

City Council Agenda _____	2
City Council Minutes _____	5
Police Department Report _____	9
Fire Department Report _____	10
Street Report _____	11
Water Report _____	12
Finance Committee Agenda & Minutes _____	13
Ordinance 2nd Reading - Class A Liquor License for 5919 North Second St. _	15
Ordinance 2nd Reading - Text Amend-Vegetation _____	17
Ordinance 2nd Reading - Text Amend, General Definitions _____	20
Ordinance 1st Reading - Debt Certificate Water Dept _____	22

LOVES PARK CITY COUNCIL AGENDA
MONDAY, AUGUST 9, 2021- 6 P.M.
CITY COUNCIL CHAMBERS

- I. CALL TO ORDER**

- II. INVOCATION & PLEDGE OF ALLEGIANCE**
 - 1. Invocation given by Alderman Robert Schlensker, followed by the Pledge of Allegiance.**

- III. ROLL CALL**

- IV. APPROVAL OF CITY COUNCIL MINUTES OF PREVIOUS MEETING**

- V. COMMUNICATIONS, MAYOR'S REPORT AND ANNOUNCEMENTS**

- VI. APPROVE PAYMENT OF BILLS**

- VII. OFFICER'S REPORTS**
 - 1. Public Safety**
 - 2. Public Works**

- VIII. COMMITTEE REPORTS**
 - 1. Finance and Administration/J. Jacobson (Finance, Personnel, Buildings & Grounds, Purchasing, Recreation & Beautification)**
 - 2. Public Safety/Allton (Police, Fire, Public Safety & Health)**
 - 3. Public Works/Schlensker (Street, Water & Utilities)**
 - 4. Codes and Regulations/Warden (Ordinances & Licenses)**
 - 5. Community Development/Pruitt (Development, Planning, Zoning, Annexation, Building & Drainage)**

- IX. UNFINISHED BUSINESS**

X. NEW BUSINESS

XI. RESOLUTIONS & MOTIONS

XII. ORDINANCES 2ND READING

- 1. Ordinance approving the issuance of a Class A Liquor License for the property known as 5919 North Second Street.**
- 2. Ordinance amending Chapter 94 of the Loves Park Code of Ordinances, regarding Vegetation.**
- 3. Ordinance authorizing amending Chapter 102, Article 1, In General, Definitions, Section 102-9 of the Loves Park Code of Ordinances.**

XIII. ORDINANCES 1ST READING

- 1. Ordinance of the City of Loves Park, Winnebago and Boone Counties, Illinois, authorizing and providing for (a) the execution and delivery of an installment purchase contract for the purpose of paying all or a portion of the costs of a project consisting of acquiring, constructing, installing and equipping improvements to the municipal water system and, incidental to those project costs, to pay bond discount, interest, bond reserve requirements (if any) and legal, other financing and related administrative fees and costs, and (b) the issuance, sale and delivery of \$4,000,000 Debt Certificates, Series 2021, of the City evidencing the rights to payment under the installment purchase contract; approving the form and terms of the installment purchase contract; prescribing the form and terms of the debt certificates; providing for the security for and sources of payment of the installment purchase contract and the debt certificates; and concerning related matters.**

XIV. PUBLIC COMMENT

Anyone wishing to speak at the city council meeting shall contact the Mayor's office by 4:00 p.m. the day of the council meeting at 815-654-5030.

XV. EXECUTIVE SESSION

XVI. GOOD OF THE ORDER

XVII. ADJOURNMENT

CITY COUNCIL, CITY OF LOVES PARK, ILLINOIS

Journal of Proceedings

Regular Meeting, Monday, August 2, 2021

City Hall Council Chambers

Mayor Gregory Jury called the meeting to order at 6:00 p.m.

Associate Pastor Joanna Patterson of Grace Lutheran Church opened the meeting with an invocation, followed by the Pledge of Allegiance.

Present: Mayor Gregory Jury

Aldermen Robert Schlensker, Doug Allton, Nancy Warden, John Jacobson, Jim Puckett, Dan Jacobson, John Pruitt, Jim Thompson, Mark Peterson, A. Marie Holmes

