon the motion to adopt the Bond Ordinance.

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

and the following Trustees voted NAY: _____

WHEREUPON, the President declared the motion carried and the Bond Ordinance adopted, and henceforth did approve and did direct the Village Clerk to record the same in full in the records of the President and Board of Trustees of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois.

Other business was duly transacted at said meeting.

Upon motion duly made and carried, the meeting adjourned.

Village Clerk

ORDINANCE NUMBER _____

AN ORDINANCE providing for the issuance of not to exceed \$2,950,000 General Obligation Refunding Bonds of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, for the purpose of refunding certain outstanding bonds of said Village, providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on said Bonds, and authorizing the sale of said Bonds to the purchaser thereof.

Adopted by the President and Board of
Trustees on the 16th day of May, 2017.

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ORDINANCE NUMBER _____

AN ORDINANCE providing for the issuance of not to exceed \$2,950,000 General Obligation Refunding Bonds of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, for the purpose of refunding certain outstanding bonds of said Village, providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on said Bonds, and authorizing the sale of said Bonds to the purchaser thereof.

WHEREAS pursuant to the provisions of Section 6 of Article VII of the Illinois Constitution of 1970, the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois (the "*Village*"), is a home rule unit and 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; and

WHEREAS pursuant to the provisions of said Section 6, the Village 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; and

WHEREAS, the Village has heretofore issued and now has outstanding its General Obligation Bonds, Series 2007, dated November 29, 2007 (the "*Prior Bonds*"); and

WHEREAS, it is necessary and desirable to refund all or a portion of the Prior Bonds (said Prior Bonds being refunded being the "*Refunded Bonds*") in order to realize certain debt service savings; and

WHEREAS, the Refunded Bonds shall be fully described in the Bond Notification (as hereinafter defined) referred to in Section 10 hereof and are presently outstanding and unpaid and are binding and subsisting legal obligations of the Village; and

WHEREAS, the President and Board of Trustees of the Village (the "*Board*") have determined that in order to refund the Refunded Bonds, it is necessary and in the best interests of the Village to borrow an amount not to exceed \$2,950,000 pursuant to the Act (as hereinafter defined) and issue bonds of the Village therefor; and

WHEREAS, in accordance with the terms of the Refunded Bonds, the Refunded Bonds may 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 their earliest possible and practicable call date as set forth in the Bond Notification, and provide for the giving of proper notice to the registered owners of the Refunded Bonds:

NOW THEREFORE Be It Ordained by the President and Board of Trustees of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, in the exercise of its home rule powers, as follows:

Section 1. Definitions. In addition to such other words and terms used and defined in this Ordinance, the following words and terms used in this Ordinance shall have the following meanings, unless, in either case, the context or use clearly indicates another or different meaning is intended:

“*Act*” means, collectively, the Illinois Municipal Code, as supplemented and amended, the home rule powers of the Village under Section 6 of Article VII of the Illinois Constitution of 1970; and, in the event of conflict between the provisions of said Code and home rule powers, the home rule powers shall be deemed to supersede the provisions of said Code.

“*Bond Fund*” means the Bond and Interest Fund Account of 2017 established pursuant to this Ordinance.

“*Bond Register*” means the books of the Village kept by the Bond Registrar to evidence the registration and transfer of the Bonds (as hereinafter defined).

“*Bond Registrar*” means a bank or trust company having trust powers with an office located in the State of Illinois, or a successor thereto or a successor designated as Bond Registrar hereunder.

“*County Clerks*” means the respective County Clerks of The County of DuPage, Illinois, The County of Cook, Illinois, and The County of Kane, Illinois.

“*Ordinance*” means this Ordinance, numbered as set forth on the title page hereof, and passed by the Board on the 16th day of May, 2017.

“*Pledged Taxes*” means the taxes levied on the taxable property within the Village to pay principal of and interest on the Bonds as provided in Section 12 hereof.

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

Section 3. Authorization. It is hereby found and determined that pursuant to the provisions of the Act, the Board has been authorized by law to borrow the sum of \$2,950,000 upon the credit of the Village and as evidence of such indebtedness to issue the Bonds to said amount for the purpose aforesaid, and that it is necessary and for the best interests of the Village that there be issued an amount not to exceed \$2,950,000 of the Bonds so authorized, and these findings and determinations shall be deemed conclusive.

Section 4. Bond Details. There be borrowed on the credit of and for and on behalf of the Village an amount not to exceed \$2,950,000 for the purpose aforesaid; and that the Bonds shall be issued to said amount and shall be designated “General Obligation Refunding Bonds, Series 2017” (the “*Bonds*”), with such series designation and additional descriptions as may be appropriate and set forth in the Bond Notification. The Bonds, if issued, shall be dated such date (not prior to May 16, 2017, and not later than November 16, 2017) as set forth in the Bond Notification, and shall also bear the date of authentication, shall be in fully registered form, shall be in denominations of \$5,000 (unless otherwise provided in the Bond Notification) and authorized integral multiples thereof (but no single Bond shall represent installments of principal maturing on

more than one date), and shall be numbered 1 and upward. The Bonds shall become due and payable serially or be subject to mandatory redemption (subject to prior redemption as hereinafter stated) on December 1 of each of the years (not later than 2026), in the amounts (not exceeding \$345,000 per year) and bearing interest at the rates per annum (not exceeding 5.50% per annum) as set forth in the Bond Notification. The Bonds shall bear interest from their date or from the most recent interest payment date to which interest has been paid or duly provided for, until the principal amount of the Bonds is paid, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable semi-annually commencing on the first interest payment date as set forth in the Bond Notification, and on June 1 and December 1 of each year thereafter to maturity.

Interest on each Bond shall be paid by check or draft of the Bond Registrar, payable upon presentation 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 15th day of the month next preceding the interest payment date. The principal of the Bonds shall be payable in lawful money of the United States of America at the principal corporate trust office of the Bond Registrar.

The Bonds shall be executed on behalf of the Village by the manual or facsimile signature of its President and attested by the manual or facsimile signature of its Village Clerk, as they shall determine, and shall have impressed or imprinted thereon the corporate seal or facsimile thereof of the Village. In case any 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 hereinafter set forth duly executed by the Bond Registrar as authenticating agent of the Village 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. The certificate of authentication on any Bond shall be deemed to have been executed by the Bond Registrar if signed by an authorized officer of the Bond Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder.

Section 5. Registration of Bonds; Persons Treated as Owners. The Village shall cause books for the registration and for the transfer of the Bonds as provided in this Ordinance to be kept at the principal corporate trust office of the Bond Registrar, which is hereby constituted and appointed the registrar of the Village for the Bonds. The Village is authorized to prepare, and the Bond Registrar or such other agent as the Village may designate shall keep custody of, multiple Bond blanks executed by the Village for use in the transfer and exchange of Bonds.

Upon surrender for transfer or exchange of any Bond at the principal corporate trust office of the Bond Registrar, 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 Village shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees a new fully registered Bond or Bonds of the same maturity of authorized denominations. The execution by the Village 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 outstanding Bonds of each maturity authenticated by the Bond Registrar shall not exceed the authorized principal amount of Bonds for such maturity less previous retirements.

The Bond Registrar shall not be required to transfer or exchange any Bond during the period from the close of business on the 15th day of the month next preceding any interest payment date on such Bond and ending at the opening of business on such interest payment date, nor to transfer or exchange any Bond after notice calling such Bond for redemption has been mailed, nor during a period of fifteen (15) days next preceding mailing of a notice of redemption of any Bonds.

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 or her 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 for any transfer or exchange of Bonds, but the Village 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, except in the case of the issuance of a Bond or Bonds for the unredeemed portion of a Bond surrendered for redemption.

Section 6. Global Book-Entry System. The Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities of the Bonds determined as described in Section 4 hereof. Upon initial issuance, the ownership of each such Bond may be registered in the Bond Register in the name of Cede & Co., or any successor thereto ("*Cede*"), as nominee of The Depository Trust Company, New York, New York, and its successors and assigns ("*DTC*"). In such event, all of the outstanding Bonds shall be registered in the Bond Register in the name of Cede, as nominee of DTC, except as hereinafter provided. The President, Village Clerk and Village Treasurer and the Bond Registrar are each authorized to execute and deliver, on behalf of the Village, such letters to or agreements with DTC as shall be necessary to effectuate

such book-entry system (any such letter or agreement being referred to herein as the "*Representation Letter*"), which Representation Letter may provide for the payment of principal of or interest on the Bonds by wire transfer.

With respect to Bonds registered in the Bond Register in the name of Cede, as nominee of DTC, the Village and the Bond Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which DTC holds Bonds from time to time as securities depository (each such broker-dealer, bank or other financial institution being referred to herein as a "*DTC Participant*") or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the Village and the Bond Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC 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 the principal of or interest on the Bonds. The Village and the Bond Registrar may treat and consider the person in whose name each Bond is registered in the Bond Register as the holder and absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Bond Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the respective registered owners of the Bonds, as shown in the Bond Register, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Village's obligations with respect to payment of the

principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of a Bond as shown in the Bond Register, shall receive a Bond evidencing the obligation of the Village to make payments of principal and interest with respect to any Bond. Upon delivery by DTC to the Bond Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede, and subject to the provisions in Section 5 hereof with respect to the payment of interest to the registered owners of Bonds at the close of business on the 15th day of the month next preceding the applicable interest payment date, the name "Cede" in this Ordinance shall refer to such new nominee of DTC.

In the event that (i) the Village determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, (ii) the agreement among the Village, the Bond Registrar and DTC evidenced by the Representation Letter shall be terminated for any reason or (iii) the Village determines that it is in the best interests of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the Village shall notify DTC and DTC Participants of the availability through DTC of certificated Bonds and the Bonds shall no longer be restricted to being registered in the Bond Register in the name of Cede, as nominee of DTC. At that time, the Village may determine that the Bonds shall be registered in the name of and deposited with such other depository operating a universal book-entry system, as may be acceptable to the Village, or such depository's agent or designee, and if the Village does not select such alternate universal book-entry system, then the Bonds may be registered in whatever name or names registered owners of Bonds transferring or exchanging Bonds shall designate, in accordance with the provisions of Section 5 hereof.

Notwithstanding any other provisions of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede, as nominee of DTC, all payments with respect to principal

of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the name provided in the Representation Letter.

Section 7. Redemption. (a) *Optional Redemption.* All or a portion of the Bonds due on and after the date, if any, specified in the Bond Notification shall be subject to redemption prior to maturity at the option of the Village from any available funds, as a whole or in part, and if in part in integral multiples of \$5,000 in any order of their maturity as determined by the Village (less than all of the Bonds of a single series and maturity to be selected by the Bond Registrar), on the date specified in the Bond Notification, and on any date thereafter, at the redemption prices plus accrued interest to the date fixed for redemption, if applicable, as set forth in the Bond Notification.

(b) *Mandatory Redemption.* The Bonds maturing on the date or dates, if any, indicated in the Bond Notification are subject to mandatory redemption, in integral multiples of \$5,000 selected by lot by the Bond Registrar, at a redemption price of par plus accrued interest to the redemption date, on December 1 of the years, if any, and in the principal amounts, if any, as indicated in the Bond Notification.

The principal amounts of Bonds to be mandatorily redeemed in each year may be reduced through the earlier optional redemption thereof, with any partial optional redemptions of such Bonds credited against future mandatory redemption requirements in such order of the mandatory redemption dates as the Village may determine. In addition, on or prior to the 60th day preceding any mandatory redemption date, the Bond Registrar may, and if directed by the Board shall, purchase Bonds required to be retired on such mandatory redemption date. Any such Bonds so purchased shall be cancelled and the principal amount thereof shall be credited against the mandatory redemption required on such next mandatory redemption date.

(c) *General.* The Bonds shall be redeemed only in the principal amount of \$5,000 and integral multiples thereof. The Village shall, at least forty-five (45) days prior to any optional

redemption date (unless a shorter time period shall be satisfactory to the Bond Registrar) notify the Bond Registrar of such redemption date and of the principal amount and maturity or maturities of Bonds to be redeemed. For purposes of any redemption of less than all of the outstanding Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed shall be selected by lot by the Bond Registrar from the Bonds 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 upon the earlier of the irrevocable deposit of funds with an escrow agent sufficient to pay the redemption price of the Bonds to be redeemed or the time of the giving of official notice of redemption.

The Bond Registrar shall promptly notify the Village 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.

Section 8. Redemption Procedure. Unless waived by any holder of Bonds to be redeemed, notice of the call for any such redemption shall be given by the Bond Registrar on behalf of the Village by mailing the redemption notice by first class mail at least thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption to the 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 notices of redemption shall state:

- (1) the redemption date,
- (2) the redemption price,

(3) if less than all outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed,

(4) 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,

(5) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal corporate trust office of the Bond Registrar, and

(6) such other information then required by custom, practice or industry standard.

Unless moneys sufficient to pay the redemption price of the Bonds to be redeemed at the option of the Village 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 Village, 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 Village shall not redeem such Bonds, and the Bond Registrar shall give notice, in the same manner in which the notice of redemption shall have been given, that such moneys were not so received and that such Bonds will not be redeemed. Otherwise, prior to any redemption date, the Village shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date.

Subject to the provisions for a conditional redemption described above, notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the Village 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. Installments of interest due on or prior to the redemption date shall be

payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered holder a new Bond or Bonds of the same maturity in the amount of the unpaid principal.

If any Bond or portion of Bond called for redemption shall not be so paid upon surrender thereof for redemption, the principal shall, until paid, bear interest from the redemption date at the rate borne by the Bond or portion of Bond so called for redemption. All Bonds which have been redeemed shall be cancelled and destroyed by the Bond Registrar and shall not be reissued.

Section 9. Form of Bond. 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 paragraph [2] and the legend “See Reverse Side for Additional Provisions” shall be deleted, and paragraph [6] and the paragraphs thereafter as may be appropriate shall be inserted immediately after paragraph [1].

[FORM OF BOND - FRONT SIDE]

REGISTERED
No. _____

REGISTERED
\$ _____

**UNITED STATES OF AMERICA
STATE OF ILLINOIS
COUNTIES OF DUPAGE, COOK AND KANE
VILLAGE OF BARTLETT
GENERAL OBLIGATION REFUNDING BOND, SERIES 2017**

See Reverse Side for
Additional Provisions.

Interest Maturity Dated
Rate: _____% Date: December 1, 20__ Date: _____, 2017 CUSIP: 069338 ____

Registered Owner: CEDE & CO.

Principal Amount:

[1] KNOW ALL PERSONS BY THESE PRESENTS that the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, a municipality, home rule unit, and political subdivision of the State of Illinois (the "*Village*"), 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, 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, 20__, until said Principal Amount is paid or duly provided for. The principal of or redemption price on this Bond is payable in lawful money of the United States of America upon presentation hereof at the principal corporate trust office of _____, _____, Illinois, as bond registrar and paying agent (the "*Bond Registrar*"). Payment of interest shall be made to the Registered Owner hereof as shown on the registration books of the Village maintained by the Bond Registrar at the close of business on the 15th day of the month

next preceding the 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. For the prompt payment of this Bond both principal and interest at maturity, the full faith, credit and resources of the Village are hereby irrevocably pledged.

[2] 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.

[3] 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, including the Act, 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 Village, represented by the Bonds, and including all other indebtedness of the Village, 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 a direct annual tax, in addition to all other taxes, on all of the taxable property in the Village sufficient to pay the interest hereon as the same falls due and also to pay and discharge the principal hereof at maturity.

[4] 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.

[5] IN WITNESS WHEREOF the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, by its President and Board of Trustees, has caused this Bond to be executed by the manual or duly authorized facsimile signature of its President and attested by the manual or duly authorized facsimile signature of its Village 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.

SPECIMEN

President, Village of Bartlett,
Cook County, Illinois

ATTEST:

SPECIMEN

Village Clerk, Village of Bartlett,
Cook County, Illinois

[SEAL]

Date of Authentication: _____, 20__

CERTIFICATE
OF
AUTHENTICATION

Bond Registrar and Paying Agent:

_____, Illinois

This Bond is one of the Bonds described in the within mentioned ordinance and is one of the General Obligation Refunding Bonds, Series 2017, of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois.

as Bond Registrar

By _____
SPECIMEN
Authorized Officer

[FORM OF BOND - REVERSE SIDE]

**VILLAGE OF BARTLETT
DUPAGE, COOK AND KANE COUNTIES, ILLINOIS
GENERAL OBLIGATION REFUNDING BOND, SERIES 2017**

[6] This bond is one of a series of bonds (the “*Bonds*”) in the aggregate principal amount of \$ _____ issued by the Village for the purpose of refunding certain outstanding bonds of the Village and paying expenses incidental thereto, all as described and defined in the ordinance authorizing the Bonds (the “*Ordinance*”), pursuant to and in all respects in compliance with the applicable provisions of the Illinois Municipal Code, as supplemented and amended; and further supplemented and, where necessary, superseded, by the powers of the Village as a home rule unit under the provisions of Section 6 of Article VII of the Illinois Constitution of 1970; and as further supplemented by the Local Government Debt Reform Act of the State of Illinois, as amended (collectively, such Code, constitutional home rule powers, and Reform Act being the “*Act*”), and with the Ordinance, which has been duly approved by the President and Board of Trustees of the Village and published, in all respects as by law required.

[7] [Optional and Mandatory Redemption provisions, as applicable, will be inserted here.]

[8] [Notice of any such redemption shall be sent by first class mail not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books of the Village maintained by the Bond Registrar or at such other address as is furnished in writing by such registered owner to the Bond Registrar. When so called for redemption, this Bond will cease to bear interest on the specified redemption date, provided funds for redemption are on deposit at the place of payment at that time, and shall not be deemed to be outstanding.]

[9] This Bond is transferable by the Registered Owner hereof in person or by his or her attorney duly authorized in writing at the principal corporate trust office of the Bond Registrar in

_____, Illinois, but only in the manner, subject to the limitations and upon payment of the charges provided in the Ordinance, and upon surrender and cancellation of this Bond. Upon such transfer a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

[10] The Bonds are issued in fully registered form in the denomination of \$5,000 each or authorized integral multiples thereof. This Bond may be exchanged at the principal corporate trust office of the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations, upon the terms set forth in the Ordinance. The Bond Registrar shall not be required to transfer or exchange any Bond during the period beginning at the close of business on the 15th day of the month next preceding any interest payment date on such Bond and ending at the opening of business on such interest payment date[, nor to transfer or exchange any Bond after notice calling such Bond for redemption has been mailed, nor during a period of fifteen (15) days next preceding mailing of a notice of redemption of any Bonds].

[11] The Village 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 Village nor the Bond Registrar shall be affected by any notice to the contrary.

(ASSIGNMENT)

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

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____

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 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. Sale of Bonds. One of the President or the Village Clerk and one of the Village Administrator or the Finance Director (the "*Designated Representatives*") are hereby authorized to proceed not later than the 16th day of November, 2017, without any further authorization or direction from the Board, to sell the Bonds upon the terms as prescribed in this Ordinance. The Bonds hereby authorized shall be executed as in this Ordinance provided as soon after the delivery of the Bond Notification as may be, and thereupon be deposited with the Village Treasurer, and, after authentication thereof by the Bond Registrar, be by said Treasurer delivered to the purchaser thereof, as hereinafter described (the "*Purchaser*"), upon receipt of the purchase price therefor, the same being not less than 98.0% of the principal amount of the Bonds (exclusive of any original issue discount or original issue premium) plus any accrued interest to date of delivery. The Purchaser shall be the best bidder for the Bonds pursuant to a competitive sale conducted by Robert W. Baird & Co., Incorporated, Naperville, Illinois.

Prior to the sale of the Bonds, the President or the Finance Director is hereby authorized to approve and execute a commitment for the purchase of a Municipal Bond Insurance Policy (as hereinafter defined), to further secure the Bonds, as long as the present value of the fee to be paid for the Municipal Bond Insurance Policy (using as a discount rate the expected yield on the Bonds treating the fee paid as interest on the Bonds) is less than the present value of the interest reasonably expected to be saved on the Bonds over the term of the Bonds as a result of the Municipal Bond Insurance Policy.

Upon the sale of the Bonds, the Designated Representatives shall prepare a Notification of Sale of the Bonds, which shall include the pertinent details of sale as provided herein (the "*Bond Notification*"). In the Bond Notification, the Designated Representatives shall find and determine that the Bonds have been sold at such price and bear interest at such rates that either the true interest cost (yield) or the net interest rate received upon the sale of the Bonds does not exceed the maximum rate otherwise authorized by applicable law and that the net present value debt service savings to the Village as a result of the issuance of the Bonds and the refunding of the Refunded Bonds is not less than 3.00% of the principal amount of the Refunded Bonds. The Bond Notification shall be entered into the records of the Village and made available to the Board at the next regular meeting thereof; but such action shall be for information purposes only, and the Board shall have no right or authority at such time to approve or reject such sale as evidenced in the Bond Notification.