Also Present: City Clerk Bob Burden
City Attorney Gino Galluzzo

1. Approve Minutes 07/26/21 The Journal of Proceedings for the regular meeting of July 26, 2021 was approved as submitted by the city clerk on a motion by Alderman Schlensker. Second by Alderman Pruitt. Motion carried. 10 Ayes (Aldermen Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson, Pruitt, Thompson, Peterson, Holmes)
2. Comcast Service Reductions Received a notice from Comcast of service reductions, effective August 2, 2021. Placed on file.
3. SEP/Glow In The Dark 5K Race Request Received a Special Event Permit application from Lyndi Toohill of the Nicholas Conservatory, for the Glow in the Dark 5K Race, to be held Friday, September 17, 2021, on a portion of Loves Park streets, from 7:30 p.m. to 8:30 p.m. Referred to Alderman Warden of the Codes and Regulations Committee.
4. SEP/Glow In The Dark 5K Approved Alderman Warden of the Codes and Regulations Committee moved to approve a Special Event Permit for the Glow in the Dark 5K Race, to be held Friday, September 17, 2021, on a portion of Loves Park streets, from 7:30 p.m. to 8:30 p.m. Second by Alderman Schlensker. Motion carried by voice vote.
5. National Night Out Mayor Jury reminded everyone of National Night Out that will be held Tuesday, August 3, 2021 at the Strong House on Marie Avenue and at Harlem Junior High School from 5:00 p.m. to 8:00 p.m. Mayor also thanked Costco for providing the food for the event.
6. General Fund Bills Alderman John Jacobson presented the General Fund and all other bills dated July 26, 2021 in the amount of \$233,069.68, and moved that they be paid. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson, Pruitt, Thompson, Peterson, Holmes)
7. Water Department Bills Alderman John Jacobson presented the Water Department bills dated July 26, 2021 in the amount of \$57,361.61, and moved that they be paid. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson, Pruitt, Thompson, Peterson, Holmes)
8. Public Safety Report Alderman Allton presented the Police Department Report dated August 2, 2021, to be placed on file.
9. Public Works Report Alderman Schlensker presented the Street Department Report dated August 2, 2021; presented the Water Department Report for August 2, 2021, to be placed on file.

10. Finance and Administration Committee
Alderman John Jacobson of the Finance and Administration Committee presented the General Fund and all other bills dated August 2, 2021 in the amount of \$177,716.66, for consideration at next week's city council meeting; presented the minutes from the committee meeting held July 26, 2021, to be placed on file.
11. Public Works Committee
Alderman Schlensker of the Public Works Committee presented the Water Department list of bills dated August 2, 2021 in the amount of \$58,432.16, for consideration at next week's city council meeting.
12. Community Development
Alderman Pruitt of the Community Development Committee presented the minutes from the committee meeting held June 28, 2021, to be placed on file.
13. Agreement For Bond Counsel Services
Alderman John Jacobson presented the following resolution authorizing the Mayor to execute an agreement for Bond Counsel Services between the City of Loves Park, Illinois, Winnebago and Boone Counties, an Illinois Municipal Corporation, and Schiff Hardin, LLP, an Illinois Limited Liability Practice. **WHEREAS**, the City is a duly organized and existing municipality of the State of Illinois, and is not operating under and pursuant to the provisions of the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq., as amended (the "Municipal Code"), and is a "governmental unit" within the meaning of the Local Government Debt Reform Act, 30 ILCS 350/1 et seq., as amended (the "Debt Reform Act"). **WHEREAS**, the City has determined it is in the best interest of the health and welfare of the citizens of Loves Park to take steps towards upgrading and improving various aspects of the City's water department, including the rehabilitation of Water Tower No. 1 and the construction of new Well No. 7 ("Water Department Improvements"); and **WHEREAS**, the City has determined certain costs related to the Water Department Improvements will require the issuance of debt certificates; and **WHEREAS**, the City requires the assistance of a professional services firm to act as bond counsel in obtaining the debt certificate financing; and **WHEREAS**, Schiff Hardin has presented a letter agreement to the City, dated July 27, 2021 to provide the requested bond counsel services; and, **WHEREAS**, the City has previously used the firm of Schiff Hardin, LLP to provide bond counsel services and wishes to do so again for the purposes of issuing the debt certificates. **NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Loves Park, Illinois, that by the adoption of this resolution that the City hereby agrees:
1. The above recitals are hereby incorporated into this Resolution as if fully stated herein.
 2. The City Council hereby authorizes the Mayor, or his designee, to execute that professional services agreement with Schiff Hardin, LLP in substantially the same form as attached hereto as Exhibit "A".
 3. This Resolution will be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.
- Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson, Pruitt, Thompson, Peterson, Holmes)
RESOLUTION NO. 21-073
14. Police Department To Hire two Police Officers
Alderman John Jacobson presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this Resolution, that the Mayor is authorized to hire two police officers to fill vacant positions within the Loves Park Police Department. Both individuals are the next two eligible candidates on the current Civil Service roster. 1. Austin S. Gusewelle; 2. Ian A. Nance. Be it further resolved that the official start date will be Sunday, August 8, 2021, when they report to the basic law enforcement academy. Wages are set by current Fraternal Order of Police Collective Bargaining Agreement. Second by Alderman Allton. Motion carried. 10 Ayes (Aldermen Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson, Pruitt, Thompson, Peterson, Holmes)
RESOLUTION NO. 21-074