Upon the sale of the Bonds, as evidenced by the execution and delivery of the Bond Notification by the Designated Representatives, the President, Village Clerk and Village Treasurer and any other officials of the Village, 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 as may be necessary, including, without limitation, the contract for the sale of the Bonds between the Village

and the Purchaser (the "*Purchase Contract*"). Prior to the execution and delivery of the Purchase Contract, the Designated Representatives shall find and determine that no person holding any office of the Village, either by election or appointment, is in any manner financially interested directly in his or her own name or indirectly in the name of any other person, association, trust or corporation, in the Purchase Contract.

The use by the Purchaser of any Preliminary Official Statement or any final Official Statement relating to the Bonds (the "*Disclosure Document*") is hereby ratified, approved and authorized; the execution and delivery of the Disclosure Document is hereby authorized; and the officers of the Board are hereby authorized to take any action as may be required on the part of the Village to consummate the transactions contemplated by the Purchase Contract, this Ordinance, said Preliminary Disclosure Document, the Disclosure Document and the Bonds.

Section 11. Security for the Bonds. The Bonds are a general obligation of the Village, for which the full faith and credit of the Village are irrevocably pledged, and are payable from the levy of taxes on all of the taxable property in the Village, without limitation as to rate or amount, and from any other lawfully available funds.

Section 12. Tax Levy. In order to provide for the collection of a direct annual tax sufficient to pay the interest on the Bonds as it falls due, and also to pay and discharge the principal thereof at maturity, there be and there is hereby levied upon all the taxable property within the Village a direct annual tax for each of the years while the Bonds or any of them are outstanding, in amounts sufficient for that purpose, and that there be and there is hereby levied upon all of the taxable property in the Village, the following direct annual tax (the Pledged Taxes as hereinabove defined), to-wit:

FOR THE YEAR A TAX SUFFICIENT TO PRODUCE THE SUM OF:

2017	\$359,000.00	for interest and principal up to and including December 1, 2018
2018	\$359,000.00	for interest and principal
2019	\$359,000.00	for interest and principal
2020	\$359,000.00	for interest and principal
2021	\$359,000.00	for interest and principal
2022	\$359,000.00	for interest and principal
2023	\$359,000.00	for interest and principal
2024	\$359,000.00	for interest and principal
2025	\$359,000.00	for interest and principal

Principal or interest maturing at any time when there are insufficient funds on hand from the Pledged Taxes to pay the same shall be paid from the general funds of the Village, and the fund from which such payment was made shall be reimbursed out of the Pledged Taxes hereby levied when the same shall be collected.

The Village covenants and agrees with the purchasers and holders of the Bonds that so long as any of the Bonds remain outstanding, the Village will take no action or fail to take any action which in any way would adversely affect the ability of the Village to levy and collect the foregoing tax levy. The Village and its officers will comply with all present and future applicable laws in order to assure that the Pledged Taxes may be levied, extended and collected as provided herein and deposited into the Bond Fund.

In the event that funds from any other lawful source are or are reasonably expected to be made available for the purpose of paying any principal of or interest on the Bonds so as to enable the abatement of the Pledged Taxes levied herein for the payment of same, the Board may, by proper proceedings, direct the abatement of the taxes by the amount so deposited or expected 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.

To the extent that the Pledged Taxes levied above exceed the amount necessary to pay debt service on the Bonds as set forth in the Bond Notification, the President, the Village Clerk and the Village Treasurer are hereby authorized to direct the abatement of the Pledged Taxes to the extent of the excess of such levy in each year over the amount necessary to pay debt service on the Bonds in the following bond year. Proper notice of such abatement shall be filed with the County Clerks in a timely manner to effect such abatement.

Section 13. Filing of Ordinance and Certificate of Reduction of Taxes. Forthwith upon passage of this Ordinance, the Village Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerks, and it shall be the duty of the County Clerks to annually in and for each of the years 2017 to 2025, inclusive, ascertain the rate necessary to produce the Pledged Taxes herein levied and extend the same for collection on the tax books in connection with other taxes levied in each of said years for general corporate purposes, in order to raise the respective amounts aforesaid and in each of said years such annual tax shall be computed, extended and collected in the same manner as now or hereafter provided by law for the computation, extension and collection of taxes for general corporate purposes of the Village, and when collected, the Pledged Taxes shall be placed to the credit of the Bond Fund, which Pledged Taxes are hereby irrevocably pledged to and shall be used only for the purpose of paying the principal of and interest on the Bonds.

The President, Village Clerk and Village Treasurer be and the same are hereby directed to prepare and file with the County Clerks a Certificate of Reduction of Taxes Heretofore Levied for the Payment of Bonds showing the Prior Bonds being refunded and directing the abatement of the taxes heretofore levied to pay the Refunded Bonds.

Section 14. Use of Taxes Heretofore Levied. All proceeds received or to be received from any taxes heretofore levied to pay principal and interest on the Refunded Bonds, including the

proceeds received or to be received from the taxes levied for the year 2016 for such purpose, shall be used to pay the principal of and interest on the Refunded Bonds and to the extent that such proceeds are not needed for such purpose, the same shall be deposited into the Bond Fund and used to pay principal and interest on the Bonds in accordance with all of the provisions of this Ordinance.

Section 15. Use of Bond Proceeds; Call of the Refunded Bonds. Any accrued interest received on the delivery of the Bonds is hereby appropriated for the purpose of paying first interest due on the Bonds and is hereby ordered deposited into the Bond Fund. Simultaneously with the delivery of the Bonds, the principal proceeds of the Bonds, together with any premium received from the sale of the Bonds and such additional amounts as may be necessary from the general funds of the Village, are hereby appropriated to pay the costs of issuance of the Bonds and for the purpose of refunding the Refunded Bonds, and that portion thereof not needed to pay such costs of issuance is hereby ordered deposited with Wells Fargo Bank, N.A., Chicago, Illinois, as paying agent for the Refunded Bonds for the purpose of paying the principal of and interest on the Refunded Bonds up to and including the prior redemption date thereof.

At the time of the issuance of the Bonds, the costs of issuance of the Bonds may be paid by the Purchaser on behalf of the Village from the proceeds of the Bonds.

In accordance with the redemption provisions of the ordinance authorizing the issuance of the Refunded Bonds, the Village by the Board does hereby make provision for the payment of and does hereby call (subject only to the delivery of the Bonds) the Refunded Bonds for redemption on the earliest possible and practicable date as set forth in the Bond Notification.

Section 16. Non-Arbitrage and Tax-Exemption. One purpose of this Section is to set forth various facts regarding the Bonds and to establish the expectations of the Board and the Village as to future events regarding the Bonds and the use of Bond proceeds. The certifications,

covenants and representations contained herein and at the time of the Closing are made on behalf of the Village for the benefit of the owners from time to time of the Bonds. In addition to providing the certifications, covenants and representations contained herein, the Village 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 hereinafter defined Code or 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 Village acknowledges that, in the event of an examination by the Internal Revenue Service (the “IRS”) of the exemption from federal income taxation for interest paid on the Bonds, under present rules, the Village 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 IRS in connection with such an examination. The Board and the Village certify, covenant and represent as follows:

1.1. Definitions. In addition to such other words and terms used and defined in this Ordinance, the following words and terms used in this Section shall have the following meanings unless, in either case, the context or use clearly indicates another or different meaning is intended:

“*Affiliated Person*” means any Person that (a) at any time during the six months prior to the execution and delivery of the Bonds, (i) has more than five percent of the voting power of the governing body of the Village in the aggregate vested in its directors, officers, owners, and employees or, (ii) has more than five percent of the voting power of its governing body in the aggregate vested in directors, officers, board members or employees of the Village or (b) during the one-year period beginning six months prior to the execution and delivery of the Bonds, (i) the composition of the governing body of which is modified or established to reflect (directly or indirectly) representation of the interests of the Village (or there is an agreement, understanding, or arrangement relating to such a modification or establishment during that one-year period) or (ii) the composition of the governing body of the Village is modified or established to reflect (directly or indirectly) representation of the interests of such Person (or there is an agreement, understanding, or arrangement relating to such a modification or establishment during that one-year period).

“*Bond Counsel*” means Chapman and Cutler LLP or any other nationally recognized firm of attorneys experienced in the field of municipal bonds whose opinions are generally accepted by purchasers of municipal bonds.

“*Capital Expenditures*” means costs of a type that would be properly chargeable to a capital account under the Code (or would be so chargeable with a proper election) under federal income tax principles if the Village were treated as a corporation subject to federal income taxation, taking into account the definition of Placed-in-Service set forth herein.

“*Closing*” means the first date on which the Village is receiving the purchase price for the Bonds.

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

“*Commingled Fund*” means any fund or account containing both Gross Proceeds and an amount in excess of \$25,000 that are not Gross Proceeds if the amounts in the fund or account are invested and accounted for, collectively, without regard to the source of funds deposited in the fund or account. An open-ended regulated investment company under Section 851 of the Code is not a Commingled Fund.

“*Control*” means the possession, directly or indirectly through others, of either of the following discretionary and non-ministerial rights or powers over another entity:

(a) to approve and to remove without cause a controlling portion of the governing body of a Controlled Entity; or

(b) to require the use of funds or assets of a Controlled Entity for any purpose.

“*Controlled Entity*” means any entity or one of a group of entities that is subject to Control by a Controlling Entity or group of Controlling Entities.

“*Controlled Group*” means a group of entities directly or indirectly subject to Control by the same entity or group of entities, including the entity that has Control of the other entities.

“*Controlling Entity*” means any entity or one of a group of entities directly or indirectly having Control of any entities or group of entities.

“*Costs of Issuance*” means the costs of issuing the Bonds, including underwriter’s discount and legal fees.

“*De minimis Amount of Original Issue Discount or Premium*” means with respect to an obligation (a) any original issue discount or premium that does not exceed two percent

of the stated redemption price at maturity of the Bonds plus (b) any original issue premium that is attributable exclusively to reasonable underwriter's compensation.

"External Commingled Fund" means a Commingled Fund in which the Village and all members of the same Controlled Group as the Village own, in the aggregate, not more than ten percent of the beneficial interests.

"GIC" means (a) any investment that has specifically negotiated withdrawal or reinvestment provisions and a specifically negotiated interest rate and (b) any agreement to supply investments on two or more future dates (e.g., a forward supply contract).

"Gross Proceeds" means amounts in the Bond Fund and amounts used to refund the Refunded Bonds

"Net Sale Proceeds" means amounts actually or constructively received from the sale of the Bonds reduced by any such amounts that are deposited in a reasonably required reserve or replacement fund for the Bonds.

"Person" means any entity with standing to be sued or to sue, including any natural person, corporation, body politic, governmental unit, agency, authority, partnership, trust, estate, association, company, or group of any of the above.

"Placed-in-Service" means the date on which, based on all facts and circumstances (a) a facility has reached a degree of completion that would permit its operation at substantially its design level and (b) the facility is, in fact, in operation at such level.

"Prior Bond Fund" means the fund or funds established in connection with the issuance of the Prior Bonds to pay the debt service on the Prior Bonds.

"Prior Bond Proceeds" means amounts actually or constructively received from the sale of the Refunded Bonds and all other amounts properly treated as gross proceeds of the Refunded Bonds under the Regulations, including (a) amounts used to pay underwriters' discount or compensation and accrued interest, other than accrued interest for a period not greater than one year before the Refunded Bonds were issued but only if it is to be paid within one year after the Refunded Bonds were issued and (b) amounts derived from the sale of any right that is part of the terms of a Refunded Bond or is otherwise associated with a Refunded Bond (e.g., a redemption right).

"Prior Bonds" means the Village's outstanding issue being refunded by the Bonds, as more particularly described in the preambles hereof.

"Prior Project" means the facilities financed, directly or indirectly with the proceeds of the Prior Bonds.

"Private Business Use" means any use of the Prior Project by any Person other than a state or local government unit, including as a result of (i) ownership, (ii) actual or

beneficial use pursuant to a lease or a management, service, incentive payment, research or output contract or (iii) any other similar arrangement, agreement or understanding, whether written or oral, except for use of the Prior Project on the same basis as the general public. Private Business Use includes any formal or informal arrangement with any person other than a state or local governmental unit that conveys special legal entitlements to any portion of the Prior Project that is available for use by the general public or that conveys to any person other than a state or local governmental unit any special economic benefit with respect to any portion of the Prior Project that is not available for use by the general public.

“Qualified Administrative Costs of Investments” means (a) reasonable, direct administrative costs (other than carrying costs) such as separately stated brokerage or selling commissions but not legal and accounting fees, recordkeeping, custody and similar costs; or (b) all reasonable administrative costs, direct or indirect, incurred by a publicly offered regulated investment company or an External Commingled Fund.

“Qualified Tax Exempt Obligations” means (a) any obligation described in Section 103(a) of the Code, the interest on which is excludable from gross income of the owner thereof for federal income tax purposes and is not an item of tax preference for purposes of the alternative minimum tax imposed by Section 55 of the Code; (b) an interest in a regulated investment company to the extent that at least ninety-five percent of the income to the holder of the interest is interest which is excludable from gross income under Section 103 of the Code of any owner thereof for federal income tax purposes and is not an item of tax preference for purposes of the alternative minimum tax imposed by Section 55 of the Code; and (c) certificates of indebtedness issued by the United States Treasury pursuant to the Demand Deposit State and Local Government Series program described in 31 C.F.R. pt. 344.

“Rebate Fund” means the fund, if any, identified and defined in paragraph 4.1 herein.

“Rebate Provisions” means the rebate requirements contained in Section 148(f) of the Code and in the Regulations.

“Refunded Bonds” means those certain Prior Bonds being refunded by the Bonds.

“Regulations” means United States Treasury Regulations dealing with the tax-exempt bond provisions of the Code.

“Reimbursed Expenditures” means expenditures of the Village paid prior to Closing to which Sale Proceeds or investment earnings thereon are or will be allocated.

“Reserve Portion of the Bond Fund” means the portion of the Bond Fund funded in excess of the amount of debt service payable each year.

“Sale Proceeds” means amounts actually or constructively received from the sale of the Bonds, including (a) amounts used to pay underwriters’ discount or compensation

and accrued interest, other than accrued interest for a period not greater than one year before Closing but only if it is to be paid within one year after Closing and (b) amounts derived from the sale of any right that is part of the terms of a Bond or is otherwise associated with a Bond (e.g., a redemption right).

“*Transferred Proceeds*” means amounts actually or constructively received from the sale of the Prior Bonds, plus investment earnings thereon, which have not been spent prior to the date principal on the Refunded Bonds is discharged by the Bonds.

“*Yield*” means that discount rate which when used in computing the present value of all payments of principal and interest paid and to be paid on an obligation (using semiannual compounding on the basis of a 360-day year) produces an amount equal to the obligation’s purchase price (or in the case of the Bonds, the issue price as established in paragraph 5.1 hereof), including accrued interest.

“*Yield Reduction Payment*” means a rebate payment or any other amount paid to the United States in the same manner as rebate amounts are required to be paid or at such other time or in such manner as the IRS may prescribe that will be treated as a reduction in Yield of an investment under the Regulations.

2.1. Purpose of the Bonds. The Bonds are being issued solely and exclusively to refund in advance of maturity the Refunded Bonds in a prudent manner consistent with the revenue needs of the Village. A breakdown of the sources and uses of funds is set forth in the preceding Section of this Ordinance. Except to pay the Refunded Bonds and except for any accrued interest on the Bonds used to pay first interest due on the Bonds, no proceeds of the Bonds will be used more than 90 days after the date of issue of the Bonds for the purpose of paying any principal or interest on any issue of bonds, notes, certificates or warrants or on any installment contract or other obligation of the Village or for the purpose of replacing any funds of the Village used for such purpose.

2.2. Bond Fund Investment. The investment earnings on the Bond Fund will be spent to pay interest on the Bonds, or to the extent permitted by law, investment earnings on amounts in the Bond Fund will be commingled with substantial revenues from the governmental operations of the Village, and the earnings are reasonably expected to be spent for governmental purposes within six months of the date earned. Interest earnings on the Bond Fund have not been earmarked or restricted by the Board for a designated purpose.

2.3. Reimbursement. None of the Sale Proceeds or investment earnings thereon will be used for Reimbursed Expenditures.

2.4. *Working Capital.* All Sale Proceeds and investment earnings thereon will be used, directly or indirectly, to pay principal of, interest on and redemption premium (if any) on the Refunded Bonds, other than the following:

- (a) payments of interest on the Bonds for the period commencing at Closing and ending on the date one year after the date on which the Prior Project is Placed-in-Service;
- (b) Costs of Issuance and Qualified Administrative Costs of Investments;
- (c) payments of rebate or Yield Reduction Payments made to the United States under the Regulations;
- (d) principal of or interest on the Bonds paid from unexpected excess Sale Proceeds and investment earnings thereon; and
- (e) investment earnings that are commingled with substantial other revenues and are expected to be allocated to expenditures within six months.

2.5. *Consequences of Contrary Expenditure.* The Village acknowledges that if Sale Proceeds and investment earnings thereon are spent other than as permitted by paragraph 2.4 hereof, a like amount of then available funds of the Village will be treated as unspent Sale Proceeds.

2.6. *Investment of Bond Proceeds.* No portion of the Bonds is being issued solely for the purpose of investing a portion of Sale Proceeds or investment earnings thereon at a Yield higher than the Yield on the Bonds.

2.7. *No Grants.* None of the Sale Proceeds or investment earnings thereon will be used to make grants to any person.

2.8. *Hedges.* Neither the Village nor any member of the same Controlled Group as the Village has entered into or expects to enter into any hedge (*e.g.*, an interest rate swap, interest rate cap, futures contract, forward contract or an option) with respect to the Bonds or the Prior Bonds. The Village acknowledges that any such hedge could affect, among other things, the calculation of Bond Yield under the Regulations. The IRS could recalculate Bond Yield if the failure to account for the hedge fails to clearly reflect the economic substance of the transaction.

The Village also acknowledges that if it acquires a hedging contract with an investment element (including *e.g.*, an off-market swap agreement, or any cap agreement for which all or a portion of the premium is paid at, or before the effective date of the cap agreement), then a portion of such hedging contract may be treated as an investment of Gross Proceeds of the Bonds, and be subject to the fair market purchase price rules, rebate and yield restriction. The Village agrees not to use proceeds of the Bonds to pay for any such hedging contract in whole or in part. The Village also agrees that it will not give any

assurances to any Bond holder or any credit or liquidity enhancer with respect to the Bonds that any such hedging contract will be entered into or maintained. The Village recognizes that if a portion of a hedging contract is determined to be an investment of gross proceeds, such portion may not be fairly priced even if the hedging contract as a whole is fairly priced.

2.9. *IRS Audits.* The IRS has not contacted the Village regarding the Prior Bonds or any other obligations issued by or on behalf of the Village. To the best of the knowledge of the Village, no such obligations of the Village are currently under examination by the IRS.

2.10. *Abusive Transactions.* Neither the Village nor any member of the same Controlled Group as the Village will receive a rebate or credit resulting from any payments having been made in connection with the issuance of the Bonds or the advance refunding of the Refunded Bonds.

3.1. *Use of Proceeds.* (a) The use of the Sale Proceeds and investment earnings thereon and the funds held under this Ordinance at the time of Closing are described in the preceding Section of this Ordinance. No Sale Proceeds and no investment earnings thereon will be used to pre-pay for goods or services to be received over a period of years prior to the date such goods or services are to be received. No Sale Proceeds and no investment earnings thereon will be used to pay for or otherwise acquire goods or services from the Village, any member of the same Controlled Group as the Village, or an Affiliated Person.

(b) Only the funds and accounts described in said Section will be funded at Closing. There are no other funds or accounts created under this Ordinance, other than the Rebate Fund if it is created as provided in paragraph 4.2 hereof.

(c) Principal of and interest on the Bonds will be paid from the Bond Fund.

(d) Any Costs of Issuance incurred in connection with the issuance of the Bonds to be paid by the Village will be paid at the time of Closing.

3.2. *Purpose of Bond Fund.* The Bond Fund (other than the Reserve Portion of the Bond Fund) will be used primarily to achieve a proper matching of revenues and earnings with principal and interest payments on the Bonds in each bond year. It is expected that the Bond Fund (other than the Reserve Portion of the Bond Fund) will be depleted at least once a year, except for a reasonable carry over amount not to exceed the greater of (a) the earnings on the investment of moneys in the Bond Fund (other than the Reserve Portion of the Bond Fund) for the immediately preceding bond year or (b) 1/12th of the principal and interest payments on the Bonds for the immediately preceding bond year.

The Village will levy taxes to produce an amount sufficient to pay all principal of and interest on the Bonds in each bond year. To minimize the likelihood of an insufficiency, the amount extended to pay the Bonds may in most years be in excess of the

amount required to pay principal and interest within one year of collection. This over-collection (if any) may cause the Bond Fund as a whole to fail to function as a bona fide debt service fund. Nevertheless, except for the Reserve Portion of the Bond Fund, the Bond Fund will be depleted each year as described above. The Reserve Portion of the Bond Fund will constitute a separate account not treated as part of the bona fide debt service fund. The Reserve Portion of the Bond Fund is subject to yield restriction requirements except as it may otherwise be excepted as provided in 5.2 below. It is also subject to rebate requirements.