15. ORD 4426-21
Disposal Of
Surplus
Personal
Property Alderman John Jacobson presented for second reading an ordinance authorizing the disposal of surplus personal property owned by the City of Loves Park, and moved for passage of the ordinance. Second by Alderman Pruitt. Motion carried. 10 Ayes (Aldermen Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson, Pruitt, Thompson, Peterson, Holmes)
ORDINANCE NO. 4426-21
16. Ordinances First
Reading Alderman Pruitt presented for first reading Agenda Items 1-4, from Ordinances First Reading.
17. 1st Reading
Liquor License
For 5919 N.
Second Street Alderman Pruitt presented for first reading an ordinance approving the issuance of a Class A Liquor License for the property known as 5919 North Second Street, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Warden. Motion carried. 10 Ayes (Aldermen Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson, Pruitt, Thompson, Peterson, Holmes) Laid over
18. 1st Reading
Amending
Chapter 94,
Vegetation Alderman Pruitt presented for first reading an ordinance amending Chapter 94 of the Loves Park Code of Ordinances, regarding vegetation, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Warden. Motion carried. 10 Ayes (Aldermen Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson, Pruitt, Thompson, Peterson, Holmes) Laid over
19. 1st Reading
Variance For
5319 Bennett
Street Alderman Pruitt presented for first reading an ordinance authorizing a Variance to widen an existing gravel driveway for the property known as 5319 Bennett Street, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Warden. Motion carried. 10 Ayes (Aldermen Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson, Pruitt, Thompson, Peterson, Holmes) Laid over
20. 1st Reading
Amend Chapter
102, Article 1,
General
Definitions Alderman Pruitt presented for first reading an ordinance amending Chapter 102, Article 1, In General, Definitions, Section 102-9 of the Loves Park Code of Ordinances, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Warden. Motion carried. 10 Ayes (Aldermen Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson, Pruitt, Thompson, Peterson, Holmes) Laid over
21. Suspend Rules Alderman Pruitt moved to suspend any and all rules to bring the ordinance authorizing a Variance For 5319 Bennett Street in for second reading. Second by Alderman Warden. Motion carried. 10 Ayes (Aldermen Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson, Pruitt, Thompson, Peterson, Holmes)
22. ORD 4427-21
Variance For
5319 Bennett
Street Alderman Pruitt presented for second reading an ordinance authorizing a Variance to widen an existing gravel driveway for the property known as 5319 Bennett Street, and moved for passage of the ordinance. Second by Alderman Warden. Motion carried. 10 Ayes (Aldermen Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson, Pruitt, Thompson, Peterson, Holmes)
ORDINANCE NO. 4427-21
23. Adjourn Alderman Jacobson moved that the meeting be adjourned. Second by Alderman Schlensker. Motion carried by voice vote. The meeting was adjourned at 6:15 p.m.

APPROVED:

Robert J. Burden, City Clerk

STANDING COMMITTEE MEETINGS:

Community Development:	Following Council Meeting 6:15 p.m.
Finance and Administration:	Prior to Council Meeting 5:40 p.m.
Public Works:	Prior to Council Meeting 5:15 p.m.
Zoning Board of Appeals:	3 rd Thursday of the Month 5:30 p.m.



LOVES PARK **POLICE**

540 Loves Park Drive, Loves Park, IL 61111

Phone 815/654-5015 Fax 815/633-0555

To: Alderman Doug Allton

From: Chief Charles Lynde

Date: 08/09/2021

Subject: Police Activity Report

Police activity report for the week of 07/25/2021 through 7/31/2021

Calls for Service 447

Total Number of Arrests 83

Accidents 9

MICHAEL MCCAMMOND
DEPUTY CHIEF OF POLICE

CHARLES LYNDE
CHIEF OF POLICE

SHANE LYNCH
DEPUTY CHIEF OF POLICE

Loves Park FD

Loves Park, IL

This report was generated on 8/4/2021 8:49:21 AM



Incident Statistics

Zone(s): All Zones | Start Date: 07/27/2021 | End Date: 09/06/2021

INCIDENT COUNT			
INCIDENT TYPE		# INCIDENTS	
EMS		54	
FIRE		12	
TOTAL		66	
TOTAL TRANSPORTS (N2 and N3)			
APPARATUS	# of APPARATUS TRANSPORTS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT CONTACTS
TOTAL			
PRE-INCIDENT VALUE		LOSSES	
\$0.00		\$0.00	
CO CHECKS			
TOTAL			
MUTUAL AID			
Aid Type		Total	
Aid Given		5	
Aid Received		2	
OVERLAPPING CALLS			
# OVERLAPPING		% OVERLAPPING	
19		28.79	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)			
Station	EMS	FIRE	
Station #1	0:03:52	0:06:38	
Station #2	0:04:48	0:12:12	
AVERAGE FOR ALL CALLS			0:05:42
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)			
Station	EMS	FIRE	
Station #1	0:00:28	0:01:57	
Station #2	0:01:03	0:06:08	
AVERAGE FOR ALL CALLS			0:01:25
AGENCY		AVERAGE TIME ON SCENE (MM:SS)	
Loves Park FD		14:08	

Only Reviewed Incidents included. EMS for Incident counts includes only 300 to 399 Incident Types. All other incident types are counted as FIRE. CO Checks only includes Incident Types: 424, 736 and 734. # Apparatus Transports = # of incidents where apparatus transported. # Patient Transports = All patients transported by EMS. # Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate. For overlapping calls that span over multiple days, total per month will not equal Total count for year.



**Department of Public Works
Street Department Weekly Activity Report**

Submitted by: David Jacobson
Public Works Foreman

Week of July 30, 2021 thru August 6, 2021

Previous week's activity:

1. Finished working on curb and sidewalk replacement west of N2nd south of Riverside
2. Finished curb and dirt work 100 block of Riverside
3. Continued painting crosswalks on N2nd.
4. Continued mowing.
5. Miscellaneous sign replacement.

Proposed work:

1. Start curb/sidewalk repair for water dept dig jobs.
2. Continue painting crosswalks.
3. Continue mowing.
4. Start mowing country roads.
5. Cold patch as needed.