3.3. *The Prior Bonds.* (a) As of the earlier of (i) the time of the Closing or (ii) the date three years after the Prior Bonds were issued, all Prior Bond Proceeds, including investment earnings thereon, were completely spent to pay the costs of Capital Expenditures.

(b) As of the date hereof, no Prior Bond Proceeds or money or property of any kind (including cash) is on deposit in any fund or account, regardless of where held or the source thereof, with respect to the Prior Bonds or any credit enhancement or liquidity device relating to the foregoing, or is otherwise restricted to pay the Village's obligations other than amounts on deposit with the paying agent for the Prior Bonds, if any.

(c) The Prior Bond Fund was used primarily to achieve a proper matching of revenues and earnings with principal and interest payments on the Prior Bonds in each bond year. The Prior Bond Fund was depleted at least once a year, except for a reasonable carry over amount not to exceed the greater of (i) the earnings on the investment of moneys in such account for the immediately preceding bond year or (ii) one-twelfth (1/12th) of the principal and interest payments on the Prior Bonds.

(d) At the time the Prior Bonds were issued, the Village reasonably expected to spend at least 85% of the proceeds (including investment earnings) of the Prior Bonds to be used for non-refunding purposes for such purposes within three years of the date the Prior Bonds were issued and such proceeds were so spent. Not more than 50% of the proceeds of the Prior Bonds to be used for non-refunding purposes was invested in investments having a substantially guaranteed Yield for four years or more.

(e) The Refunded Bonds subject to redemption prior to maturity will be called on the first optional redemption date of the Refunded Bonds.

(f) The Refunded Bonds do not include, directly or indirectly in a series, any advance refunding obligations.

(g) The Village has not been notified that the Prior Bonds are under examination by the IRS, and to the best of the Village's knowledge the Prior Bonds are not under examination by the IRS.

(h) The Village acknowledges that (i) the final rebate payment with respect to the Prior Bonds may be required to be made sooner than if the refunding had not occurred and (ii) the final rebate is due 60 days after the Prior Bonds are paid in full.

3.4. *No Other Gross Proceeds.* (a) Except for the Bond Fund and except for investment earnings that have been commingled as described in paragraph 2.2 and any credit enhancement or liquidity device related to the Bonds, after the issuance of the Bonds, neither the Village nor any member of the same Controlled Group as the Village has or will have any property, including cash, securities or any other property held as a passive vehicle for the production of income or for investment purposes, that constitutes:

(i) Sale Proceeds;

(ii) amounts in any fund or account with respect to the Bonds (other than the Rebate Fund);

(iii) Transferred Proceeds;

(iv) amounts that have a sufficiently direct nexus to the Bonds or to the governmental purpose of the Bonds to conclude that the amounts would have been used for that governmental purpose if the Bonds were not used or to be used for that governmental purpose (the mere availability or preliminary earmarking of such amounts for a governmental purpose, however, does not itself establish such a sufficient nexus);

(v) amounts in a debt service fund, redemption fund, reserve fund, replacement fund or any similar fund to the extent reasonably expected to be used directly or indirectly to pay principal of or interest on the Bonds or any amounts for which there is provided, directly or indirectly, a reasonable assurance that the amount will be available to pay principal of or interest on the Bonds or any obligations under any credit enhancement or liquidity device with respect to the Bonds, even if the Village encounters financial difficulties;

(vi) any amounts held pursuant to any agreement (such as an agreement to maintain certain levels of types of assets) made for the benefit of the Bondholders or any credit enhancement provider, including any liquidity device or negative pledge (*e.g.*, any amount pledged to pay principal of or interest on an issue held under an agreement to maintain the amount at a particular level for the direct or indirect benefit of holders of the Bonds or a guarantor of the Bonds); or

(vii) amounts actually or constructively received from the investment and reinvestment of the amounts described in (i) or (ii) above.

(b) No compensating balance, liquidity account, negative pledge of property held for investment purposes required to be maintained at least at a particular level or similar

arrangement exists with respect to, in any way, the Bonds or any credit enhancement or liquidity device related to the Bonds.

(c) One hundred twenty percent of the average reasonably expected remaining economic life of the Prior Project is at least 9 years. The weighted average maturity of the Bonds does not exceed 9 years and does not exceed 120 percent of the average reasonably expected economic life of the Prior Project. The maturity schedule of the Bonds (the "*Principal Payment Schedule*") is based on an analysis of revenues expected to be available to pay debt service on the Bonds. The Principal Payment Schedule is not more rapid (*i.e.*, having a lower average maturity) because a more rapid schedule would place an undue burden on tax rates and cause such rates to be increased beyond prudent levels, and would be inconsistent with the governmental purpose of the Bonds as set forth in paragraph 2.1 hereof.

4.1. Compliance with Rebate Provisions. The Village covenants to take such actions and make, or cause to be made, all calculations, transfers and payments that may be necessary to comply with the Rebate Provisions applicable to the Bonds. The Village will make, or cause to be made, rebate payments with respect to the Bonds in accordance with law.

4.2. Rebate Fund. The Village is hereby authorized to create and establish a special fund to be known as the Rebate Fund (the "*Rebate Fund*"), which, if created, shall be continuously held, invested, expended and accounted for in accordance with this Ordinance. Moneys in the Rebate Fund shall not be considered moneys held for the benefit of the owners of the Bonds. Except as provided in the Regulations, moneys in the Rebate Fund (including earnings and deposits therein) shall be held in trust for payment to the United States as required by the Rebate Provisions and by the Regulations and as contemplated under the provisions of this Ordinance.

4.3. Records. The Village agrees to keep and retain or cause to be kept and retained for the period described in paragraph 7.9 adequate records with respect to the investment of all Gross Proceeds and amounts in the Rebate Fund. Such records shall include: (a) purchase price; (b) purchase date; (c) type of investment; (d) accrued interest paid; (e) interest rate; (f) principal amount; (g) maturity date; (h) interest payment date; (i) date of liquidation; and (j) receipt upon liquidation.

If any investment becomes Gross Proceeds on a date other than the date such investment is purchased, the records required to be kept shall include the fair market value of such investment on the date it becomes Gross Proceeds. If any investment is retained after the date the last Bond is retired, the records required to be kept shall include the fair market value of such investment on the date the last Bond is retired. Amounts or investments will be segregated whenever necessary to maintain these records.

4.4. Fair Market Value; Certificates of Deposit and Investment Agreements. The Village will continuously invest all amounts on deposit in the Rebate Fund, together with the amounts, if any, to be transferred to the Rebate Fund, in any investment permitted under

this Ordinance. In making investments of Gross Proceeds or of amounts in the Rebate Fund the Village shall take into account prudent investment standards and the date on which such moneys may be needed. Except as provided in the next sentence, all amounts that constitute Gross Proceeds and all amounts in the Rebate Fund shall be invested at all times to the greatest extent practicable, and no amounts may be held as cash or be invested in zero yield investments other than obligations of the United States purchased directly from the United States. In the event moneys cannot be invested, other than as provided in this sentence due to the denomination, price or availability of investments, the amounts shall be invested in an interest bearing deposit of a bank with a yield not less than that paid to the general public or held uninvested to the minimum extent necessary.

Gross Proceeds and any amounts in the Rebate Fund that are invested in certificates of deposit or in GICs shall be invested only in accordance with the following provisions:

(a) Investments in certificates of deposit of banks or savings and loan associations that have a fixed interest rate, fixed payment schedules and substantial penalties for early withdrawal shall be made only if either (i) the Yield on the certificate of deposit (A) is not less than the Yield on reasonably comparable direct obligations of the United States and (B) is not less than the highest Yield that is published or posted by the provider to be currently available from the provider on reasonably comparable certificates of deposit offered to the public or (ii) the investment is an investment in a GIC and qualifies under paragraph (b) below.

(b) Investments in GICs shall be made only if

(i) the bid specifications are in writing, include all material terms of the bid and are timely forwarded to potential providers (a term is material if it may directly or indirectly affect the yield on the GIC);

(ii) the terms of the bid specifications are commercially reasonable (a term is commercially reasonable if there is a legitimate business purpose for the term other than to reduce the yield on the GIC);

(iii) all bidders for the GIC have equal opportunity to bid so that, for example, no bidder is given the opportunity to review other bids (a last look) before bidding;

(iv) any agent used to conduct the bidding for the GIC does not bid to provide the GIC;

(v) at least three of the providers solicited for bids for the GIC are reasonably competitive providers of investments of the type purchased (*i.e.*, providers that have established industry reputations as competitive providers of the type of investments being purchased);

(vi) at least three of the entities that submit a bid do not have a financial interest in the Bonds;

(vii) at least one of the entities that provided a bid is a reasonably competitive provider that does not have a financial interest in the Bonds;

(viii) the bid specifications include a statement notifying potential providers that submission of a bid is a representation that the potential provider did not consult with any other provider about its bid, that the bid was determined without regard to any other formal or informal agreement that the potential provider has with the Village or any other person (whether or not in connection with the Bonds) and that the bid is not being submitted solely as a courtesy to the Village or any other person for purposes of satisfying the federal income tax requirements relating to the bidding for the GIC;

(ix) the determination of the terms of the GIC takes into account the reasonably expected deposit and drawdown schedule for the amounts to be invested;

(x) the highest-yielding GIC for which a qualifying bid is made (determined net of broker's fees) is in fact purchased; and

(xi) the obligor on the GIC certifies the administrative costs that it is paying or expects to pay to third parties in connection with the GIC.

(c) If a GIC is purchased, the Village will retain the following records with its bond documents until three years after the Bonds are redeemed in their entirety:

(i) a copy of the GIC;

(ii) the receipt or other record of the amount actually paid for the GIC, including a record of any administrative costs paid, and the certification under subparagraph (b)(xi) of this paragraph;

(iii) for each bid that is submitted, the name of the person and entity submitting the bid, the time and date of the bid, and the bid results; and

(iv) the bid solicitation form and, if the terms of the GIC deviated from the bid solicitation form or a submitted bid is modified, a brief statement explaining the deviation and stating the purpose for the deviation.

Moneys to be rebated to the United States shall be invested to mature on or prior to the anticipated rebate payment date. All investments made with Gross Proceeds or amounts in the Rebate Fund shall be bought and sold at fair market value. The fair market value of an investment is the price at which a willing buyer would purchase the investment

from a willing seller in a bona fide, arm's length transaction. Except for investments specifically described in this Section and United States Treasury obligations that are purchased directly from the United States Treasury, only investments that are traded on an established securities market, within the meaning of regulations promulgated under Section 1273 of the Code, will be purchased with Gross Proceeds. In general, an "established securities market" includes: (i) property that is listed on a national securities exchange, an interdealer quotation system or certain foreign exchanges; (ii) property that is traded on a Commodities Futures Trading Commission designated board of trade or an interbank market; (iii) property that appears on a quotation medium; and (iv) property for which price quotations are readily available from dealers and brokers. A debt instrument is not treated as traded on an established market solely because it is convertible into property which is so traded.

An investment of Gross Proceeds in an External Commingled Fund shall be made only to the extent that such investment is made without an intent to reduce the amount to be rebated to the United States Government or to create a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the rebate or Yield restriction requirements not been relevant to the Village. An investment of Gross Proceeds shall be made in a Commingled Fund other than an External Commingled Fund only if the investments made by such Commingled Fund satisfy the provisions of this paragraph.

A single investment, or multiple investments awarded to a provider based on a single bid may not be used for funds subject to different rules relating to rebate or yield restriction.

The foregoing provisions of this paragraph satisfy various safe harbors set forth in the Regulations relating to the valuation of certain types of investments. The safe harbor provisions of this paragraph are contained herein for the protection of the Village, who has covenanted not to take any action to adversely affect the tax-exempt status of the interest on the Bonds. The Village will contact Bond Counsel if it does not wish to comply with the provisions of this paragraph and forego the protection provided by the safe harbors provided herein.

4.5. Arbitrage Elections. The Village hereby waives its right to invest Sale Proceeds of the Bonds and investment earnings thereon in investments with Yields higher than Bond Yield. The President, Village Treasurer and Village Clerk are hereby authorized to execute one or more elections regarding certain matters with respect to arbitrage.

Section 4.6. Six Month Exception. If all Gross Proceeds of the Bonds (including earnings thereon) are spent within six months of the date the Bonds are issued, other than amounts deposited in a reasonably required reserve fund or a bona fide debt service fund, no rebate is required except in the case of unexpected gross proceeds arising after the date of Closing. If all proceeds (including earnings thereon) required to be spent are so spent within this six-month period, except for 5% of the Bond proceeds, and the Village spends the 5% (plus earnings thereon), within one year from the Closing, no rebate is required. To

qualify for the six-month exception, there must be no other amounts that are treated as Gross Proceeds of the Bonds, other than a reasonably required reserve or replacement fund or a bona fide debt service fund. Even if the Village qualifies for this exception, the Village may have to rebate with respect to any amounts that arise or are pledged to the payment of the Bonds at a later date.

5.1. Issue Price. For purposes of determining the Yield on the Bonds, the purchase price of the Bonds is equal to the first offering price (including accrued interest) at which the Purchaser reasonably expected to sell at least ten percent of the principal amount of each maturity of the Bonds to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters, placement agents or wholesalers). All of the Bonds have been the subject of a bona fide initial offering to the public (excluding bond houses, brokers, or similar persons or organizations acting in the capacity of underwriters, placement agents or wholesalers) at prices equal to those set forth in the Official Statement. Based upon prevailing market conditions, such prices are not less than the fair market value of each Bond as of the sale date for the Bonds.

5.2. Yield Limits. Except as provided in paragraph (a) or (b), all Gross Proceeds shall be invested at market prices and at a Yield (after taking into account any Yield Reduction Payments) not in excess of the Yield on the Bonds.

The following may be invested without Yield restriction:

(a) amounts on deposit in the Bond Fund (except for capitalized interest and any Reserve Portion of the Bond Fund) that have not been on deposit under the Ordinance for more than 13 months, so long as the Bond Fund (other than the Reserve Portion of the Bond Fund) continues to qualify as a bona fide debt service fund as described in paragraph 3.2 hereof;

(b) (i) An amount not to exceed the lesser of \$100,000 or five percent of the Sale Proceeds;

(ii) amounts invested in Qualified Tax Exempt Obligations (to the extent permitted by law and this Ordinance);

(iii) amounts in the Rebate Fund;

(iv) all amounts other than Sale Proceeds for the first 30 days after they become Gross Proceeds; and

(v) all amounts derived from the investment of Sale Proceeds or investment earnings thereon other than those on deposit with the paying agent on the Refunded Bonds for a period of one year from the date received.

5.3. Yield Limits on Prior Bond Proceeds. Except for an amount not to exceed the lesser of \$100,000 or five percent of Prior Bond Proceeds, the Village acknowledges that

all Prior Bond Proceeds must be invested at market prices and at a Yield not in excess of the Yield on the Prior Bonds.

5.4. Continuing Nature of Yield Limits. Except as provided in paragraph 7.10 hereof, once moneys are subject to the Yield limits of paragraph 5.2 hereof, such moneys remain Yield restricted until they cease to be Gross Proceeds.

5.5. Federal Guarantees. Except for investments meeting the requirements of paragraph 5.2(a) hereof, investments of Gross Proceeds shall not be made in (a) investments constituting obligations of or guaranteed, directly or indirectly, by the United States (except obligations of the United States Treasury or investments in obligations issued pursuant to Section 21B(d)(3) of the Federal Home Loan Bank, as amended (*e.g.*, Refcorp Strips)); or (b) federally insured deposits or accounts (as defined in Section 149(b)(4)(B) of the Code). Except as otherwise permitted in the immediately prior sentence and in the Regulations, no portion of the payment of principal or interest on the Bonds or any credit enhancement or liquidity device relating to the foregoing is or will be guaranteed, directly or indirectly (in whole or in part), by the United States (or any agency or instrumentality thereof), including a lease, incentive payment, research or output contract or any similar arrangement, agreement or understanding with the United States or any agency or instrumentality thereof. No portion of the Gross Proceeds has been or will be used to make loans the payment of principal or interest with respect to which is or will be guaranteed (in whole or in part) by the United States (or any agency or instrumentality thereof). Neither this paragraph nor paragraph 5.6 hereof applies to any guarantee by the Federal Housing Administration, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, the Student Loan Marketing Association or the Bonneville Power Administration pursuant to the Northwest Power Act (16 U.S.C. 839d) as in effect on the date of enactment of the Tax Reform Act of 1984.

5.6. Investments After the Expiration of Temporary Periods, Etc. Any amounts that are subject to the yield limitation in Section 5.2 because Section 5.2(a) is not applicable and amounts not subject to yield restriction only because they are described in Section 5.2(b) cannot be invested in (i) federally insured deposits or accounts (as defined in Section 149(b)(4)(B) of the Code) or (ii) investments constituting obligations of or guaranteed, directly or indirectly, by the United States (except obligations of the United States Treasury or investments in obligations issued pursuant to Section 21B(d)(3) of the Federal Home Loan Bank Act, as amended (*e.g.*, Refcorp Strips)).

6.1. Payment and Use Tests. (a) No more than five percent of the proceeds of each issue of the Prior Bonds and investment earnings thereon were used, directly or indirectly, in whole or in part, in any Private Business Use. The Village acknowledges that, for purposes of the preceding sentence, Gross Proceeds used to pay costs of issuance and other common costs (such as capitalized interest and fees paid for a qualified guarantee or qualified hedge) or invested in a reserve or replacement fund must be ratably allocated among all the purposes for which Gross Proceeds are being used.

(b) The payment of more than five percent of the principal of or the interest on the Bonds or on each issue of the Prior Bonds considered separately will not be, directly or indirectly (i) secured by any interest in (A) property used or to be used in any Private Business Use or (B) payments in respect of such property or (ii) on a present value basis, derived from payments (whether or not to the Village or a member of the same Controlled Group as the Village) in respect of property, or borrowed money, used or to be used in any Private Business Use.

(c) No more than the lesser of \$5,000,000 or five percent of the sum of the proceeds of each issue of the Prior Bonds and investment earnings thereon were used, and no more than the lesser of \$5,000,000 or five percent of the sum of the Sale Proceeds and investment earnings thereon will be used, directly or indirectly, to make or finance loans to any persons. The Village acknowledges that, for purposes of the preceding sentence, Gross Proceeds used to pay costs of issuance and other common costs (such as capitalized interest and fees paid for a qualified guarantee or qualified hedge) or invested in a reserve or replacement fund must be ratably allocated among all the purposes for which Gross Proceeds are being used.

(d) No user of the Prior Project other than a state or local governmental unit will use more than five percent of such facilities, considered separately, on any basis other than the same basis as the general public.

6.2. *I.R.S. Form 8038-G.* The information contained in the Information Return for Tax-Exempt Governmental Obligations, Form 8038-G, is true and complete. The Village will file Form 8038-G (and all other required information reporting forms) in a timely manner.

6.3. *Bank Qualification.* (a) The Village hereby designates each of the Bonds as a “qualified tax-exempt obligation” for the purposes and within the meaning of Section 265(b)(3) of the Code.

(b) The Village has not entered into and will not enter into any agreements under which obligations issued by any other entity in calendar year 2017 were or will be allocated to the Village for purposes of Section 265(b)(3) of the Code.

(c) The Village is not subject to the Control of any entity, and there are no entities subject to Control of the Village that issued or may issue tax-exempt obligations during calendar year 2017. During calendar year 2017, the Village has not and will not issue tax-exempt bonds on behalf of any other entity. The Village has not and will not borrow the proceeds or otherwise use the proceeds of any tax-exempt bonds issued by another entity during calendar year 2017.

(d) The par amount of the Bonds does not exceed \$10,000,000 and the issue price of the Bonds does not exceed \$10,000,000. The Bonds have not been sold in conjunction with any other obligations.

(e) In calendar year 2017, other than the Bonds, no tax-exempt obligations of any kind have been issued, are reasonably expected to be issued, or will be issued (A) by or on behalf of the Village or (B) by any entity subject to Control by the Village (including any entity which may hereafter come into existence).

(f) In calendar year 2017, no entity has issued or will issue tax-exempt obligations which, but for the \$10,000,000 limitations of Section 265(b)(3) of the Code would have been or would be issued (A) by or on behalf of the Village or (B) by any entity subject to Control by the Village (including any entity which may hereafter come into existence). The Village will receive substantial benefits from the projects financed and refinanced by the Bonds.

(g) The Village may take an action or permit an action to be taken that is contrary to the requirements of this Section 6.3 only if, in addition to the requirements of Section 7.10, the action will not adversely affect the treatment of the Bonds as “qualified tax-exempt obligations” for the purpose and within the meaning of Section 265(b)(3) of the Code and the Village obtains an opinion of Bond Counsel to that effect.

7.1. Termination; Interest of Village in Rebate Fund. The terms and provisions set forth in this Section shall terminate at the later of (a) 75 days after the Bonds have been fully paid and retired or (b) the date on which all amounts remaining on deposit in the Rebate Fund, if any, shall have been paid to or upon the order of the United States and any other payments required to satisfy the Rebate Provisions of the Code have been made to the United States. Notwithstanding the foregoing, the provisions of paragraphs 4.3, 4.4(c) and 7.9 hereof shall not terminate until the third anniversary of the date the Bonds are fully paid and retired.