Loves Park Water Department

Weekly Activity Report

Submitted by: Craig McDonald
Department Manager

Date: 7/26/21-8/2/21

Previous week's activity:

1. Routine work:
 - a. Install new meters
 - b. JULIE locates
 - c. Chemical tests
 - d. Backwash wells as needed
 - e. Read commercial and residential meters
2. Continued replacing large commercial meters and install ERT'S.
3. Continued operating all remaining hydrants for ISO compliance
4. Located and operated all valves needed for water main replacement on River Lane.
5. Located River Lane for The River Lane Reconstruction Project
6. Repaired bulk chemical line at well #6

Work anticipated for this week:

1. Routine work
2. Continue replacing large commercial meters and install ERT'S.
3. Continue operating all remaining hydrants for ISO compliance.
4. Repair main break at 308 River Park
5. Repair service leak at 231 Merrill Ave.

**CITY OF LOVES PARK
AGENDA
FINANCE & ADMINISTRATION COMMITTEE
MONDAY, AUGUST 9, 2021 – 5:40 P.M.
CITY COUNCIL CHAMBERS**

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

4. ITEMS FOR CONSIDERATION

A. Ordinance of the City of Loves Park, Winnebago and Boone Counties, Illinois, authorizing and providing for (a) the execution and delivery of an installment purchase contract for the purpose of paying all or a portion of the costs of a project consisting of acquiring, constructing, installing and equipping improvements to the municipal water system and, incidental to those project costs, to pay bond discount, interest, bond reserve requirements (if any) and legal, other financing and related administrative fees and costs, and (b) the issuance, sale and delivery of \$4,000,000 Debt Certificates, Series 2021, of the City evidencing the rights to payment under the installment purchase contract; approving the form and terms of the installment purchase contract; prescribing the form and terms of the debt certificates; providing for the security for and sources of payment of the installment purchase contract and the debt certificates; and concerning related matters.

5. LIST OF BILLS

6. GENERAL DISCUSSION/PUBLIC COMMENT

Anyone wishing to speak at the Finance Committee meeting shall contact the Mayor's office by 4:00 p.m. the day of the scheduled meeting at 815-654-5030.

7. ADJOURN

FINANCE AND ADMINISTRATION COMMITTEE
MEETING MINUTES
CITY HALL COUNCIL CHAMBERS

DATE OF MEETING: August 2, 2021

CALLED TO ORDER: 5:40 P.M.

MEMBERS PRESENT: Aldermen John Jacobson, John Pruitt, Mark Peterson, Jim Puckett

ALSO PRESENT: Attorney Gino Galluzzo, Aldermen A. Marie Holmes, Robert Schlensker, Doug Allton, Nancy Warden, Dan Jacobson, James Thompson, Treasurer John Danielson, Fire Chief Wiltfang, Police Chief Lynde

MINUTES APPROVAL: July 26, 2021

Alderman Pruitt moved to approve minutes. Second by Alderman Puckett.
Motion carried. 4 Ayes – 0 Nays

ITEMS FOR CONSIDERATION

1. List of Bills: No questions or concerns.
2. Items for consideration.
 - A. Resolution authorizing the Mayor to execute an Agreement for Bond Counsel Services between the City of Loves Park, Illinois, Winnebago and Boone Counties, an Illinois Municipal Corporation, and Schiff Hardin, LLP., an Illinois Liability Practice.

Alderman Peterson moved to approve. Second by Alderman Pruitt.
Motion carried. 4 Ayes – 0 Nays
 - B. Resolution authorizing the Mayor to hire two police officers, Austin Gusewelle and Ian Nance, to fill vacant positions within the Police Department with a start date of August 8, 2021.

Alderman Peterson moved to approve. Second by Alderman Puckett.
Motion carried. 4 Ayes – 0 Nays
3. General Discussion.
4. Adjournment.

Alderman Peterson moved for adjournment. Second by Alderman Pruitt.
Motion carried. 4 Ayes – 0 Nays
Adjournment: 5:47 P.M.

RESPECTFULLY SUBMITTED: ALDERMAN JOHN JACOBSON OF THE FINANCE COMMITTEE

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE ISSUANCE OF A CLASS “A” LIQUOR LICENSE AT 5919 NORTH SECOND STREET PURSUANT TO CHAPTER 6, SECTION 6-37 OF THE CODE OF ORDINANCES OF THE CITY OF LOVES PARK, ILLINOIS

WHEREAS, Chapter 6, Sections 6-37 and 6-43 of the Loves Park Code of Ordinances (“Code”) of the City of Loves Park (“City”) regulate the number and classes of liquor licenses, respectively, existing within the City; and

WHEREAS, a Class “A” liquor license authorizes the retail sale on the premises specified of alcoholic liquor for consumption on the premises as well as other packaged retail sale of such liquor, providing, however, that the other packaged retail sales of such liquor shall not exceed twenty percent (20%) of the total sales of alcoholic beverages; and

WHEREAS, said liquor license shall be issued for use only within the premises located at 5919 North Second Street, Loves Park, Illinois, 61111; and

WHEREAS, said premises must be open to the public by December 31st, 2021; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVES PARK, WINNEBAGO COUNTY, ILLINOIS, AS FOLLOWS:

1. The above recitals are incorporated by reference herein and made a part hereof.
2. The issuance of a Class “A” liquor license to the Licensee for use at the Premises is hereby approved pursuant to Chapter 6, Section 6-37 of the Code.
3. Final issuance of the liquor license by the local liquor commissioner will be subject to review and approval of the liquor license application by the local liquor commissioner along with compliance by Licensee with all Ordinances of the City of Loves Park and all applicable State and/or Federal laws.
4. All other provisions of the Code and any City Ordinances or Resolutions shall remain in effect as previously enacted except that those Ordinances, Resolutions or parts thereof in conflict with the provisions of this Ordinance are hereby repealed.
5. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

APPROVED:

Mayor Gregory R. Jury

ATTEST:

City Clerk Robert J. Burden

PASSED:

APPROVED:

PUBLISHED: In pamphlet form as required by Ordinance.

ORDINANCE NO. _____

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVES PARK,
ILLINOIS: AN ORDINANCE AMENDING CHAPTER 94 - VEGETATION, OF THE
CODE OF ORDINANCES OF THE CITY OF LOVES PARK**

WHEREAS, the City desires to amend certain portions of Chapter 94, Vegetation;
and

WHEREAS, a public hearing before the Codes and Regulations Committee was
held thereon after due notice in the manner provided by law; and

WHEREAS, the City of Loves Park is authorized and empowered by the Statute
to adopt and enforce the provisions of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF LOVES PARK, ILLINOIS AS FOLLOWS:

Text Amendment of the Loves Park Code of Ordinances as follows:

**DELETE: Section 94-2. Certain weeds, underbrush and bushes—Declared a
nuisance.**

All weeds determined to be noxious weeds by the Illinois Compiled
Statutes and applicable rules and regulations thereunder and vegetation, including
grass and weeds exceeding ten inches in height of ten inches in length if matted
down, not covered by Illinois Compiled Statutes, but which serve as a breeding
place for mosquitoes and rodents are a menace to health and are hereby declared
to be a public nuisance. Landscape shrubbery, ornamental plants and congestion
plantings are exempt when properly maintained.

**ADD: Section 94-2. Certain weeds, underbrush and bushes—Declared a
nuisance.**

All weeds determined to be noxious weeds by the Illinois Compiled
Statutes and applicable rules and regulations thereunder and vegetation, including
grass and weeds exceeding ten inches in height of ten inches in length if matted
down, not covered by Illinois Compiled Statutes, but which serve as a breeding
place for mosquitoes and rodents are a menace to health and are hereby declared
to be a public nuisance. Landscape shrubbery, ornamental plants and congestion
plantings are exempt when properly maintained. Landscape beds, in all districts,
shall be tended and maintained in a healthy growing condition free from refuse,
debris, and weeds at all times.

DELETE: Section 94-41. Dead or diseased shrubs and trees declared nuisance.

Dead trees, tree branches or dead bushes and shrubs or other plants or parts thereof, as well as diseased plants of any type which threaten to spread disease to other plants or animals or harbor rodents or pests, are hereby declared to be a nuisance and unlawful.

ADD: Section 94-41. Dead or diseased shrubs and trees declared nuisance.

Dead trees, tree branches or dead bushes and shrubs or other plants or parts thereof, as well as diseased plants of any type which threaten to spread disease to other plants or animals or harbor rodents or pests, are hereby declared to be a nuisance and unlawful. If the City's Code Enforcement Officer determines the tree is a threat to public safety, the tree shall be removed by the property owner.

DELETE: Section 94-42. Duty to remove.

It shall be the duty of every owner of a lot and of the occupant thereof including business, corporations, organization and individual person to remove all dead or infected plant materials from the lot.

ADD: Section 94-42. Duty to remove.

It shall be the duty of every owner of a lot and of the occupant thereof including business, corporations, organization and individual person to remove all dead trees, fallen limbs, brush, or infected plant materials from the lot, as determined by the City's Code Enforcement Officer.

All other provisions of Chapter 94 - Vegetation, shall remain in effect as previously published.

The recommendation of the Codes and Regulations Committee on the question of granting this Text Amendment is hereby accepted, adopted and made a part of this Ordinance. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

A P P R O V E D:

Gregory R. Jury, MAYOR

A T T E S T:

Robert J. Burden, CITY CLERK

P A S S E D:

A P P R O V E D:

P U B L I S H E D:

ORDINANCE NO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVES PARK,
ILLINOIS:

AN ORDINANCE AMENDING CHAPTER 102, ARTICLE 1, IN GENERAL,
DEFINITIONS, SECTION 102-9, OF THE CODE OF ORDINANCES OF THE CITY OF
LOVES PARK

WHEREAS, the City desires to amend certain portions of Chapter 102 –
Zoning, and

WHEREAS, a public hearing before the Zoning Board of Appeals was held
thereon after due notice in the manner provided by law, and

WHEREAS, said Board has made a report recommending the approval of
the Text Amendment, and

WHEREAS, the City of Loves Park is authorized and empowered by the
Statute to adopt and enforce the provisions of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF LOVES PARK, ILLINOIS AS FOLLOWS:

Text Amendments of the Loves Park Zoning Ordinance as follows:

AMEND. Article I, In General, Section 102-9, Definitions, Driveway, as
follows:

Driveway means a solid impervious surface used for direct access from a
public street, alley, or thoroughfare, which connects to a garage, attached
or detached, for private off-street parking. Where no garage or other
structure for off-street parking exists, the driveway shall be the area where
primary access is provided onto the property for off-street parking.