7.2. Separate Issue. Since a date that is 15 days prior to the date of sale of the Bonds by the Village to the Purchaser, neither the Village nor any member of the same Controlled Group as the Village has sold or delivered any tax-exempt obligations other than the Bonds that are reasonably expected to be paid out of substantially the same source of funds as the Bonds. Neither the Village nor any member of the same Controlled Group as the Village will sell or deliver within 15 days after the date of sale of the Bonds any tax-exempt obligations other than the Bonds that are reasonably expected to be paid out of substantially the same source of funds as the Bonds.

7.3. No Sale of the Prior Project. (a) Other than as provided in the next sentence, neither the Prior Project nor any portion thereof has been, is expected to be, or will be sold or otherwise disposed of, in whole or in part, prior to the earlier of (i) the last date of the reasonably expected economic life to the Village of the property (determined on the date of issuance of the Bonds) or (ii) the last maturity date of the Bonds. The Village may dispose of personal property in the ordinary course of an established government program prior to the earlier of (i) the last date of the reasonably expected economic life to the Village of the property (determined on the date of issuance of the Bonds) or (ii) the last maturity of the Bonds, provided: (A) the weighted average maturity of the Bonds financing the personal property is not greater than 120 percent of the reasonably expected actual use of

that property for governmental purposes; (B) the Village reasonably expects on the issue date that the fair market value of that property on the date of disposition will be not greater than 25 percent of its cost; (C) the property is no longer suitable for its governmental purposes on the date of disposition; and (D) the Village deposits amounts received from the disposition in a commingled fund with substantial tax or other governmental revenues and the Village reasonably expects to spend the amounts on governmental programs within six months from the date of the commingling.

(b) The Village acknowledges that if property financed with the Prior Bonds is sold or otherwise disposed of in a manner contrary to (a) above, such sale or disposition may constitute a “deliberate action” within the meaning of the Regulations that may require remedial actions to prevent the Bonds from becoming private activity bonds. The Village shall promptly contact Bond Counsel if a sale or other disposition of Bond-financed property is considered by the Village.

7.4. Purchase of Bonds by Village. The Village will not purchase any of the Bonds except to cancel such Bonds.

7.5. First Call Date Limitation. The period between the date of Closing and the first call date of the Bonds is not more than 10-1/2 years.

7.6. Registered Form. The Village recognizes that Section 149(a) of the Code requires the Bonds to be issued and to remain in fully registered form in order that interest thereon be exempt from federal income taxation under laws in force at the time the Bonds are delivered. In this connection, the Village agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

7.7. First Amendment. The Village acknowledges and agrees that it will not use, or allow the Prior Project to be used, in a manner which is prohibited by the Establishment of Religion Clause of the First Amendment to the Constitution of the United States of America or by any comparable provisions of the Constitution of the State of Illinois.

7.8. Future Events. The Village acknowledges that any changes in facts or expectations from those set forth herein may result in different Yield restrictions or rebate requirements from those set forth herein. The Village shall promptly contact Bond Counsel if such changes do occur.

7.9. Records Retention. The Village agrees to keep and retain or cause to be kept and retained sufficient records to support the continued exclusion of the interest paid on the Bonds from federal income taxation, to demonstrate compliance with the covenants in this Ordinance and to show that all tax returns related to the Bonds submitted or required to be submitted to the IRS are correct and timely filed. Such records shall include, but are not limited to, basic records relating to the Bond transaction (including this Ordinance and the Bond Counsel opinion); documentation evidencing the expenditure of Bond proceeds; documentation evidencing the use of Bond-financed property by public and private entities (*i.e.*, copies of leases, management contracts and research agreements); documentation

evidencing all sources of payment or security for the Bonds; and documentation pertaining to any investment of Bond proceeds (including the information required under paragraphs 4.3 and 4.4 hereof and in particular information related to the purchase and sale of securities, SLGs subscriptions, yield calculations for each class of investments, actual investment income received from the investment of proceeds, guaranteed investment contracts and documentation of any bidding procedure related thereto and any fees paid for the acquisition or management of investments and any rebate calculations). Such records shall be kept for as long as the Bonds are outstanding, plus three (3) years after the later of the final payment date of the Bonds or the final payment date of any obligations or series of obligations issued to refund directly or indirectly all or any portion of the Bonds.

7.10. Permitted Changes; Opinion of Bond Counsel. The Yield restrictions contained in paragraph 5.2 hereof or any other restriction or covenant contained herein need not be observed or may be changed if such nonobservance or change will not result in the loss of any exemption for the purpose of federal income taxation to which interest on the Bonds is otherwise entitled and the Village receives an opinion of Bond Counsel to such effect.

7.11. Excess Proceeds. Gross Proceeds of the Bonds and investment earnings thereon and all unspent Prior Bond Proceeds as of the date of Closing and investment earnings thereon do not exceed by more than one percent of the Sale Proceeds of the Bonds the amount that will be used for:

- (i) payment of principal of or interest or call premium on the Refunded Bonds;
- (ii) payment of pre-issuance accrued interest on the Bonds and interest on the Bonds that accrues for a period up to the completion date of any capital project for which the prior issue was issued, plus one year;
- (iii) payment of cost of issuance of the Bonds;
- (iv) payment of administrative costs allocable to repaying the Refunded Bonds, carrying and repaying the Bonds or investments of the Bonds;
- (v) Prior Bond Proceeds that will be used or maintained for the governmental purpose of the Refunded Bonds; and
- (vi) interest on purpose investments.

7.12. Successors and Assigns. The terms, provisions, covenants and conditions of this Section shall bind and inure to the benefit of the respective successors and assigns of the Board and the Village.

7.13. Expectations. The Board has reviewed the facts, estimates and circumstances in existence on the date of issuance of the Bonds. Such facts, estimates and circumstances,

together with the expectations of the Village as to future events, are set forth in summary form in this Section. Such facts and estimates are true and are not incomplete in any material respect. On the basis of the facts and estimates contained herein, the Village has adopted the expectations contained herein. On the basis of such facts, estimates, circumstances and expectations, it is not expected that Sale Proceeds, investment earnings thereon or any other moneys or property will be used in a manner that will cause the Bonds to be arbitrage bonds within the meaning of the Rebate Provisions and the Regulations. Such expectations are reasonable and there are no other facts, estimates and circumstances that would materially change such expectations.

The Village also agrees and covenants with the purchasers and holders of the Bonds from time to time outstanding that, to the extent possible under Illinois law, it will comply with whatever federal tax law is adopted in the future which applies to the Bonds and affects the tax-exempt status of the Bonds.

The Board hereby authorizes the officials of the Village responsible for issuing the Bonds, the same being the President, Village Clerk and Village Treasurer, to make such further covenants and certifications as may be necessary to assure that the use thereof will not cause the Bonds to be arbitrage bonds and to assure that the interest in the Bonds will be exempt from federal income taxation. In connection therewith, the Village and the Board further agree: (a) through their officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to consult with counsel approving the Bonds and to comply with such advice as may be given; (c) to pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds; (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 their officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the Village in such compliance.

Section 17. List of Bondholders. The Bond Registrar shall maintain a list of the names and addresses of the holders of all Bonds and upon any transfer shall add the name and address of the new Bondholder and eliminate the name and address of the transferor Bondholder.

Section 18. Duties of Bond Registrar. If requested by the Bond Registrar, the President and Village Clerk are authorized to execute the Bond Registrar's standard form of agreement between the Village and the Bond Registrar with respect to the obligations and duties of the Bond Registrar hereunder which may include the following:

- (a) to act as bond registrar, authenticating agent, paying 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 Village upon request, but otherwise to keep such list confidential;
- (c) to give notice of redemption of Bonds as provided herein;
- (d) to cancel and/or destroy Bonds which have been paid at maturity or upon earlier redemption or submitted for exchange or transfer;
- (e) to furnish the Village at least annually a certificate with respect to Bonds cancelled and/or destroyed; and
- (f) to furnish the Village at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds.

The Village Clerk is hereby directed to file a certified copy of this Ordinance with the Bond Registrar and the Paying Agent.

Section 19. Continuing Disclosure Undertaking. The President or Village Treasurer is hereby authorized, empowered and directed to execute and deliver a Continuing Disclosure Undertaking under Section (b)(5) of Rule 15c2-12 adopted by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended (the "*Continuing Disclosure Undertaking*"). When such Continuing Disclosure Undertaking is executed and delivered on behalf of the Village as herein provided, such Continuing Disclosure Undertaking will be binding on the Village and the officers, employees and agents of the Village, and the officers, employees and agents of the Village 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 such Continuing Disclosure Undertaking as executed. Notwithstanding any other provision of this Ordinance, the sole remedies for failure to comply with such 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 Village to comply with its obligations under such Continuing Disclosure Undertaking.

Section 20. Municipal Bond Insurance. In the event the payment of principal and interest on the Bonds is insured pursuant to a municipal bond insurance policy (the "*Municipal Bond Insurance Policy*") issued by a bond insurer (the "*Bond Insurer*"), and as long as such Municipal Bond Insurance Policy shall be in full force and effect, the Village and the Bond Registrar agree to comply with such usual and reasonable provisions regarding presentment and payment of the Bonds, subrogation of the rights of the Bondholders to the Bond Insurer, amendment hereof, or other terms, as approved by the President on advice of counsel, his or her approval to constitute full and complete acceptance by the Village of such terms and provisions under authority of this Section.

Section 21. Record-Keeping Policy and Post-Issuance Compliance Matters. It is necessary and in the best interest of the Village to maintain sufficient records to demonstrate compliance with its covenants and expectations to ensure the appropriate federal tax status for the Bonds and other debt obligations of the Village, the interest on which is excludable from "gross income" for federal income tax purposes or which enable the Village or the holder to receive federal tax benefits, including, but not limited to, qualified tax credit bonds and other specified tax credit bonds (including the Bonds, the "*Tax Advantaged Obligations*"). Further, it is necessary and in the best interest of the Village that (i) the Board adopt policies with respect to record-keeping and post issuance compliance with the Village's covenants related to its Tax Advantaged Obligations and (ii) the Compliance Officer (as hereinafter defined) at least annually

review the Village's Contracts (as hereinafter defined) to determine whether the Tax Advantaged Obligations comply with the federal tax requirements applicable to each issue of the Tax Advantaged Obligations. The Board and the Village hereby adopt the following Record-Keeping Policy and, in doing so, amend any similar Record-Keeping Policy or Policies heretofore adopted:

(a) *Compliance Officer Is Responsible for Records.* The Finance Director (the "Compliance Officer") is hereby designated as the keeper of all records of the Village with respect to each issue of the Tax Advantaged Obligations, and such officer shall report to the Board at least annually that he/she has all of the required records in his/her possession, or is taking appropriate action to obtain or recover such records.

(b) *Closing Transcripts.* For each issue of Tax Advantaged Obligations, the Compliance Officer shall receive, and shall keep and maintain, a true, correct and complete counterpart of each and every document and agreement delivered in connection with the issuance of the Tax Advantaged Obligations, including without limitation (i) the proceedings of the Village authorizing the Tax Advantaged Obligations, (ii) any offering document with respect to the offer and sale of the Tax Advantaged Obligations, (iii) any legal opinions with respect to the Tax Advantaged Obligations delivered by any lawyers, and (iv) all written representations of any person delivered in connection with the issuance and initial sale of the Tax Advantaged Obligations.

(c) *Arbitrage Rebate Liability.* The Compliance Officer shall review the agreements of the Village with respect to each issue of Tax Advantaged Obligations and shall prepare a report for the Board stating whether or not the Village has any rebate liability to the United States Treasury, and setting forth any applicable exemptions that each issue of Tax Advantaged Obligations may have from rebate liability. Such report shall be updated annually and delivered to the Board.

(d) *Recommended Records.* The Compliance Officer shall review the records related to each issue of Tax Advantaged Obligations and shall determine what requirements the Village must meet in order to maintain the tax-exemption of interest paid on its Tax Advantaged Obligations, its entitlement to direct payments by the United States Treasury of the applicable percentages of each interest payment due and owing on its Tax Advantaged Obligations, and applicable tax credits or other tax benefits arising from its Tax Advantaged Obligations. The Compliance Officer shall then prepare a list of the contracts, requisitions, invoices, receipts and other information that may be needed in order to establish that the interest paid on the Tax Advantaged Obligations is entitled to be excluded from "gross income" for federal income tax purposes, that the Village is entitled to receive from the United States Treasury direct payments of the applicable percentages of interest payments coming due and owing on its Tax Advantaged Obligations, and the entitlement of holders of any Tax Advantaged Obligations to any tax credits or other tax benefits, respectively. Notwithstanding any other policy of the Village, such retained

records shall be kept for as long as the Tax Advantaged Obligations relating to such records (and any obligations issued to refund the Tax Advantaged Obligations) are outstanding, plus three years, and shall at least include:

(i) complete copies of the transcripts delivered when any issue of Tax Advantaged Obligations is initially issued and sold;

(ii) copies of account statements showing the disbursements of all Tax Advantaged Obligation proceeds for their intended purposes, and records showing the assets and other property financed by such disbursements;

(iii) copies of account statements showing all investment activity of any and all accounts in which the proceeds of any issue of Tax Advantaged Obligations has been held or in which funds to be used for the payment of principal of or interest on any Tax Advantaged Obligations has been held, or which has provided security to the holders or credit enhancers of any Tax Advantaged Obligations;

(iv) copies of all bid requests and bid responses used in the acquisition of any special investments used for the proceeds of any issue of Tax Advantaged Obligations, including any swaps, swaptions, or other financial derivatives entered into in order to establish that such instruments were purchased at *fair market value*;

(v) copies of any subscriptions to the United States Treasury for the purchase of State and Local Government Series (SLGS) obligations;

(vi) any calculations of liability for *arbitrage rebate* that is or may become due with respect to any issue of Tax Advantaged Obligations, and any calculations prepared to show that no arbitrage rebate is due, together, if applicable, with account statements or cancelled checks showing the payment of any rebate amounts to the United States Treasury together with any applicable IRS Form 8038-T; and

(vii) copies of all contracts and agreements of the Village, including any leases (the "*Contracts*"), with respect to the use of any property owned by the Village and acquired, constructed or otherwise financed or refinanced with the proceeds of the Tax Advantaged Obligations effective at any time when such Tax Advantaged Obligations are, will or have been outstanding. Copies of contracts covering no more than 50 days of use and contracts related to Village employees need not be retained.

(e) *IRS Examinations or Inquiries.* In the event the IRS commences an examination of any issue of Tax Advantaged Obligations or requests a response to a compliance check, questionnaire or other inquiry, the Compliance Officer shall inform the Board of such event, and is authorized to respond to inquiries of the IRS, and to hire outside, independent professional counsel to assist in the response to the examination or inquiry.

(f) *Annual Review.* The Compliance Officer shall conduct an annual review of the Contracts and other records to determine for each issue of Tax Advantaged Obligations then outstanding whether each such issue complies with the federal tax requirements applicable to such issue, including restrictions on private business use, private payments and private loans. The Compliance Officer is expressly authorized, without further official action of the Board, to hire outside, independent professional counsel to assist in such review. To the extent that any violations or potential violations of federal tax requirements are discovered incidental to such review, the Compliance Officer may make recommendations or take such actions as the Compliance Officer shall reasonably deem necessary to assure the timely correction of such violations or potential violations through remedial actions described in the United States Treasury Regulations, or the Tax Exempt Bonds Voluntary Closing Agreement Program described in Treasury Notice 2008-31 or similar program instituted by the IRS.

(g) *Training.* The Compliance Officer shall undertake to maintain reasonable levels of knowledge concerning the rules related to tax-exempt bonds (and build America bonds and tax credit bonds to the extent the Village has outstanding build America bonds or tax-credit bonds) so that such officer may fulfill the duties described in this Section. The Compliance Officer may consult with counsel, attend conferences and presentations of trade groups, read materials posted on various web sites, including the web site of the Tax Exempt Bond function of the IRS, and use other means to maintain such knowledge. Recognizing that the Compliance Officer may not be fully knowledgeable in this area, the Compliance Officer may consult with outside counsel, consultants and experts to assist him or her in exercising his or her duties hereunder. The Compliance Officer will endeavor to make sure that the Village's staff is aware of the need for continuing compliance. The Compliance Officer will provide copies of this Ordinance and the Tax Exemption Certificate and Agreement or other applicable tax documents for each series of Tax Advantaged Obligations then currently outstanding (the "*Tax Agreements*") to staff members who may be responsible for taking actions described in such documents. The Compliance Officer should assist in the education of any new Compliance Officer and the transition of the duties under these procedures. The Compliance Officer will review this Ordinance and each of the Tax Agreements periodically to determine if there are portions that need further explanation and, if so, will attempt to obtain such explanation from counsel or from other experts, consultants or staff.

(h) *Amendment and Waiver.* The procedures described in this Section are only for the benefit of the Village. No other person (including an owner of a Tax Advantaged Obligation) may rely on the procedures included in this Section. The Village may amend this Section and any provision of this Section may be waived, without the consent of the holders of any Tax Advantaged Obligations and as authorized by passage of a resolution by the Board. Additional procedures may be required for Tax Advantaged Obligations the proceeds of which are used for purposes other than capital governmentally owned projects or refundings of such, including tax increment financing bonds, bonds financing output facilities, bonds financing working capital, or private activity bonds. The Village also recognizes that these procedures may need to be revised in the event the Village enters into any derivative products with respect to its Tax Advantaged Obligations.

Section 22. 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 Board.

Section 23. 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 24. Superseder and Effective Date. All ordinances, resolutions or orders, or parts thereof, in conflict herewith, 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 in the manner provided by law.

ADOPTED: May 16, 2017

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED: May 16, 2017

President, Village of Bartlett
DuPage, Cook and Kane Counties, Illinois

ATTEST:

Village Clerk, Village of Bartlett,
DuPage, Cook and Kane Counties, Illinois

Recorded in the Village Records: May 16, 2017.

Published in pamphlet form by authority of the Board on May __, 2017.

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION OF ORDINANCE AND MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois (the “*Village*”), and as such official I am the keeper of the records and files of the President and Board of Trustees of the Village (the “*Board*”).

I do further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the Board held on the 16th day of May, 2017, insofar as the same relates to the adoption of Ordinance No. _____, entitled:

AN ORDINANCE providing for the issuance of not to exceed \$2,950,000 General Obligation Refunding Bonds of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, for the purpose of refunding certain outstanding bonds of said Village, providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on said Bonds, and authorizing the sale of said Bonds to the purchaser thereof.

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said ordinance were conducted openly; that the vote on the adoption of said ordinance was taken openly; that said meeting was called and held at a specified time and place convenient to the public; that notice of said meeting was duly given to all of the news media requesting such notice; that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board 96 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 96-hour period preceding said meeting, a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Illinois Municipal Code, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board in the adoption of said ordinance.

IN WITNESS WHEREOF I hereunto affix my official signature and the seal of the Village this 16th day of May, 2017.

Village Clerk

[SEAL]

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerks of The County of DuPage, Illinois, and as such official I do further certify that on the ____ day of _____, 2017, there was filed in my office a duly certified copy of Ordinance No. _____ entitled:

AN ORDINANCE providing for the issuance of not to exceed \$2,950,000 General Obligation Refunding Bonds of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, for the purpose of refunding certain outstanding bonds of said Village, providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on said Bonds, and authorizing the sale of said Bonds to the purchaser thereof.

duly adopted by the President and Board of Trustees of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, on the 16th day of May, 2017, and approved by the Village President, and that the same has been deposited in (and all as appearing from) the official files and records of my office.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the seal of said County, Illinois, this ____ day of _____, 2017.

County Clerks of The County of DuPage,
Illinois

[SEAL]

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerks of The County of Cook, Illinois, and as such official I do further certify that on the ____ day of _____, 2017, there was filed in my office a duly certified copy of Ordinance No. _____ entitled:

AN ORDINANCE providing for the issuance of not to exceed \$2,950,000 General Obligation Refunding Bonds of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, for the purpose of refunding certain outstanding bonds of said Village, providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on said Bonds, and authorizing the sale of said Bonds to the purchaser thereof.

duly adopted by the President and Board of Trustees of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, on the 16th day of May, 2017, and approved by the Village President, and that the same has been deposited in (and all as appearing from) the official files and records of my office.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the seal of said County, Illinois, this ____ day of _____, 2017.

County Clerks of The County of Cook,
Illinois

[SEAL]

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerks of The County of Kane, Illinois, and as such official I do further certify that on the ____ day of _____, 2017, there was filed in my office a duly certified copy of Ordinance No. _____ entitled:

AN ORDINANCE providing for the issuance of not to exceed \$2,950,000 General Obligation Refunding Bonds of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, for the purpose of refunding certain outstanding bonds of said Village, providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on said Bonds, and authorizing the sale of said Bonds to the purchaser thereof.

duly adopted by the President and Board of Trustees of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, on the 16th day of May, 2017, and approved by the Village President, and that the same has been deposited in (and all as appearing from) the official files and records of my office.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the seal of said County, Illinois, this ____ day of _____, 2017.