ADD. Add Article I, In General, Section 102-9, Definitions, Driveway -
Gravel, Dirt, and Aggregate, as follows:

Driveway – (gravel, dirt, and aggregate) shall mean driveways that existed
prior to Ordinance 795, adopted May 18, 1981. The non-conforming
driveway areas are used for direct access from a public street, alley, or
thoroughfare, which provides private off-street parking. Nonconforming
driveways shall be maintained free from weeds and grass, and no
expansion shall be permitted. Unauthorized expansions shall require
removal of the expansion, and loss of the non-conforming status.

ADD. Article I, In General, Section 102-9, Definitions, Driveway - Auxiliary
Parking Pad, as follows:

Auxiliary parking pad means a subordinate, secondary off-street parking area that connects to an existing driveway, which does not lead to an existing dwelling, garage, or other building structure used for private off-street parking.

All other provisions of Chapter 102, Article I, Section 102-9, shall remain in effect as previously published.

The recommendation of the Zoning Board of Appeals on the question of granting this Text Amendment is hereby accepted, adopted and made a part of this Ordinance. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

A P P R O V E D:

MAYOR

A T T E S T:

CITY CLERK

PASSED:

APPROVED:

PUBLISHED:

CITY OF LOVES PARK, ILLINOIS

ORDINANCE NO. [____]-21

ORDINANCE OF THE CITY OF LOVES PARK, WINNEBAGO AND BOONE COUNTIES, ILLINOIS, AUTHORIZING AND PROVIDING FOR (A) THE EXECUTION AND DELIVERY OF AN INSTALLMENT PURCHASE CONTRACT FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS OF A PROJECT CONSISTING OF ACQUIRING, CONSTRUCTING, INSTALLING AND EQUIPPING IMPROVEMENTS TO THE MUNICIPAL WATER SYSTEM AND, INCIDENTAL TO THOSE PROJECT COSTS, TO PAY BOND DISCOUNT, INTEREST, BOND RESERVE REQUIREMENTS (IF ANY) AND LEGAL, OTHER FINANCING AND RELATED ADMINISTRATIVE FEES AND COSTS, AND (B) THE ISSUANCE, SALE AND DELIVERY OF \$4,000,000 DEBT CERTIFICATES, SERIES 2021, OF THE CITY EVIDENCING THE RIGHTS TO PAYMENT UNDER THE INSTALLMENT PURCHASE CONTRACT; APPROVING THE FORM AND TERMS OF THE INSTALLMENT PURCHASE CONTRACT; PRESCRIBING THE FORM AND TERMS OF THE DEBT CERTIFICATES; PROVIDING FOR THE SECURITY FOR AND SOURCES OF PAYMENT OF THE INSTALLMENT PURCHASE CONTRACT AND THE DEBT CERTIFICATES; AND CONCERNING RELATED MATTERS.

Adopted by
the City Council
of the
City of Loves Park, Winnebago and Boone Counties, Illinois
on August 9, 2021

TABLE OF CONTENTS

	Page
Section 1.	Findings and Determinations 1
Section 2.	Definitions; Rules of Interpretation 4
Section 3.	Authorization of the Borrowing, the Installment Contract and the Certificates 6
Section 4.	Sources of Payment of the Installment Contract; Nature of City’s Obligations Under the Installment Contract; Covenant to Appropriate 6
Section 5.	Denominations, Numbers, Designation and Date of the Certificates 7
Section 6.	Terms of the Certificates 7
Section 7.	Not Subject to Redemption 7
Section 8.	Execution and Authentication of the Certificates 8
Section 9.	Appointment of Paying Agent, Authenticating Agent and Certificate Registrar 8
Section 10.	Payment of Principal and Interest 8
Section 11.	Registration, Transfer and Exchange of the Certificates 9
Section 12.	Persons Treated as Owners of the Certificates 9
Section 13.	Form of the Certificates 9
Section 14.	Sale of the Certificates; Ratification of Certain Actions; Authentication and Delivery of the Certificates 10
Section 15.	Application of Certificate Proceeds 10
Section 16.	Acquisition Contracts 11
Section 17.	Certificate Fund 11
Section 18.	This Ordinance Constitutes a Contract 12
Section 19.	Certificate Registrar Covenants 12
Section 20.	General Covenants 13
Section 21.	Certificates Are Not Private Activity Bonds 14
Section 22.	General Arbitrage Covenants 14
Section 23.	Arbitrage Rebate 15
Section 24.	Registered Form 15
Section 25.	Additional Tax Covenants 15
Section 26.	Opinion of Counsel Exception 16
Section 27.	Designation of the Certificates 16
Section 28.	Additional Authority 16
Section 29.	Conflicting Ordinances, Etc 16
Section 30.	Severability 17
Section 31.	Effective Date 17
EXHIBIT A	Form of Installment Purchase Contract A-1
EXHIBIT B	Form of Certificate B-1

ORDINANCE NO. [____]-21

ORDINANCE OF THE CITY OF LOVES PARK, WINNEBAGO AND BOONE COUNTIES, ILLINOIS, AUTHORIZING AND PROVIDING FOR (A) THE EXECUTION AND DELIVERY OF AN INSTALLMENT PURCHASE CONTRACT FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS OF A PROJECT CONSISTING OF ACQUIRING, CONSTRUCTING, INSTALLING AND EQUIPPING IMPROVEMENTS TO THE MUNICIPAL WATER SYSTEM AND, INCIDENTAL TO THOSE PROJECT COSTS, TO PAY BOND DISCOUNT, INTEREST, BOND RESERVE REQUIREMENTS (IF ANY) AND LEGAL, OTHER FINANCING AND RELATED ADMINISTRATIVE FEES AND COSTS, AND (B) THE ISSUANCE, SALE AND DELIVERY OF \$4,000,000 DEBT CERTIFICATES, SERIES 2021, OF THE CITY EVIDENCING THE RIGHTS TO PAYMENT UNDER THE INSTALLMENT PURCHASE CONTRACT; APPROVING THE FORM AND TERMS OF THE INSTALLMENT PURCHASE CONTRACT; PRESCRIBING THE FORM AND TERMS OF THE DEBT CERTIFICATES; PROVIDING FOR THE SECURITY FOR AND SOURCES OF PAYMENT OF THE INSTALLMENT PURCHASE CONTRACT AND THE DEBT CERTIFICATES; AND CONCERNING RELATED MATTERS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVES PARK, WINNEBAGO AND BOONE COUNTIES, ILLINOIS, AS FOLLOWS:

Section 1. Findings and Determinations. It is found and declared by the City Council (the “**Corporate Authorities**”) of the City of Loves Park, Winnebago and Boone Counties, Illinois (the “**City**”), as follows:

(a) The City is a duly organized and existing municipality of the State of Illinois, and is now operating under and pursuant to the provisions of the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, as amended (the “**Municipal Code**”), and is a “governmental unit” within the meaning of the Local Government Debt Reform Act, 30 ILCS 350/1 *et seq.*, as amended (the “**Debt Reform Act**”).

(b) Division 129 of Article 11 of the Municipal Code (65 ILCS 5/11-129-1 *et seq.*) provides that the corporate authorities of each municipality may acquire, construct, improve, extend, own and operate a municipal water system and finance additions to and improvements of such system.

(c) The Corporate Authorities have determined that it is advisable, necessary and in the best interests of the City in order to promote and protect the public health, welfare, safety and convenience of the residents of the City, and a proper public purpose, for the City to undertake a project consisting of acquiring, constructing, installing and equipping improvements to the municipal water system including but not limited to boring a municipal well and improvements to an existing water storage tank and, incidental to those project costs, to pay bond discount, interest, bond reserve requirements (if any) and legal, other financing and related administrative fees and costs (collectively, the “**Project**”), all in accordance with estimates of costs which have been provided to the Corporate Authorities.

(d) The estimated costs of the Project, including all costs described above, are not less than an amount equal to the sum of \$4,000,000 plus estimated investment earnings on the borrowing provided for in this Ordinance during the time prior to the expenditure of such sum. The Corporate Authorities have determined that there are not sufficient funds on hand and legally available to pay all of the costs of the Project and that the moneys necessary to pay a portion of the costs of the Project shall be raised from an issue of obligations of the City.

(e) Section 11-61-3 of the Municipal Code provides that the corporate authorities of a municipality having a population less than 1,000,000 inhabitants shall have the express power to purchase or lease either real estate or personal property for public purposes through contracts that provide for consideration for such purchase or lease to be paid through installments to be made at stated intervals during a certain period of time of not more than twenty (20) years, with interest on the unpaid balance to be within the limits set out in that Section.

(f) Section 17(b) of the Debt Reform Act provides that the governing body of a governmental unit may purchase or lease either real estate or personal property through agreements that provide that the consideration for such purchase or lease may be paid through installments to be made at stated intervals for a period of no more than twenty (20) years or another period of time authorized by law, whichever is greater. Under that subsection, the governing body may provide for the treasurer, comptroller, finance officer, or other officer of the governing body charged with financial administration to act as counter-party to any such lease or agreement (“**installment contract**”), as nominee lessor or seller. From time to time, as the governing body executes contracts (“**acquisition contracts**”) for the purpose of acquiring and constructing the services or real or personal property that is a part of the subject of the installment contract, including financial, legal, architectural or engineering services related to the installment contract, the governing body is to order each acquisition contract filed with the nominee officer, who is to identify the acquisition contract to the installment contract; that identification permits the payment of the acquisition contract from the proceeds of the installment contract or from the proceeds of any certificates issued as provided below. and the nominee officer shall duly apply or cause to be applied proceeds of the certificates to the payment of the acquisition contracts.

(g) Section 17(b) of the Debt Reform Act also provides that a governmental unit may issue certificates evidencing the indebtedness incurred under the installment contract.