County Clerks of The County of Kane,
Illinois

[SEAL]

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

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

I do further certify that on the ____ day of May, 2017, there was published in pamphlet form, by authority of the Board, a true, correct, and complete copy of Ordinance No. _____ of the Village entitled:

AN ORDINANCE providing for the issuance of not to exceed \$2,950,000 General Obligation Refunding Bonds of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, for the purpose of refunding certain outstanding bonds of said Village, providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on said Bonds, and authorizing the sale 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 Village Clerk located in the Village.

IN WITNESS WHEREOF I have affixed hereto my official signature and the seal of the Village this ____ day of May, 2017.

[SEAL]

Village Clerk



Agenda Item Executive Summary

Item Name General Fund Revenue Committee or Board Committee

BUDGET IMPACT

Amount: N/A

Budgeted

N/A

List what fund N/A

EXECUTIVE SUMMARY

During the 2017/18 budget review, the staff was asked to look at revenue sources available to the Village. The attached memo includes a brief review of General Fund revenue and an overview for two types of sales tax available to the Village.

ATTACHMENTS (PLEASE LIST)

Finance Department Memo

Revenue Detail

Sale tax comparison spreadsheet

ACTION REQUESTED

- For Discussion Only
- Resolution
- Ordinance
- Motion

Staff: Todd Dowden, Acting Finance Director

Date: April 24, 2017

Village of Bartlett Finance Department Memo 2017 - 11

DATE: April 24, 2017
TO: Paula Schumacher, Acting Village Administrator
FROM: Todd Dowden, Acting Finance Director 
SUBJECT: General Fund Revenue

The 2017/18 Budget was approved on April 4th. The budget included the use of General Fund unassigned fund balance of just over \$400,000 and holding four additional positions unfilled for the year at a savings to the General Fund of over \$340,000. During the budget discussion, the staff was asked to look at revenue sources available to the Village that have the potential for growth.

The current revenue distribution of the General Fund is 30% from property tax, 20% State income tax, 11% State sales tax, and 5% local use tax. These four taxes make up 66% of the General Fund revenue. Telecommunications tax, real estate transfer tax, gas & electric utility tax, cable TV franchise fees, and building permits make up another 17% of the total General Fund revenue. The remaining 17% is from over twenty sources that individually account for less than 1% of total revenue each. The revenue detail section from the proposed budget is attached showing three years of history.

A source of revenue that the Village has not utilized in the past is a home-rule sales tax. The Village currently receives a 1% tax on all general merchandise sales and qualifying food and drugs sold within the Village. The State collects these funds and distributes them to the Village. Most of the surrounding communities have a local sales tax. The local rates are listed below. The Village could add a home-rule sales tax starting at 0.25% increasing in increments of .25%. Each increase of 0.25% would add approximately \$400,000 in revenue. The additional tax would not apply to qualifying food and drug purchases. The State would collect and distribute the additional tax.

Another form of sales tax is the Food & Beverage tax. This has been reviewed in the past. Sales tax from drinking and eating places has increased over the last year and accounted for 15% of the sales tax revenue in the 4th quarter of 2016. About half of our neighboring communities have a food & beverage. A 1% food & beverage tax would generate approximately \$360,000. This tax would be administered directly by the Village with businesses submitting payments directly to the Village.

	Bartlett	Elgin	Hanover Park	Streamwood	Carol Stream	West Chicago	Bloomingtondale
Local Sales Tax	0%	1.25%	0.75%	1%	0.75%	0.75%	0.50%
Food & Bev Tax	0%	3%	3%	2%	0%	0%	0%

REVENUE DETAIL

Account Number	Description	Actual			Estimated 2016/17	Budget 2016/17	Requested 2017/18	% Change
		2013/14	2014/15	2015/16				
100 - General Fund								
410100	Property Tax	7,033,369	6,687,221	6,488,157	6,443,094	6,443,094	0%	
410101	Road & Bridge Tax	157,848	183,888	163,456	160,000	160,000	0%	
410103	Police Pension Tax	1,192,090	1,176,509	1,263,689	1,152,049	1,254,636	9%	
410104	State Replacement Tax	48,146	46,127	47,560	46,000	46,000	0%	
410105	Sales Tax	2,063,764	2,098,849	2,257,138	2,350,000	2,400,000	9%	
410106	State Income Tax	4,015,561	4,035,688	4,391,637	4,005,000	4,165,000	-5%	
410107	Telecommunications Tax	1,249,425	1,127,225	1,017,297	980,000	930,000	-12%	
410109	Local Use Tax	727,264	848,594	954,377	970,000	1,040,000	-4%	
410110	Real Estate Transfer Tax	367,794	505,829	547,960	655,000	610,000	0%	
410112	Utility Gas Tax	1,095,769	996,242	866,946	520,000	500,000	-9%	
410113	Utility Electric Tax	608,604	593,747	310,785	162,000	160,000	5%	
410114	Gaming Tax	38,336	93,791	146,694	164,000	164,000	56%	
	Total Tax Income	18,597,970	18,393,710	18,455,695	17,607,143	17,928,516	0%	
420200	Business Licenses	50,995	51,370	42,735	50,000	50,000	-1%	
420210	Contractors Licenses	53,525	51,065	60,215	50,000	50,000	0%	
420215	Liquor/Bar Licenses	52,215	43,560	42,215	45,000	45,000	-10%	
420220	Dog Licenses	432	394	394	500	500	0%	
420230	Building Permits	570,513	490,266	590,328	640,042	640,000	0%	
420231	Erosion Control Permits	1,725	2,625	2,450	3,000	2,000	300%	
420625	Antenna License Fees	172,853	182,820	246,697	282,000	220,000	26%	
	Total License Fees	902,258	822,100	985,034	1,070,542	1,007,500	4%	
430235	Plan Review Fees	68,154	77,885	80,121	190,000	120,000	71%	
430236	Elevator Inspections	1,850	2,751	2,298	2,500	2,500	0%	
430260	Cable TV Franchise Fees	622,134	663,480	708,326	740,000	740,000	2%	
430263	Natural Gas Franchise Fees	0	0	48,561	45,000	45,000	0%	
430280	Garbage Franchise Fees	182,945	169,505	168,984	180,000	180,000	-3%	
430300	Village Fines	96,378	82,554	97,611	100,000	100,000	0%	
430305	County Fines	158,795	136,039	128,358	130,000	130,000	-11%	
430310	Towing/Impound Fines	151,500	115,000	127,000	120,000	120,000	-12%	
	Total Fees & Fines	1,281,756	1,247,214	1,361,259	1,507,500	1,437,500	2%	
440405	General Operating Grants	317,658	0	0	0	0	0%	
440406	Public Works Operating	0	0	0	0	0	0%	

REVENUE DETAIL

Account Number	Description	Actual			Estimated 2016/17	Budget 2016/17	Requested 2017/18	% Change
		2013/14	2014/15	2015/16				
440407	Public Safety Operating	129,628	213,915	37,350	50,000	165,000	40,000	-76%
440540	FOIA Requests	5,185	4,939	4,060	4,000	5,000	4,000	-20%
	Total Grants & Reimbursements	452,471	218,854	41,410	54,000	170,000	44,000	-74%
100 - General Fund								
480100	Mining Royalties	57,735	114,954	126,925	125,000	100,000	125,000	25%
480200	Sale of Cemetery Lots	260	720	444	500	500	500	0%
480600	Interest Income	16,940	22,585	32,452	45,000	20,000	40,000	100%
480601	Miscellaneous Income	351,939	526,460	463,994	500,000	575,000	500,000	-13%
480602	IRMA Reimbursements	49,293	89,994	126,831	95,000	70,000	90,000	29%
480603	Liaison Officer Reimbursement	0	0	131,388	133,000	0	135,000	100%
480666	Yard Waste Bags	7,161	10,121	9,393	7,000	7,200	7,500	4%
	Total Miscellaneous Income	483,328	764,834	891,426	905,500	772,700	898,000	16%
490220	Transfer from MFT	0	0	0	150,000	300,000	250,000	-17%
490430	Transfer from Developer Deposits	0	0	0	0	0	0	0%
490500	Transfer from Water	130,000	130,000	130,000	130,000	130,000	130,000	0%
490510	Transfer from Sewer	130,000	130,000	130,000	130,000	130,000	130,000	0%
490520	Transfer from Parking	15,000	15,000	15,000	15,000	15,000	15,000	0%
490550	Transfer from Golf	68,250	68,250	68,250	68,250	68,250	68,250	0%
	Total Transfers In	343,250	343,250	343,250	493,250	643,250	593,250	-8%
	Total General Fund Revenues	\$22,061,033	\$21,789,962	\$22,078,075	\$21,637,935	\$21,893,541	\$21,852,980	0%



Agenda Item Executive Summary

Item Name New Bartlett Police Building and Parking Lot Committee or Board Committee

BUDGET IMPACT

Amount: N/A Budgeted N/A

List what fund N/A

EXECUTIVE SUMMARY

The New Bartlett Police Building and Parking Lot application requires the following:
Rezoning from the SR-4 (Suburban Residence) District to the P-1 (Public Lands) District and
Site Plan Review for the New Parking Lot west of Oak Avenue (0.44 acres);
Site Plan Amendment for the New Police Building in the Municipal Complex; and the following
Variations:

- (a) 10' reduction from the 25' front yard along Oak Avenue (east side) to allow for parking,
- (b) To allow a 6' high fence to be located in the front yard along Oak Avenue (east side),
- (c) 20' reduction from the 25' side yard along the south property line in the new parking lot along Oak Avenue (west side) to allow for parking,
- (d) 17' reduction from the 25' side yard along the north property line in the new parking lot along Oak Avenue (west side) to allow for parking,
- (e) 10.5' reduction from the 30' rear yard in the new parking lot along Oak Avenue (west side) to allow for parking,
- (f) 10' reduction from the 25' front yard in the new parking lot along Oak Avenue (west side) to allow for parking; and
- (g) Elimination of the required curbed planting islands at the end of a parking row within the new parking lot along Oak Avenue (west side)

The **Zoning Board of Appeals** reviewed the Variation requests and conducted the required public hearing at their meeting on April 6, 2017. The Zoning Board of Appeals recommended **approval** subject to the Findings of Fact outlined in the Staff Report.

The **Plan Commission** reviewed the Petitioner's requests and conducted the required public hearing at their meeting on April 13, 2017. The Commission recommended **approval** subject to the conditions and Findings of Fact outlined in the Staff Report.

ATTACHMENTS (PLEASE LIST)

CD Memo, Minutes from the ZBA and PC Meetings, Cover Letter, Application, Location Map, Previously Approved Site Plan, Phasing Plan, Building Rendering, Site Plan, Building Elevations, Floor Plans and Landscape Plan

ACTION REQUESTED

- For Discussion Only – To review the Petitioner's requests and the public record of the Plan Commission and Zoning Board of Appeals meetings
- Resolution
- Ordinance
- Motion

Staff: Jim Plonczynski, Com Dev Director

Date: April 17, 2017

COMMUNITY DEVELOPMENT MEMORANDUM

17-71

DATE: April 17, 2017
TO: Paula Schumacher, Acting Village Administrator
FROM: Jim Plonczynski, Community Development Director
RE: **(#17-02) New Bartlett Police Building and Parking Lot**

PETITIONER

Paula Schumacher and Police Chief Ullrich on behalf of the Village of Bartlett

SUBJECT SITE

228 S. Main (Village Hall and Police Building), 222 S. Oak (New Police Parking Lot)

REQUESTS

Rezoning from the SR-4 (Suburban Residence) Zoning District to the P-1 (Public Lands) Zoning District and **Site Plan Review** for the New Parking Lot west of Oak Avenue (0.44 acres); a **Site Plan Amendment** for the New Police Building on the Municipal Complex Property; and the following **Variations**:

- (a) 10' reduction from the 25' front yard along Oak Avenue (east side) to allow for parking,
- (b) To allow a 6' high fence to be located in the front yard along Oak Avenue (east side),
- (c) 20' reduction from the 25' side yard along the south property line of the new parking lot along Oak Avenue (west side) to allow for parking,
- (d) 17' reduction from the 25' side yard along the north property line of the new parking lot along Oak Avenue (west side) to allow for parking,
- (e) 10.5' reduction from the 30' rear yard in the new parking lot along Oak Avenue (west side) to allow for parking,
- (f) 10' reduction from the 25' front yard in the new parking lot along Oak Avenue (west side) to allow for parking; and
- (g) Elimination of the required curbed planting islands at the end of a parking row within the new parking lot along Oak Avenue (west side).

SURROUNDING LAND USES

	<u>Land Use</u>	<u>Comprehensive Plan</u>	<u>Zoning</u>
Subject Sites	Municipal/Vacant	Municipal/Institutional	P-1/SR-4
North	Commercial/Residential	Commercial/Village Center Residential	B-1/ SR-4
South	Single Family/Commercial	Village Center Residential	SR-3/SR-4/B-1
East	Municipal Complex/ Commercial	Municipal/Institutional/ Village Center Mixed Use	P-1/PD/B-1
West	Single Family	Village Center Residential	SR-4

ZONING HISTORY

The existing Police Building was built in 1991 as part of the original Village Hall Addition/Expansion and Police Headquarters construction. The Police Building was approximately 21,677 sq. ft. in area and included both the 1st floor and basement area.

The **Site Plan** for the existing Municipal Complex was approved in 2004 by Ordinance #2004-81 (An Ordinance Rezoning the Bartlett Municipal Center Property, Granting a Special Use Permit for Building Height, Variances for Parking in the Front, Side and Rear Yards and to allow the Building within the Front Yard Setback and Site Plan Approval for the New Bartlett Municipal Center.) This plan included the complete demolition of the Village Hall, the approval of a new two-story building with a revised parking layout for both the village employees and police personnel and the rezoning of all the Village owned parcels to the P-1 (Public Lands) Zoning District.

DISCUSSION

1. The Petitioners are requesting a **Rezoning** from the SR-4 (Suburban Residence) Zoning District to the P-1 (Public Lands) Zoning District and a **Site Plan Review** for the newly acquired 0.44 acre property along the west side of Oak Avenue. This property was purchased to provide additional parking for the Police Department and would become part of the overall Municipal Complex.
2. A **Site Plan Amendment** is also being requested for the Municipal Complex site to provide for the demolition of the existing Police Building, the construction of a new two-story Police Building, new parking areas and minor revisions to the parking area in front of the new Police Building and Village Hall.
3. Construction of the new Police Building would occur in two phases. The first phase of development will take place along the north half of the site where the existing police parking area is located. This will enable the primary core responsibilities and day-to-day operations of the Police Department to continue to fully function within a majority of the existing building while construction begins for Phase 1. Once the north half of the building is completed, the Staff and operations will relocate to the new building so that demolition of the southern half of the existing building can take place and construction of Phase 2 would then commence. The only elements of the existing building to be preserved include the tower, the link/hallway leading from the existing Village Hall to the Police Department and the police storage/garage.
4. The building would be approximately 48,982 square feet in area with a proposed 23,233 square foot 1st floor, which would primarily include the lobby, office space, interrogation rooms, the booking area and roll call. The 2nd floor, consisting of approximately 10,891 square feet, would contain administrative offices, a conference room, training room and break room. The lower level or basement area would be approximately 14,858 square feet and would include police storage for files and evidence, the personnel lockers and changing areas, as well as the gun range and mechanical room.

5. The architect has designed the new Police Building to not only complement the existing Village Hall, but to also continue the overall architectural theme established by the Town Center. This new building will utilize similar building materials and colors, such as brick and stone accent features along the front façade, while also incorporating the use of natural stone as part of the proposed archway over the new entrance to the Police Building. In addition, the patterned accent feature, shown on the tower, will also be duplicated above this new arch. The new two-story building with its pitched roof and building height of 39' 3" will match the existing Village Hall height, and with the inclusion of the arched entry feature, will provide a visual balance to the front elevation of the Municipal Complex.
6. Parking for police personnel would be located in three general locations – the new parking lot west of Oak Avenue, as well as a parking area north and south of the new building. Ten (10) additional spaces in the existing parking lot (behind Village Hall) would also be designated for police personnel. Both the north and south parking areas have provided a space for turnarounds so that if these parking areas are full, vehicles would not have to back out of these parking lots.

The new parking lot west of Oak and the north parking lot would both be secured parking areas with each having an electronic arm that would prohibit vehicular access without proper security. As an added security measure, the north parking area would contain a six (6) foot high black aluminum fence, located west of the existing police storage garage to enclose this area. East of the garage, a six (6) foot high solid, PVC fence would be utilized to enclose and secure the remainder of the parking spaces.

Metal canopies are also proposed for this north parking area that would protect police vehicles from inclement weather. These structures would be approximately 9' tall, providing 7' of clearance along the north property line, while taller vehicles would be able to park under the canopies attached to the building, which would be approximately 14' tall, providing 12' of clearance.

7. The parking lot west of Oak Avenue would contain 29 parking spaces and vehicular movements would consist of a one-way pattern counter clockwise around the site. The existing dilapidated fence located on the site along the north property line and a portion of the west property line (southwest corner) was built by the former property owner and will be removed and replaced with dense landscaping to screen this property from adjacent residential properties. (Please note: Existing fences along the west property line on the adjacent residential properties will remain, as they will provide additional screening for this parking lot.)
8. Ingress/egress to the new Police Building would consist of three curb cuts which would replace two existing curb cuts located along the east side of Oak Avenue - the aforementioned north parking lot entrance, the relocated southern curb cut for the south parking area and the sallyport curb cut which is an exit-only.
9. The new parking lots proposed for the Police Department would contain 63 parking spaces. With the additional ten (10) existing spaces being designated for police

personnel, the total number of parking spaces for the Police Department would be 73. Minor changes to the parking area in front of Village Hall and the Police Building would also occur due to the location of the new security planter/seating wall, the expanded building footprint and outdoor public space, the required one (1) additional accessible parking stall and the relocation of two (2) accessible spaces. According to the Zoning Ordinance, the Village Hall would require 100 parking spaces based upon the office space and maximum capacity of the council chambers (55 + 45 = 100). The Police Department would only require six (6) spaces, based upon the 1,628 square feet of public access areas within the new building. This would result in an overall requirement of 106 parking spaces for the Municipal Complex. A total of 153 parking spaces have been provided, including the required five (5) accessible parking spaces, which exceeds the Zoning Ordinance requirement.

10. New LED lights on a motion sensor and timer are being proposed for the new parking lot west of Oak. These lights would turn on when any motion is detected and then dim after a certain period of time so as not to disturb the residential properties adjacent to this parking lot. In addition, the Village's decorative street lights will be installed within the right-of-way of the Municipal Complex properties along Oak Avenue to incorporate the lighting utilized at Village Hall and to continue the downtown lighting theme.
11. As part of the overall upgrades to the front façade of the Municipal Complex, the pavers at the existing entrances will be removed and replaced with stamped concrete. The pavers have become a "tripping hazard" and require continued maintenance and Staff believes the new stamped concrete will improve the overall safety and aesthetics of the outdoor public space. In addition, a new large planter and seating wall will be constructed in front of the new Police Building to not only soften the large area of hardscape, but to continue the landscaped seating area theme existing in front of the Village Hall. This planter area will also serve as a security feature to prohibit a vehicle from potentially damaging the new building. Additional security bollards along with two landscaped security planters will also be placed along the curb line in front of the remaining outdoor space adjacent to the building for security purposes.
12. As part of the development review for the Municipal Complex and New Police Parking Lot, the following **variations** are being requested: (a) a 10' reduction from the 25' front yard setback along Oak Avenue (east side) to allow for parking, (b) to allow a 6' high fence to be located in the front yard along Oak Avenue (east side), (c) a 20' reduction from the 25' side yard along the south property line in the new parking lot along Oak Avenue (west side) to allow for parking, (d) a 17' reduction from the 25' side yard along the north property line in the new parking lot along Oak Avenue (west side) to allow for parking, (e) an 10.5' reduction from the 30' rear yard in the new parking lot along Oak Avenue (west side) to allow for parking, (f) a 10' reduction from the 25' front yard setback in the new parking lot along Oak Avenue (west side) to allow for parking; and (g) elimination of the required curbed planting islands at the end of a parking row within the new parking lot along Oak Avenue (west side) .

13. The trash enclosure and loading area would be located along the west elevation of the new Police Building. The enclosure will be constructed with the same brick utilized in the construction of the building and would include the required gate. Landscaping would also be incorporated around the perimeter as required by Village Code.
14. Engineering and Landscape plans are currently being reviewed by the Staff.

RECOMMENDATION

1. Staff recommends **approval** of the Petitioner's requests subject to the following conditions and Findings of Fact:
 - a. Staff approval of the Engineering Plans;
 - b. Staff approval of the Landscape Plans;
 - c. Staff approval of the Photometric Plans;
 - d. Findings of Fact (Site Plan/Site Plan Amendment):
 - i. That the proposed New Parking Lot and Police Building are permitted uses in the P-1 Zoning District;
 - ii. That the proposed Parking Lot and Police Building, access, lighting, landscaping and drainage are compatible with adjacent land uses;
 - iii. That the vehicular ingress and egress to and from the sites and circulation within each site provides for safe, efficient and convenient movement of traffic not only within each site but on adjacent roadways as well;
 - iv. That the site plan provides for the safe movement of pedestrians within the site;
 - v. That there is a sufficient mixture of grass trees and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses. Any part of the site plan area not used for buildings, structures, parking or access ways shall be landscaped with a mixture of grass, trees and shrubs; (All landscape improvements shall be in compliance with Chapter 10-11A, Landscape Requirements.)
 - vi. That all outdoor storage areas are screened and are in accordance with standards specified by this Ordinance.
2. The **Zoning Board of Appeals** reviewed the variation requests and conducted the required public hearing at their meeting on April 6, 2017. The Zoning Board recommended **approval** subject to the following Findings of Fact:
 - A. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
 - B. That conditions upon which the petition for the variations are based are unique to the property for which the variations are sought and are not applicable, generally, to other property within the same zoning classifications.
 - C. That the purpose of the variations are not based exclusively upon a desire to make money out of the property.

- D. That the alleged difficulty or hardship is caused by the provision of this Title and has not been created by any person presently having an interest in the property.
 - E. That the granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.
 - F. That the proposed variations will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.
 - G. That the granting of the variations requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.
3. The **Plan Commission** reviewed the Petitioner's requests and conducted the required public hearing at their meeting on April 13, 2017. The Commission recommended **approval** subject to the conditions and findings of fact outlined above by the Staff.
4. The minutes of the Plan Commission and Zoning Board of Appeals meetings and background materials are attached for your review and consideration.

rbg/attachments

x:\comdev\mem2017\071_police building_vbc.docx

**Case # 17-02 New Bartlett Police Building and Parking Lot
PUBLIC HEARING**

The Petitioners were all in sworn in by M. Werden

The following Exhibits were presented:

- Exhibit A - Picture of Sign
- Exhibit B - Mail Affidavit
- Exhibit C - Notification of Publication

M. Werden go ahead and present your case.

R. Grill stated she will do the presentation tonight and if there are any questions they can be answered by the Petitioners. The existing Police Building was built in 1991 as part of the original Village Hall Addition/Expansion and Police Headquarters construction. The Police Building was approximately 21,000 sq. ft. in area and included both the 1st floor and basement.

The Site Plan for the existing Municipal Complex was approved in 2004 and included the complete demolition of the Village Hall, the approval of a new two-story building with a revised parking layout for both the village employees and police personnel and the rezoning of all the Village owned parcels to the P-1 Zoning District.

The Petitioners are requesting a Rezoning from the SR-4 Zoning District to the P-1 Zoning District and a Site Plan Review for the newly acquired 0.44 acre property along the west side of Oak Avenue. This property was purchased to provide additional parking for the Police Department and would become part of the overall Municipal Complex. Both items will be discussed at the Plan Commission meeting next Thursday, April 13.

A Site Plan Amendment which is going to be for the remainder portion on the east side of Oak Avenue Municipal Complex, is also being requested for the demolition of the existing Police Building, the construction of a new two-story Police Building, new parking areas and minor revisions to the parking area in front of the new Police Building and Village Hall. This too, will be discussed next Thursday at the Plan Commission meeting.

Construction of the new Police Building would occur in two phases. The first phase of development will take place along the north half of the site where the existing police parking area is located. This will take place at the north half of the site where the existing police parking area is located. This will enable the primary core responsibilities and day-to-day operations of the Police Department to continue to fully function within a majority of the existing building while construction begins for Phase one.

Once the north half of the building is completed, the Staff and operations will relocate to the new building so that demolition of the southern half of the existing building can take place. The only elements of the existing building to be preserved include the tower, the link/hallway leading from the existing Village Hall to the Police Department and the police storage/garage.

The building would be approximately 48,900 square feet in area with a proposed 23,233 square foot 1st floor, which would primarily include the lobby, office space, interrogation rooms, the booking area and roll call. The 2nd floor, consisting of approximately 10,891 square feet, would contain administrative offices, a conference room, training room and break rooms. The lower level or basement area would be approximately 14,800 square feet and would include police storage for files and evidence, the personnel lockers and changing areas, as well as the gun range and mechanical room.

The architect has designed the new Police Building to not only complement the existing Village Hall, but to also continue the overall architectural theme established by the Town Center. This new building will utilize similar building materials and colors, such as brick and stone accent features along the front façade, while also incorporating the use of natural stone as part of the proposed archway over the new entrance to the Police Building. In addition, the patterned accent feature, shown on the tower, will also be duplicated above this new arch. The new two-story building with its pitched

roof and building height of 39' 3" will match the existing Village Hall height, and with the inclusion of the arched entry feature, will provide a visual balance to the front elevation of the Municipal Complex.

Parking for police personnel would be located in three general locations – the new parking lot west of Oak Avenue, as well as a parking area north and south of the new building. Both the north and south parking areas have provided a space for turnarounds so that if these parking areas are full, vehicles would not have to back out of these parking lots. Cars can turn around and exit out, in a forward motion.

The new parking lot west of Oak and the north parking lot would both be secured parking areas with each having an electronic arm that would prohibit vehicular access without proper security. As an added security measure, the north parking area would contain a six (6) foot high black aluminum fence, located west of the existing police storage garage. A six (6) foot high solid, PVC or vinyl fence that would provide additional security east of the storage garage.

Metal canopies are also proposed for this north parking area that would protect police vehicles from inclement weather. These structures would be approximately 9' tall, providing 7' of clearance along the north property line, while taller vehicles would be able to park under the canopies attached to the building, which would be approximately 14' tall, providing 12' of clearance.

The parking lot west of Oak Avenue would contain 29 parking spaces and vehicular movements would consist of a one way pattern counter clockwise around the site. The existing dilapidated fence located on the site along the north property line and a small portion of the west property line (southwest corner) was built by the former property owner and will be removed and replaced with dense landscaping to screen this property from adjacent residential properties. Existing fences along the west property line on the adjacent residential properties will remain.

Ingress/egress to the new Police Building would consist of three curb cuts which would replace two existing curb cuts located along the east side of Oak Avenue - the aforementioned north parking lot entrance, the relocated southern curb cut for the south parking area and the sally port curb cut which is an exit-only.

The new parking lots proposed for the Police Department would contain 63 parking spaces. The additional ten (10) existing spaces behind Village Hall would bring the total to 73. Minor changes to the parking area in front of Village Hall and the Police Building would also occur due to the location of the new security planter/seating wall, the expanded building footprint and outdoor public space, the required one (1) additional accessible parking stall and the relocation of two (2) accessible spaces. According to the Zoning Ordinance, the Village Hall would require 100 parking spaces based upon the office space and maximum capacity of the council chambers. The Police Department would only require six (6) spaces, based upon the 1,600 square feet of public access areas. This would bring the total of 106 parking spaces required per the Zoning Ordinance. A total of 153 parking spaces have been provided on the entire Municipal Complex.

New LED lights on a motion sensor and timer are being proposed for the new parking lot west of Oak. These lights would turn on when any motion is detected and then dim after a certain period of time so as not to disturb the residential properties adjacent to this parking lot. In addition, the Village's decorative street lights will be installed within the right-of-way of the Municipal Complex properties along Oak Avenue, currently there aren't any decorative street lights.

As part of the overall upgrades to the front façade of the Municipal Complex, the pavers at the existing entrances will be removed and replaced with stamped concrete. The pavers have become a "tripping hazard" and require continued maintenance and Staff believes the new stamped concrete will improve the overall safety and aesthetics of the outdoor public space. In addition, a new large planter and seating wall will be constructed in front of the new Police Building to not only soften the large area of hardscape, but to continue the landscaped seating area theme existing in front of the Village Hall. This planter area will also serve as a security feature to prohibit a vehicle from potentially damaging the new building. Additional security bollards along with two landscaped security planters will also be placed along the curb line in front of the remaining outdoor space adjacent to the building for security purposes.

As part of the development review for the Municipal Complex and New Police Parking Lot, several **variations** are being requested: (a) a 10' reduction from the 25' front yard along Oak Avenue (east side) to allow for parking, (b) to allow a 6'

high fence to be located in the front yard along Oak Avenue (east side), (c) a 20' reduction from the 25' side yard, (d) a 17' reduction from the 25' side yard, (e) an 10.5' reduction from the 30' rear yard, (f) a 10' reduction from the 25' front yard setback, (g) elimination of the required curbed planting areas at the end of a parking row.

The trash enclosure will be located along the west elevation and will be constructed with the same brick utilized in the construction of the building and would include the required gate. Landscaping would also be incorporated around the perimeter of this structure.

The Petitioners and Architects are present if anyone has any technical questions. Primarily the requests are for variations of the parking lot that encroaches in every setback including the front yard setback. Also, placement of a 6 ft. high fence in the front yard setback, which is black aluminum.

M. Werden asked if the new parking spaces are comparable to the existing parking spaces.

R. Grill stated some parking will be secured, some will not.

G. Koziol asked what type of fence will be on the west side of the storage garage. **R. Grill** stated black wrought iron-like fencing but actually aluminum.

G. Koziol stated the elimination of raised planting beds in the parking lot is a great idea for the purpose of maintenance in such a confined area.

R. Grill stated this parking lot will also have permeable pavers in the parking lot.

P. Hanson asked if the main entrance will still be on the front by the new arch. **R. Grill** stated yes, but shifted north.

P. Hanson stated the Fire Barn will be right in front of the building.

M. Werden stated he likes the concept of blending the new building with the existing building, however was concerned about the 5 ft. setback on the south end and was wondering if this would set a good example with the public.

B. Bucaro questioned if Staff has received any comments or inquiries from residents around this lot.

R. Grill stated no, nor have the Police Department received any comments on the project.

P. Hanson stated the signs have been up for more than enough time and there isn't anyone here to voice their opinion.

G. Koziol questioned if the properties North and South of the new parking lot are occupied.

R. Grill stated one is a rental unit and the other is single family home. All have been notified. The Site Plan and the Public Hearing Notice are online for everyone to see.

G. Koziol was concerned that the new parking lot was very close to the two properties.

P. Hanson stated this is part of living in the downtown commercial area, growth and expansion is common.

G. Koziol stated point taken and just wanted to comment.

B. Bucaro requested the fencing on the West side of the lot be explained in more detail.

R. Grill stated originally there was a house on this lot that has now been demolished. There were three different types of fences that remain. The fences on this property were put up by the previous owner, will be taken down and there will be landscaping along the property line in place of the fences. The fences located on these residential lots to the west and south will remain.

J. Plonczynski stated the landscaping softens the look as opposed to a fence.

M. Werden questioned if the landscaping will be level with the sidewalk in front of the building on Oak Avenue.

M. Bushhouse stated the setback area on the west side of the building and Oak Street is currently a water detention area as part of the design, and maintaining this is crucial to keeping the Metropolitan Water Reclamation District and DuPage County content with the handling of storm water.

P. Hanson asked Chief Ullrich how many Sworn Officers and support staff are on duty over a twelve hour period on a regular basis. **Chief Ullrich** stated 30. **P. Hanson** asked how many existing police vehicles are anticipated being in the lot at any given time. **Chief Ullrich** stated if she meant fleet vehicles, which would be close to 40 vehicles. **R. Grill** stated this plan designates 73 spaces for the Police Department, however, this will need to include personal vehicles. **P. Hanson** stated she did not see a problem with the plan.

Ground breaking should start mid-July.

M. Werden opened the meeting to the Public. No one came forward.

M. Werden asked if there was any other discussion or he would entertain a motion.

A motion was made to approve #17-02 New Bartlett Police Building and Parking Lot variations sending a positive recommendation to the Board of Trustees and the Village Board for these variations.

Motioned by: P. Hanson

Seconded by: G. Koziol

M. Werden stated Staff recommends approval of the Petitioner's requests for Case # 17-02 items A through G, as presented in the Staff report. At this time the Public Hearing portion of the meeting was closed.

Roll Call:

Ayes: M. Werden, G. Koziol, B. Bucaro, P. Hanson

Nays: None

The motion carried

Old Business:

J. Plonczynski reminded everyone to get their Ethic Statements in if they have not done so already. They are due by May 1st.

New Business:

J. Plonczynski stated next month's meeting will have a proposed text amendment and variances for projects that are coming up soon.

Motion to adjourn: P. Hanson

Seconded: G. Koziol

All in favor: Ayes

The meeting was adjourned at 7:38 P.M.

Case # 17-02 – New Bartlett Police Building and Parking Lot

Rezoning from the SR-4 (Suburban Residence) Zoning District to the P-1 (Public Lands) Zoning District and **Site Plan Review** for the New Parking Lot west of Oak Avenue (0.44 acres); a **Site Plan Amendment** for the New Police Building on the Municipal Complex Property; and the following **Variations**:

- (a) 10' reduction from the 25' front yard along Oak Avenue (east side) to allow for parking,
- (b) To allow a 6' high fence to be located in the front yard along Oak Avenue (east side),
- (c) 20' reduction from the 25' side yard along the south property line of the new parking lot along Oak Avenue (west side) to allow for parking,
- (d) 17' reduction from the 25' side yard along the north property line of the new parking lot along Oak Avenue (west side) to allow for parking,
- (e) 10.5' reduction from the 30' rear yard in the new parking lot along Oak Avenue (west side) to allow for parking,
- (f) 10' reduction from the 25' front yard in the new parking lot along Oak Avenue (west side) to allow for parking; and
- (g) Elimination of the required curbed planting islands at the end of a parking row within the new parking lot along Oak Avenue (west side).

The following Exhibits were presented:

- Exhibit A - Picture of Sign**
- Exhibit B - Mail Affidavit**
- Exhibit C - Notification of Publication**

J. Lemberg proceeded to swear in all of the Petitioners at once:

R. Grill stated the existing Police Building was built in 1991 as part of the original Village Hall Addition/Expansion and Police Headquarters construction. The Police Building was approximately 21,677 sq. ft. in area and included both the 1st floor and basement area.

The **Site Plan** for the existing Municipal Complex was approved in 2004 and included the complete demolition of the Village Hall, the approval of a new two-story building with a revised parking layout for both the village employees and police personnel and the rezoning of all the Village owned parcels to the P-1 (Public Lands) Zoning District.

The Petitioners are requesting a **Rezoning** from the SR-4 (Suburban Residence) Zoning District to the P-1 (Public Lands) Zoning District and a **Site Plan Review** for the newly acquired 0.44 acre property along the west side of Oak Avenue. This property was purchased to provide additional parking for the Police Department and would become part of the overall Municipal Complex.

A **Site Plan Amendment** is also being requested for the Municipal Complex site to provide for the demolition of the existing Police Building, the construction of a new two-story Police Building, new parking areas and minor revisions to the parking area in front of the new Police Building and Village Hall.

Construction of the new Police Building would occur in two phases. The first phase of development will take place along the north half of the site where the existing police parking area is located. This will enable the primary core responsibilities and day-to-day operations of the Police Department to continue to fully function within a majority of the existing building while construction begins for Phase 1. Once the north half of the building is completed, the Staff and operations will relocate to the new building so that demolition of the southern half of the existing building can take place and construction of Phase 2 would then commence.

The building would be approximately 48,982 square feet in area with a proposed 23,233 square foot 1st floor, which would primarily include the lobby, office space, interrogation rooms, the booking area and roll call. The 2nd floor, consisting of approximately 10,891 square feet, would contain administrative offices, a conference room, and training room and break room. The lower level or basement area would be approximately 14,858 square feet and would include police storage for files and evidence, the personnel lockers and changing areas, as well as the gun range and mechanical room.

The architect has designed the new Police Building to not only complement the existing Village Hall, but to also continue the overall architectural theme established by the Town Center. This new building will utilize similar building materials and colors, such as brick and stone accent features along the front façade, while also incorporating the use of natural stone as part of the archway over the new entrance to the Police Building. In addition, the patterned accent feature, shown on the tower, will also be duplicated above this new arch. The new two-story building with its pitched roof and building height of 39' 3" will match the existing Village Hall height, and with the inclusion of the arched entry feature, will provide a visual balance to the front elevation of the Municipal Complex.

Parking for police personnel would be located in three general locations – the new parking lot west of Oak Avenue, as well as a parking area north and south of the new building. Both the north and south parking areas have provided a space for turnarounds so that if these parking areas are full, vehicles would not have to back out of these parking lots.

The new parking lot west of Oak and the north parking lot would both be secured parking areas with each having an electronic arm that would prohibit vehicular access without proper security. As an added security measure, the north parking area would contain a six (6) foot high black aluminum fence, located west of the existing police storage garage to enclose this area. East of the garage, a six (6) foot high solid, PVC fence would be utilized to enclose and secure the remainder of the parking spaces.

Metal canopies are also proposed for this north parking area that would protect police vehicles from inclement weather. These structures would be approximately 9' tall, providing 7' of clearance along the north property line, while taller vehicles would be able to park under the canopies attached to the building, which would be approximately 14' tall, providing 12' of clearance.

The parking lot west of Oak Avenue would contain 29 parking spaces and vehicular movements would consist of a one-way pattern counter clockwise around the site. The existing dilapidated fence located on the site along the north property line and a portion of the west property line (southwest corner) was built by the former property owner and will be removed and replaced with dense landscaping to screen this property from adjacent residential properties.

Ingress/egress to the new Police Building would consist of three curb cuts which would replace two existing curb cuts located along the east side of Oak Avenue - the aforementioned north parking lot entrance, the relocated southern curb cut for the south parking area and the sally port curb cut which is an exit-only.

The new parking lots proposed for the Police Department would contain 63 parking spaces. An additional ten (10) existing spaces behind Village Hall would also be designated for police personnel; bringing the total number of parking spaces for the Police Department would be 73. Minor changes to the parking area in front of Village Hall and the Police Building would also occur due to the location of the new security planter/seating wall, the expanded building footprint and outdoor public space, the required one (1) additional accessible parking stall and the relocation of two (2) accessible spaces. According to the Zoning Ordinance, the Village Hall would require 100 parking spaces based upon the office space and maximum capacity of the council chambers. The Police Department would only require six (6) spaces, based upon the 1,628 square feet of public access areas within the new building. This would result in an overall requirement of 106 parking spaces for the Municipal Complex. A total of 153 parking spaces have been provided, including the required five (5) accessible parking spaces, which exceeds the Zoning Ordinance requirement.

New LED lights on a motion sensor and timer are being proposed for the new parking lot west of Oak. These lights would turn on when any motion is detected and then dim after a certain period of time so as not to disturb the residential properties adjacent to this parking lot. In addition, the Village's decorative street lights will be installed within the right-of-way of the Municipal Complex properties along Oak Avenue to incorporate the lighting utilized at Village Hall and to continue the downtown lighting theme.

As part of the overall upgrades to the front façade of the Municipal Complex, the pavers at the existing entrances will be removed and replaced with stamped concrete. The pavers have become a "tripping hazard" and require continued maintenance and Staff believes the new stamped concrete will improve the overall safety and aesthetics of the outdoor public space. In addition, a new large planter and seating wall will be constructed in front of the new Police Building to not only soften the large area of hardscape, but to continue the landscaped seating area theme existing in front of the Village Hall. This planter area will also serve as a security feature to prohibit a vehicle from potentially damaging the new building. Additional security bollards along with two landscaped security planters will also be placed along the curb line in front of the remaining outdoor space adjacent to the building for security purposes.

As part of the development review for the Municipal Complex and New Police Parking Lot, several **variations** are being requested: (a) a 10' reduction from the 25' front yard setback along Oak Avenue (east side) to allow for parking, (b) to allow a 6' high fence to be located in the front yard along Oak Avenue (east side), (c) a 20' reduction from the 25' side yard along the south property line in the new parking lot along Oak Avenue (west side) to allow for parking, adjacent to residential usage requires a 25' setback, it's been reduced down to 5', (d) a 17' reduction from the 25' side yard along the north property line in the new parking lot along Oak Avenue (west side) to allow for parking, (e) an 10.5' reduction from the 30' rear yard in the new parking lot along Oak Avenue (west side) to allow for parking, (f) a 10' reduction from the 25' front yard setback in the new parking lot along Oak Avenue (west side) to allow for parking; and (g) elimination of the required curbed planting islands at the end of a parking row within the new parking lot along Oak Avenue (west side).

R. Grill stated all of the variation requests were discussed last Thursday by the Zoning Board and they did recommend approval.

The trash enclosure and loading area would be located along the west elevation of the new Police Building. They will be constructed with the same brick utilized in the construction of the building and would include the required gate. Landscaping would also be incorporated around the perimeter as required by Village Code.

Engineering and Landscape plans are currently being reviewed by the Staff. Staff does recommend approval subject to the following Conditions and Findings of Fact outlined in the Staff report.

J. Lemberg asked if the Petitioner had anything to add. No one came forward.

J. Lemberg reminded the Public that this is a Public Hearing and if anyone had any questions or comments please complete a form.

J. Lemberg questioned that Site Plans he received didn't have a date on them, in the middle it shows Proposed Village Hall and wanted to know if there was something that needed to be shared with the Committee.

Response was inaudible.

R. Grill stated the Site Plan shows what the existing layout is today, verses what the new layout will be, just for reference purposes. She also pointed out that the dates were actually in the right hand side of the Site Plan, but were very small.

J. Lemberg had another question, regarding Phase 2, on the site plan, dated March 6, 2017. The existing monument is to remain, however isn't it to be moved about 75' east?

R. Grill asked the Police Chief to address that.

P. Ullrich questioned if **J. Lemberg** was referring to the Veterans Memorial out in front, the star shaped monument? **J. Lemberg** stated yes. **P. Ullrich** stated there is discussion to move it closer to the flagpole in front of the Village Hall and light it from the inside during evening hours, so yes you are correct. **J. Lemberg** then stated a revision to the site plan will need to be made. **R. Grill** stated yes that can be done.

J. Lemberg questioned if there are credible threats to the Police Department and Village Hall that the security bollards are necessary.

P. Ullrich stated they are to keep a vehicle from going through the front of the buildings.

J. Lemberg questioned the elevation drawings that didn't show what they would look like. Is there a picture?

R. Grill stated the planters and the bollards are conditioned as part of the landscape plan, and Police Department and Staff have not officially decided what they will look like. It has been narrowed down to three different possibilities.

J. Lemberg asked if anyone on the Commission had any questions.

T. Ridenour stated he believes the potential increase in population in Bartlett is limited to a couple thousand, correct, or is he off on his numbers.

J. Plonczynski stated the increase in population by the CMAP group is estimated to be at 48,000 by the year 2030. Currently Bartlett's population is just over 41,208.

T. Ridenour stated the current building is 26 years old so what is the projection for the new building.

P. Ullrich stated the projection is 30 to 40 years, which was part of the space needs analysis that was done at the beginning of the project, how large of a building would be needed to suit Bartlett today and into the future.

T. Ridenour stated 25 years for a building is pathetic. 30 or 40 years for a municipal building seems a little light, considering how much money this will cost.

J. Plonczynski stated he believes the design plan is 30 to 40 years, but our architect will be able answer this question better than anyone.

M. Bushhouse from Williams Architects spoke and stated they have been doing the design and planning for this facility. Since the building was first built, the Village has had tremendous growth, and the current building was not sized to plan for that kind of growth. The building as it stands, will accommodate the current staff, but will not handle the additional staff needed to handle the project growth of Bartlett.

T. Ridenour stated he understands but is concerned that this new building will only last 30 to 40 years.

M. Bushhouse stated a building will last as long as it is maintained, there is no time date on the structure itself. There is no way to guarantee that this building will meet the needs in 30 to 40 years.

T. Ridenour stated there are municipal buildings that were built 70 years ago are still going strong. Is there any reason we can't expect this building to last as long.

M. Bushhouse stated there is no reason this building couldn't last that long, you cannot predict the future.

D. Negele stated if this doesn't last that long, is there anything in this plan that additions can be added or is this building one that cannot be added on to.

M. Bushhouse stated this structure has not been designed to add more levels up, since we don't want to exceed the height of the Village Hall. This building can be expanded horizontally.

T. Ridenour stated the first floor is 23,000 Sq. Ft. and the basement is only 14,000 Sq. Ft. what is the reason the new building doesn't have a more complete basement.

M. Bushhouse stated it comes back to tax payers spending as little as that need to and using that money for space that is needed in the foreseeable future. The Village Board was very concerned spending more money than absolutely necessary.

A. Hopkins asked if any other locations were considered, or is this something that needed to stay in this location. Maybe this could have been done somewhere else for less money.

P. Ullrich stated initially there were talks acquiring property and also taking into consideration the cost of moving. It came down to the Village Board wanting to keep the Police Department downtown as well as next to Village Hall.

M. Hopkins stated looking at the Site Plan it looks like there is too much project and not enough site. There are a bunch of things on this layout that we, the Village, would give a private developer lot of grief over. Dead end parking, no planted islands and setbacks up against residential for the parking is a tough issue. This sets a bad precedent for us in the future. The property owners in the area will wonder what will this do to the value of their property. **M. Hopkins** believes there is too much stuff on the west side. The painting of the island shows they are scrambling for parking on the south property line, this would not be approved for another petitioner. Perhaps the Village could land bank those and buy another lot in the future. **M. Hopkins** commented it's the west parking lot that he has an issue with.

A. Hopkins asked if the west lot is just for Police and staff or will the public be able to park there on the weekends.

P. Ullrich stated no it's just for Police Staff with an armed gate at the entrance and exit.

A. Hopkins asked as to where will the Mobile Command unit be parked.

P. Ullrich stated it is parked off site.

J. Allen asked if there is a potential for purchasing a lot to the right of the parking lot.

P. Ullrich stated the Village has looked at everything that was available to maximize parking and to limit the effect to residents in the area.

T. Ridenour stated the Commissioners are just trying to give the Trustees things to think about for the future regarding the west side parking lot. Approving this will make it hard to say no to people in the future.

M. Hopkins stated the light fixtures need to be away from the houses and the light levels need to be kept to bare minimum for the property on the south property line.

R. Grill stated a 6' high fence is already there and we are also adding landscaping. The property to the north is believed to be a multifamily rental unit and landscaping will also be added along this property line.

J. Lemberg asked if there were any other questions. The meeting was opened to the public.

First to speak was **Mark Kosbab** who resides at 234 S Oak Avenue. **M. Kosbab** stated he has several concerns with this project. First being, his residence is across the street from the Police Department, although he enjoys their presence, he deals with noise and lighting issues. In the winter, the backup alarms on the snow plows wake his family up at 3AM as well as the officers on break talking loudly. He is unable to sleep with the windows open in the summer because of the noise and the lights shining in the windows. **M. Kosbab** believed this project will greatly affect his property values. The fence and landscaping will not stop noise and lighting issues. Second: What is the justification in the amount of spending, feasibility studies, making repairs or upgrades in general? How much parking is actually needed to suit the needs of the

Police Department? **M. Kosbab** questioned the idea of other locations for this project. Will this project close down the potential growth of the downtown area? **M. Kosbab** stated he would be disappointed in the elected officials if they recommend this expansion.

Next to speak is **Cheryl Gillette** who resides at 226 S. Oak Avenue. **C. Gillette** stated she owns the property directly next to the parking lot. **C. Gillette** stated she was having issues with a stalker where she previously lived and was very grateful to be so close to the Police Department. However, the noise is very loud, snowplowing always wakes her up. She was looking at doing some upgrades to her home but now is concerned about her property values and fears she would be wasting her money.

J. Plonczynski stated that's all.

J. Lemberg asked if the petitioner had any comments or other comments from the public. Public portion of the meeting was closed.

J. Lemberg asked if anyone on the Commission had comments or questions.

A. Hopkins asked **R. Grill** to go over the parking one more time.

R. Grill went over the parking area and stated not all of the parking spaces in front of the Village Hall are shown on this plan.

A. Hopkins asked how the parking during the day is. Is there a problem finding a space to park?

R. Grill stated parking in the front lot is not a problem, parking for the Village Staff is not a problem since we have parking across the street in the gravel lot that can be used. The Police Department employees do park along Oak Avenue so additional parking is needed. This is for their personal vehicles, the Police vehicles will be parked under a canopy.

A. Hopkins asked how many total Police vehicles are there? How many of the spaces will be occupied?

G. Preteklis answered there are approximately 43 Police vehicles.

J. Lemberg asked if there were any other questions or comments. No other questions or comments.

J. Lemberg stated there would be three motions: Zoning, Site Plan Review for the Parking Lot and Site Plan Amendment for the Police Building.

J. Lemberg stated the first motion was to approve the Petitioners request subject to the following Conditions and Findings of Fact for **Rezoning** from the SR-4 (Suburban Residence) District to the P-1 (Public Lands) for the New Parking Lot west of Oak Avenue.

Motioned by: M. Hopkins

Seconded by: T. Ridenour

J. Lemberg asked if anyone had any discussion.

Roll call

Ayes: T. Ridenour, J. Miaso, D. Negele, A. Hopkins, J. Allen, J. Lemberg, J. Kallas, M. Hopkins

Nays: None

All in favor.

Motion Carried.

J. Lemberg stated the second motion was to approve the Petitioners request subject to the following Conditions and Findings of Fact for a **Site Plan Review** for the New Parking Lot west of Oak Avenue.

Motioned by: A. Hopkins
Seconded by: J. Miaso

J. Lemberg asked if anyone had any further discussion.

A. Hopkins commented that he agrees with **M. Hopkins** that he hopes with all the variances for the parking lot it doesn't set a precedence for upcoming plans and the Trustees will take this into consideration. An added advantage is they will not be parking on the street during the day.

J. Lemberg asked if anyone had any further comments.

J. Allen asked if it would be in the Village's best interest to acquire the lot to the north and have continuous parking?

J. Plonczynski stated that property is not for sale at this time.

J. Lemberg asked if anyone had any other comments.

Roll call

Ayes: T. Ridenour, J. Miaso, D. Negele, A. Hopkins J. Allen and J. Lemberg, J. Kallas, M. Hopkins
Nays: None

All in favor.
Motion Carried.

J. Lemberg stated the third motion was to approve the Petitioners request subject to the following Conditions and Findings of Fact for a **Site Plan Amendment** for the New Police Building and Municipal Complex.

Motioned by: J. Kallas
Seconded by: J. Miaso

J. Lemberg asked if anyone had any further discussion.

Roll call

Ayes: T. Ridenour, J. Miaso, D. Negele, A. Hopkins J. Allen and J. Lemberg, J. Kallas, M. Hopkins
Nays: None

All in favor.
Motion Carried.

J. Plonczynski stated this will be moved to the Village Board Committee on May 2.



THE VILLAGE OF
BARTLETT

228 S. MAIN STREET
BARTLETT, ILLINOIS 60103
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www.village.bartlett.il.us

VILLAGE PRESIDENT

Kevin Wallace

VILLAGE CLERK

Lorna Gilles

TRUSTEES

T. L. Arends

Michael E. Camerer D.C.

Vince Carbonaro

Raymond H. Deyne

Adam J. Hopkins

Aaron H. Reinke

February 24, 2017

Village of Bartlett President and Board of Trustees
228 South Main St.
Bartlett, IL 60103

Re: New Bartlett Police Building and Parking Lot

Dear Village President and Board of Trustees:

Attached for your review is the Site Plan, Zoning and Variance application for the new Bartlett Police Building and accompanying Police Parking Lot (on Oak Avenue). This new facility will be located within the general vicinity of the current police building and will continue to be part of the overall Bartlett Municipal Complex. It will architecturally tie into the existing Village Hall with similar design elements and features that will also complement the overall theme created by those buildings that have been redeveloped in downtown and emphasized within the Town Center.

The new building will be approximately 48,982 square feet and will be built in two phases. The first phase of development will occur along the north half of the site where the existing police parking area is located. This will enable the primary core responsibilities and day-to-day operations of the Police Department to continue to fully function within a majority of the existing building while construction begins for Phase 1. Once the north half of the building is completed, the staff and operations will relocate to the new building so that demolition of the southern half of the existing building can take place and construction of Phase 2 will commence.

A parking logistics plan has been designed that will allow both police and village personnel to park within close proximity to the facility while still providing residents ample parking in the front of the building. Staging for construction equipment and construction employees has also been provided for in this plan both on the construction site itself and across the street on the future police parking lot on the west side of Oak Avenue.

Construction of the new Police Building demonstrates a long range commitment to the community that will be both fiscally responsible and effectively managed. The modern technology incorporated into the building will enable the Police Department to continue to provide our residents with outstanding service while improving efficiency within the work environment. It will provide the vital space necessary for the Police Department to grow and move forward into the future all while maintaining the status of the Village as one of the safest communities in the State.

I know this will be a project the Village residents, Board and staff will be proud of now and into the future and I respectfully request your review of this application.

Sincerely,

VILLAGE OF BARTLETT

Paula Schumacher
Acting Village Administrator



VILLAGE OF BARTLETT DEVELOPMENT APPLICATION

For Office Use Only

Case # 17-02

PROJECT NAME New Bartlett Police Building/Parking Lot

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Village of Bartlett

Street Address: 228 S. Main

City, State: Bartlett, IL 60103

Zip Code: 60103

Email Address: rgrill@vbartlett.org

Phone Number: 630.540.5935

Preferred Method to be contacted: Email

PROPERTY OWNER INFORMATION

Name: Village of Bartlett

Street Address: same as above

City, State: _____

Zip Code: _____

Phone Number: _____

OWNER'S SIGNATURE: Paula Schumacher **Date:** 3/10/17
(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)

ACTION REQUESTED (Please check all that apply)

- Annexation
 - PUD (preliminary)
 - PUD (final)
 - Subdivision (preliminary)
 - Subdivision (final)
 - Site Plan (please describe use: commercial, industrial, square footage): _____
Site Plan Amendment
 - Unified Business Center Sign Plan
 - Other (please describe) _____
- Text Amendment
 - Rezoning SR-4 _____ to P-1
 - Special Use for: _____
 - Variation: Parking in Setbacks

SIGN PLAN REQUIRED? No

(Note: A Unified Business Center Sign Plan is required for four or more individual offices or businesses sharing a common building entrance or private parking lot.)

PROPERTY INFORMATION

Common Address/General Location of Property: 228 S. Main/222 S. Oak

Property Index Number ("Tax PIN"/"Parcel ID"): 06-34-409-037 &-038, 06-34-408-012 &-029

Zoning: Existing: SR-4 / P-1
(Refer to Official Zoning Map)

Land Use: Existing: Residential/VACANT/MUNICIPAL

Proposed: P-1

Proposed: Institutional/Municipal

Comprehensive Plan Designation for this Property: Suburban Residential/MUNICIPAL/INSTITUTIONAL
(Refer to Future Land Use Map)

Acreage: 19,228 sq. ft (New)
3.5 ACRES (EXISTING)

For PUD's and Subdivisions:

No. of Lots/Units: 2

Minimum Lot: Area _____ Width _____ Depth _____

Average Lot: Area _____ Width _____ Depth _____

APPLICANT'S EXPERTS (If applicable, including name, address, phone and email)

Attorney Bryan Mraz

630-529-2541

Engineer V3 and Robert Allen (Village Engineer)

630-837-0811

Other _____

FINDINGS OF FACT FOR SITE PLANS

Both the Plan Commission and Village Board must decide if the requested Site Plan meets the standards established by the Village of Bartlett Zoning Ordinance.

The Plan Commission shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the Plan Commission and Village Board to review.)**

1. The proposed use is a permitted use in the district in which the property is located.

The proposed municipal parking lot and Police Building are permitted uses in the P-1 Public Lands Zoning District.

2. The proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses.

The proposed parking lot will be fenced and screened with landscaping in accordance with all applicable Village Codes (building and landscape ordinance). The Police Building will be compatible with the existing uses in the area and will meet all applicable Village Code requirements (i.e. drainage, landscaping, building, lighting).

3. The vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well.

The proposed parking lot and Police Building will provide efficient and safe movement of police vehicles in and around the site(s) and will not disrupt traffic in the area.

4. The site plan provides for the safe movement of pedestrians within the site.

The existing pedestrian movement on the Municipal Complex site will remain unchanged for residents and visitors and continue to be safe and efficient.

5. There is sufficient mixture of grass, trees and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses and will provide a pleasing appearance to the public. Any part of the site plan area not used for buildings, structures, parking or accessways shall be landscaped with a mixture of grass, trees and shrubs. (All landscape improvements shall be in compliance with Chapter 10-11A, Landscape Requirements)

The parking lot and Police Building will provide screening and landscaping in accordance with the Landscape Ordinance including fencing and perimeter landscaping where required.

6. All outdoor storage areas are screened and are in accordance with standards specified by this Ordinance.

The proposed trash enclosure at the Police Building shall be screened with fencing/gate in accordance with the Zoning and Building Codes.

FINDINGS OF FACT FOR VARIATIONS

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the ZBA and Village Board to review.)**

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

The parking encroachments into the building setbacks are needed to provide an adequate number of off-street parking spaces for the police department vehicles and police personnel both east of Oak Avenue as well as west of Oak Avenue.

2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

The Municipal Complex site is unique in this neighborhood in the fact that it encompasses not only the Village Hall but the Police Department which requires more of a secure environment for not only their vehicles but their personnel as well.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

The proposed setback variation requests are strictly related to providing the necessary number of off-street parking spaces for the Police Department and not to make the subject site more profitable.

4. That the alleged difficulty or hardship is caused by the provisions of this Title and has not been created by any person presently having an interest in the property.

The hardship is created strictly by the Zoning Ordinance requirement that requires off-street parking lots to also adhere to the required building setbacks and thereby limiting the number of parking spaces that could be designed within the new parking lots for the Police Dept.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

The granting of the parking setback variations will not be detrimental to the public welfare or injurious to other properties in the neighborhood. The parking lot will be well landscaped and the existing fences will continue to screen this property from adjacent properties.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

The proposed parking setback variations will not impair light or air to the adjacent properties and all parking will be located off-street so as not to increase traffic congestion in the neighborhood.

7. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

The granting of the parking setback variations will not provide special privileges on the applicant. Other non-residential properties in the Downtown and throughout the Village have been granted parking setback variations to allow necessary and required parking as required for their developments.

ACKNOWLEDGEMENT

I understand that by signing this form, that the property in question may be visited by village staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.

SIGNATURE OF PETITIONER: Paula Schumacher

PRINT NAME: Paula Schumacher, Acting Village Administrator

DATE: 3/10/2017

REIMBURSEMENT OF CONSULTANT FEES AGREEMENT

The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred by the Village for review and processing of the application. Further, the undersigned acknowledges that he/she understands that these expenses will be billed on an ongoing basis as they are incurred and will be due within thirty days. All reviews of the petition will be discontinued if the expenses have not been paid within that period. Such expenses may include, but are not limited to: attorney's fees, engineer fees, public advertising expenses, and recording fees. Please complete the information below and sign.

NAME OF PERSON TO BE BILLED: N/A

ADDRESS: _____

PHONE NUMBER: _____

EMAIL: _____

SIGNATURE: _____

DATE: _____

ZONING/LOCATION MAP

Bartlett Police Department

Case #17-02

PINs 06-34-409-037, 06-34-409-038,
06-34-408-012 & 06-34-408-029



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, GIS User Community



EAST ELEVATION

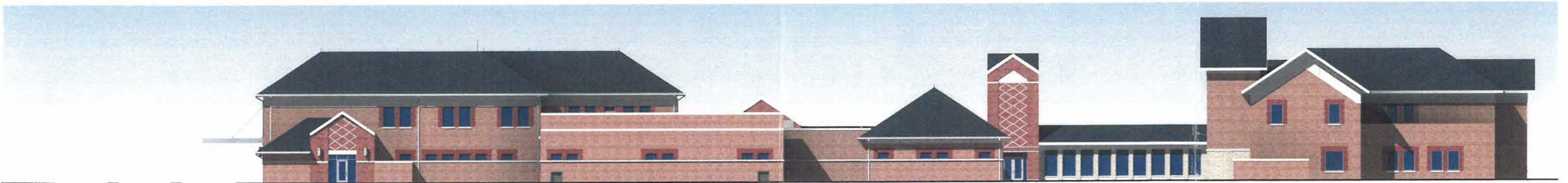
MAIN STREET VIEW



NORTH ELEVATION



SOUTH ELEVATION

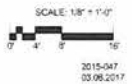


WEST ELEVATION

OAK AVENUE VIEW



BARTLETT POLICE DEPARTMENT
NEW POLICE FACILITY



200 Park Boulevard, Suite 500
Bartlett, IL 60132
Phone: 630.221.1212
www.williamsarch.com
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RECEIVED
COMMUNITY DEVELOPMENT

MAR 06 2017

VILLAGE OF
BARTLETT



ARCHITECTURAL SITE PLAN

0 8 16 32 SCALE 1/8" = 1'-0" 5

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 WILLIAMS ARCHITECTS
 500 Park Boulevard, Suite 600 - Itasca, IL 60143
 Phone: 630.272.1277 / Fax: 630.271.1228

**NEW POLICE STATION
 BARTLETT POLICE DEPARTMENT
 228 SOUTH MAIN STREET
 BARTLETT, ILLINOIS 60103**

WA No. 2015.047
 Date 15 MAY 2017
 Drawn JAO
 Checked SEL

NO.	DATE	REVISIONS	DESCRIPTION



**WILLIAMS
 ARCHITECTS**
 ARCHITECTURE | PLANNING | INTERIORS
 500 Park Boulevard, Suite 600 - Itasca, IL 60143
 Phone: 630.272.1277 / Fax: 630.271.1228



ARCHITECTURAL
 SITE PLAN

**PHASE 2
 AS0.1**

NOT FOR
 CONSTRUCTION

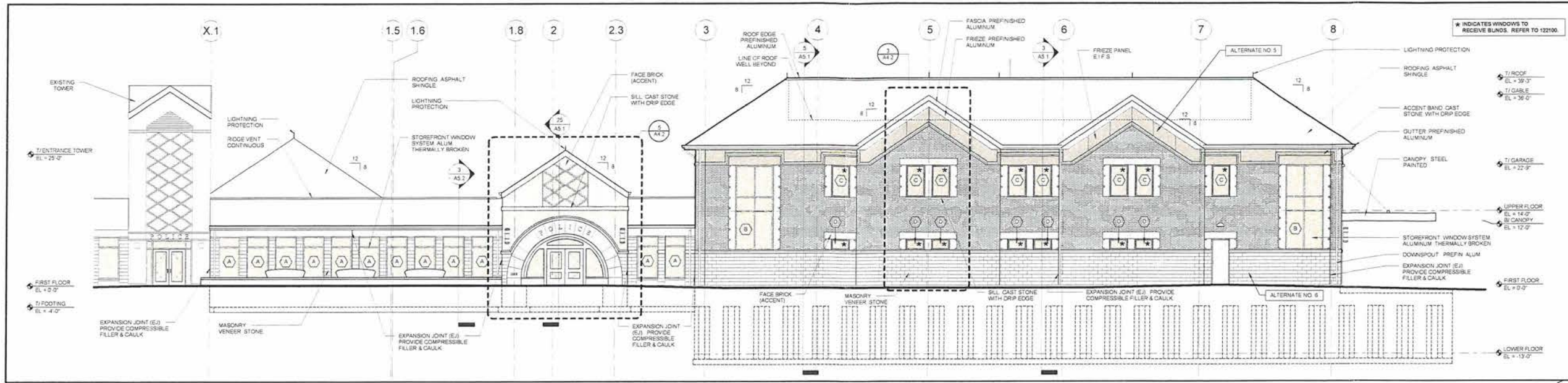
**NEW POLICE FACILITY
 BARTLETT POLICE DEPARTMENT
 228 SOUTH MAIN STREET
 BARTLETT, ILLINOIS 60103**

WA No. 2015.047
 Date 08/MARCH/2017
 Drawn JAD/CJS/HRK
 Checked SEL

NO.	DATE	REVISIONS	DESCRIPTION

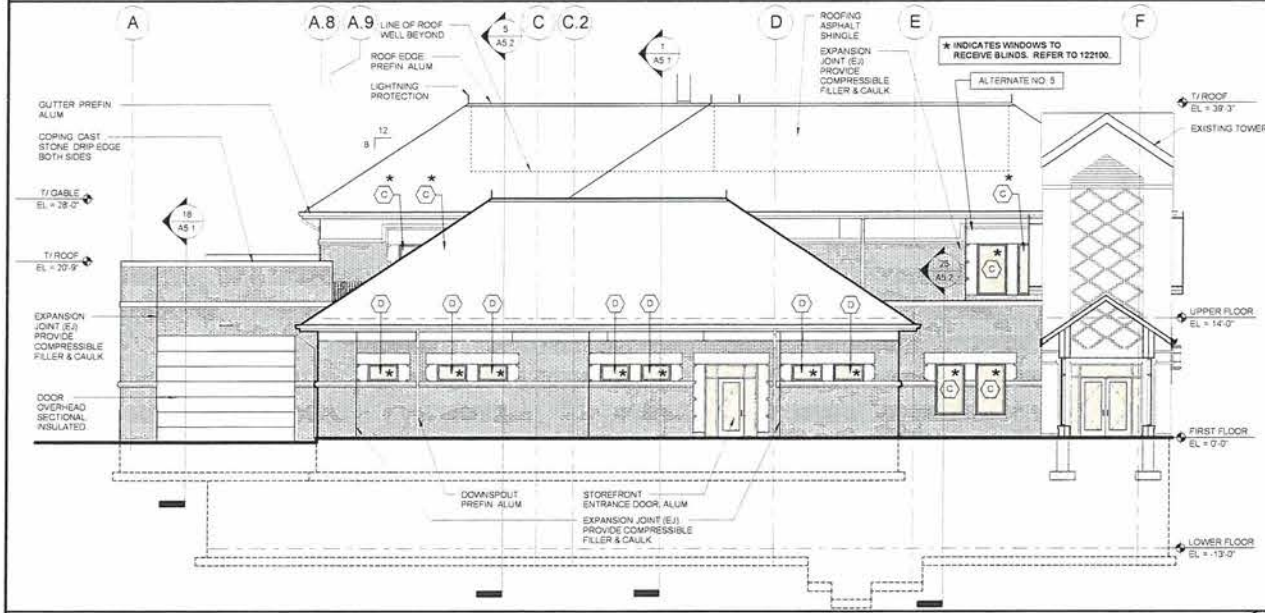


EXTERIOR ELEVATIONS
**PHASE 2
 2-A4.1**
 NOT FOR CONSTRUCTION



EAST ELEVATION

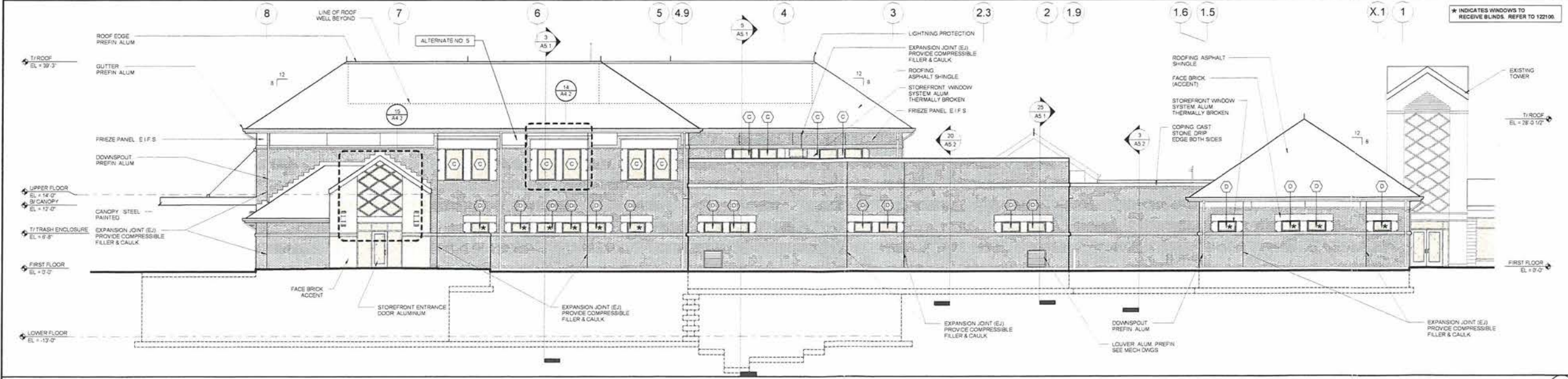
SCALE 1/8" = 1'-0" 1



SOUTH ELEVATION

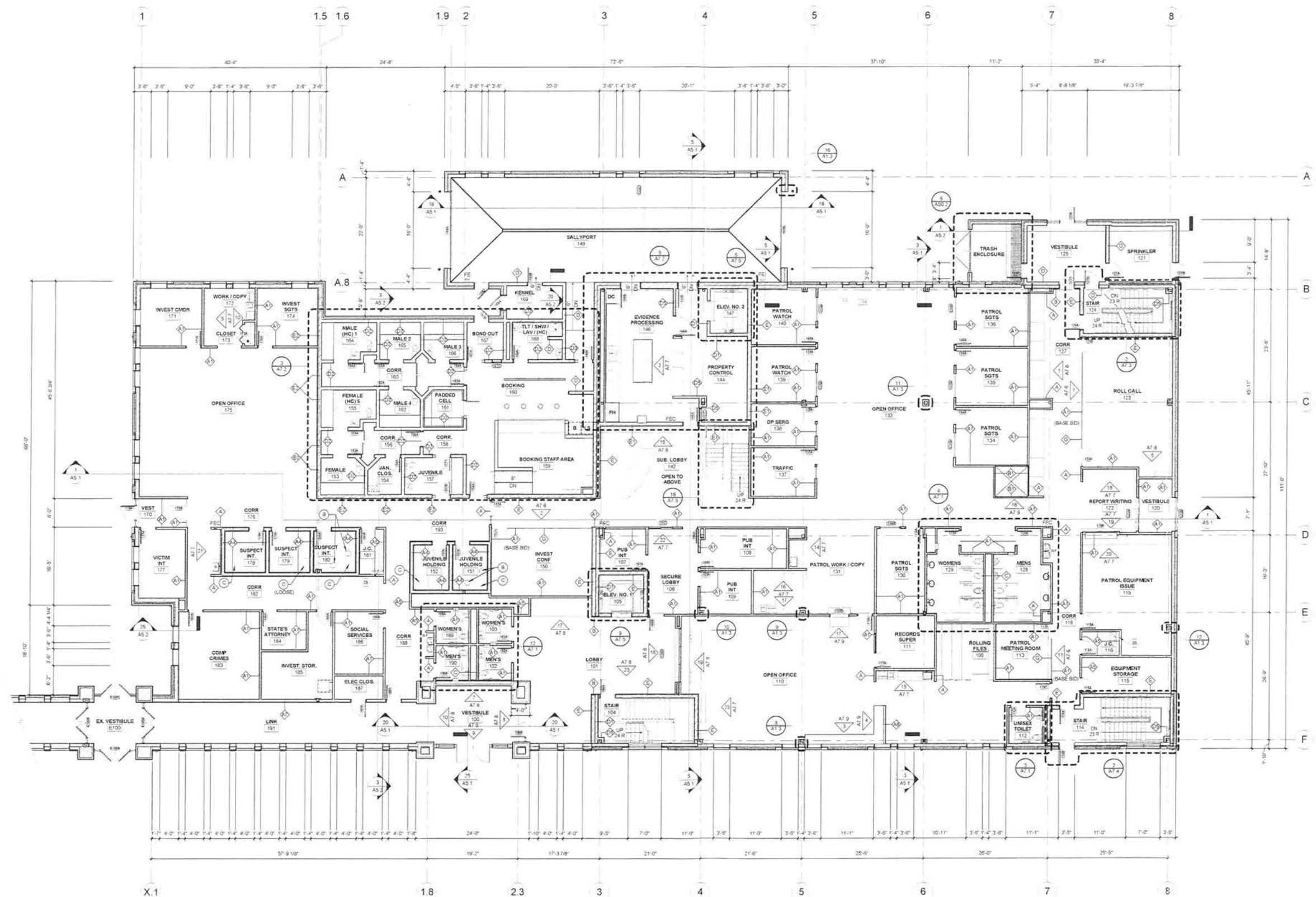
NORTH ELEVATION

SCALE 1/8" = 1'-0" 2



WEST ELEVATION

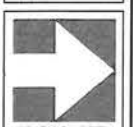
SCALE 1/8" = 1'-0" 3



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**NEW POLICE FACILITY
BARTLETT POLICE DEPARTMENT
228 SOUTH MAIN STREET
BARTLETT, ILLINOIS 60103**

WA No. 2015-007 Date: 09-MARCH-2017 Drawn: JAO/CJE Checked: SBL	REVISIONS NO. DATE DESCRIPTION
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GRAPHIC NORTH

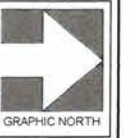
WILLIAMS ARCHITECTS
 ARCHITECTURE | PLANNING | INTERIORS
 Phone: 630.221.5271 Fax: 630.221.5229

FIRST FLOOR PLAN
PHASE 2
2-A1.1
 NOT FOR CONSTRUCTION

NEW POLICE FACILITY
BARTLETT POLICE DEPARTMENT
228 SOUTH MAIN STREET
BARTLETT, ILLINOIS 60103

WA No. 2015.047
Date 06/08/2017
Drawn JAD/CJS
Checked SEL

NO.	DATE	REVISIONS	DESCRIPTION



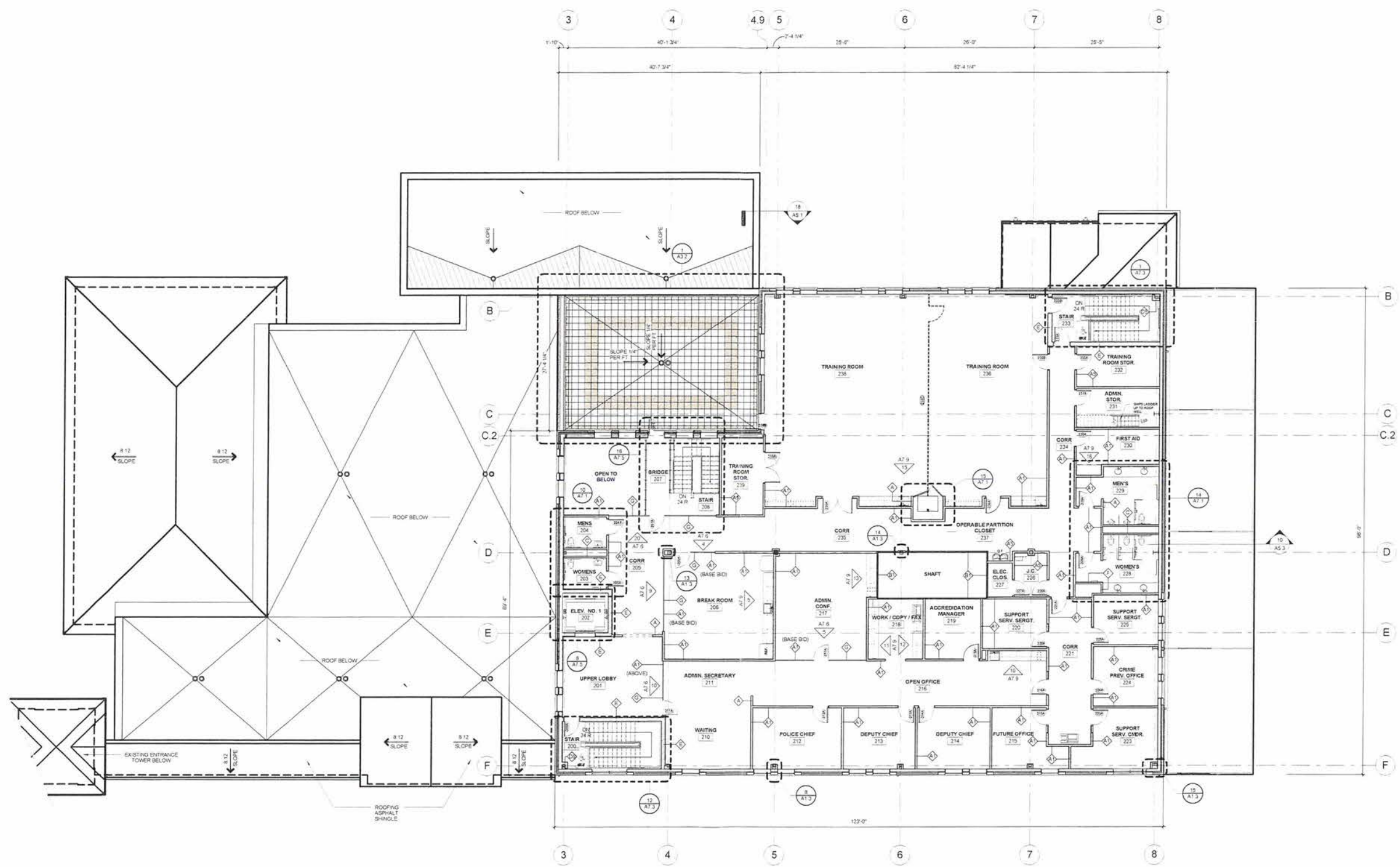
WILLIAMS ARCHITECTS
ARCHITECTURE | PLANNING | INTERIORS
500 Park Boulevard, Suite 800, Naperville, IL 60563
Phone: 630-251-1212 | Fax: 630-221-1220



UPPER LEVEL FLOOR PLAN

PHASE 1A
A1.2

NOT FOR CONSTRUCTION



**NEW POLICE FACILITY
BARTLETT POLICE DEPARTMENT
228 SOUTH MAIN STREET
BARTLETT, ILLINOIS 60103**

WA No. 2013.047
Date 06/06/2017
Drawn JAD/CJS
Checked SEL

NO.	DATE	REVISIONS	DESCRIPTION



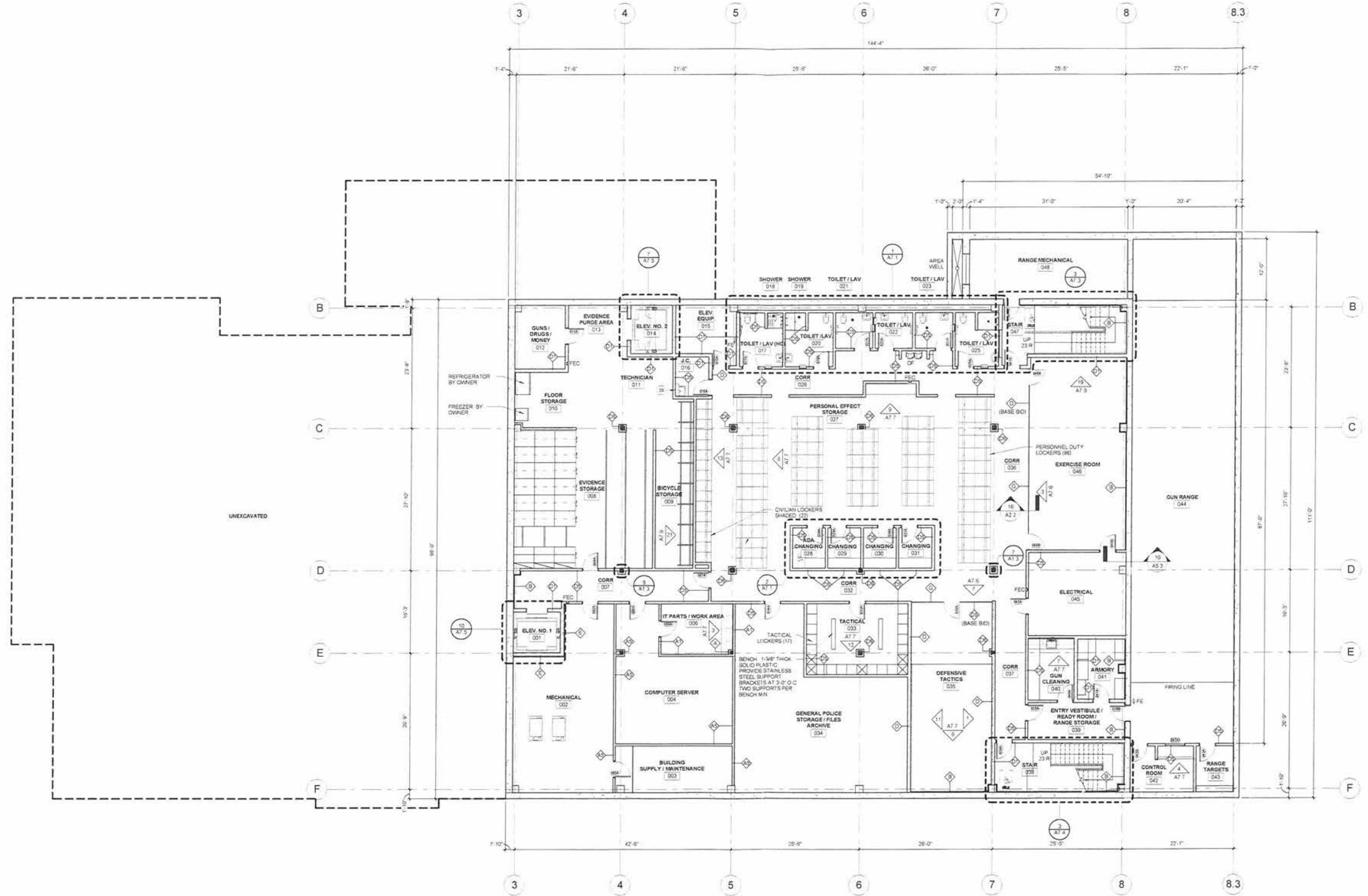
WILLIAMS ARCHITECTS
ARCHITECTURE | TRAINING | ADVISORS | INTERIORS
500 Park Boulevard, Suite 600, Itasca, IL 60143
Phone: 630-251-1117 Fax: 630-251-1220



LOWER LEVEL FLOOR PLAN

**PHASE-1A
A1.0**

NOT FOR CONSTRUCTION



ALT. NO. 2

THE FOLLOWING ROOMS SHALL BE PROVIDED WITH 6-INCH-GROUND FACE CONCRETE MASONRY UNITS (CMU) IN LIEU OF MATERIAL DESIGNATED ON WALL TYPE TAG. HEIGHTS SHALL REMAIN PER WALL TYPE TAG.

1 CORR 007	11 TLT / LAV 022
2 CORR 026	12 TLT / LAV 023
3 CORR 027	13 TLT / LAV 025
4 PERSONAL EFFECT STOR 027	14 SHW 024
5 CORR 026	15 CHANGING 028
6 TLT / LAV 011	16 CHANGING 029
7 SHW 018	17 CHANGING 030
8 TLT / LAV 020	18 CHANGING 031
9 SHW 019	19 EXERCISE 046
10 TLT / LAV 021	