(h) Section 17(b) of the Debt Reform Act further provides that when the installment contract is executed by the officer of the governmental unit authorized by the governing body to bind the governmental unit by executing the installment contract, and is filed with and executed by the nominee lessor or seller, the governmental unit is authorized to issue the certificates. The certificates are valid whether or not an appropriation with respect to them is included in any annual or supplemental budget adopted by the governmental unit.

(i) It is necessary and in the best interests of the City to borrow the sum of \$4,000,000 in order to finance a portion of the costs of the Project. Accordingly, the City shall (i) enter into an installment purchase contract (the “**Installment Contract**”) with John Danielson, the City Treasurer (the “**City Treasurer**”), as nominee seller in the aggregate principal amount of \$4,000,000 for the purpose of paying a portion of the costs of acquiring, constructing, installing

and equipping the Project, and (ii) issue, sell and deliver Debt Certificates, Series 2021, in the original aggregate principal amount of \$4,000,000 (the “**Certificates**”) evidencing the indebtedness of the City incurred under the Installment Contract, in the form and having the terms provided in this Ordinance, under the authority of the Municipal Code and the Debt Reform Act.

(j) Section 8-5-1 of the Municipal Code provides generally that, except as otherwise provided in Division 5 of Article 8 of the Municipal Code, no non-home rule municipality having a population less than 500,000 may incur any indebtedness which, when added to all existing indebtedness of the municipality, exceeds in aggregate amount an amount equal to 8.625% of the assessed valuation of all taxable property located within the municipality, as ascertained by the most recent assessment for state and county purposes as equalized by the Department of Revenue. The City has a population of 23,996 as shown on the 2010 federal census. The City is not a home rule unit of local government.

(k) The aggregate assessed valuation of all taxable property in the City located in Winnebago County as assessed by Winnebago County and equalized by the Department of Revenue for the year 2020, being the most recent assessment now available, is \$378,601,878. The aggregate assessed valuation of all taxable property in the City located in Boone County as assessed by Boone County and equalized by the Department of Revenue for the year 2020, being the most recent assessment now available, is \$48,572,387. Accordingly, the aggregate assessed valuation of all taxable property in the City for the year 2020 as assessed and equalized is \$427,174,265.

(l) The City has issued and there are now outstanding: (i) General Obligation Bonds, Series 2012 (the “**Series 2012 Bonds**”) now outstanding in the aggregate principal amount of \$143,814.33, (ii) General Obligation Debt Certificate, Series 2015 (the “**Series 2015 Debt Certificates**”), now outstanding in the aggregate principal amount of \$5,005,000.00, (iii) Debt Certificates, Series 2019 (the “**Series 2019 Debt Certificates**”), now outstanding in the aggregate principal amount of \$2,145,000.00, and (iv) General Obligation Refunding Alternate Bonds (Motor Fuel Tax Alternate Revenue Source) Series 2017 (the “**Series 2017 Bonds**”), now outstanding in the aggregate principal amount of \$3,579,939.88.

(m) The Series 2017 Bonds are alternate bonds issued under Section 15 of the Debt Reform Act. None of the conditions set forth in Section 15 of the Debt Reform Act, the existence of which would require the outstanding principal amount of the Series 2017 Bonds to be included in the computation of indebtedness of the City, exists or has occurred. Accordingly, as provided in Section 15 of the Debt Reform Act, the Series 2017 Bonds need not be regarded as or included in any computation of indebtedness of the City for purposes of any statutory provision or limitation. The amount of all existing bonded indebtedness of the City is therefore \$143,814.33, the aggregate principal amount all outstanding general obligation debt certificates of the City is \$7,150,000.00, the aggregate principal amount all outstanding notes or capital leases is \$439,187.84, and there is no other outstanding non-bond indebtedness of the City, including contracts, leases, installment contracts, and judgments. The City has outstanding \$240,845.52 of special service area bonds and \$329,420.99 of tax increment revenue bonds which are not counted as indebtedness for purposes of the statutory limitation on indebtedness described in subsection (j).

(n) Northwest Bank of Rockford, Loves Park, Illinois (the “**Purchaser**”), has submitted an offer to purchase the Certificates, maturing, bearing interest and having the other terms set forth in this Ordinance, at a price equal to \$4,000,000 without accrued interest. The Corporate Authorities have reviewed the offer and its terms and find that it is in the best interests of the City to accept such offer and to sell the Certificates to the Purchaser.

(o) No member of the Corporate Authorities, no officer of the City, and no managerial or supervisory employee of the City is now or was at any time on or subsequent to January 1, 2021, either an officer, director, employee or otherwise interested, either directly or indirectly, in his own name or in the name of any other person, association, trust or corporation in (i) the Purchaser, or any parent or subsidiary corporation of the Purchaser or any partnership that controls or is controlled by the Purchaser, (ii) the loan evidenced by the Installment Contract and the Certificates, or (iii) the Project or the contract or contracts for the acquisition, construction, installation and equipping of the Project.

Section 2. Definitions; Rules of Interpretation.

(a) Certain capitalized terms used in this Ordinance are defined in the preambles and in the body of this Ordinance. The following capitalized terms shall have the following meanings when used in this Ordinance, unless the context or use indicates otherwise:

“**Acquisition Contract**” has the meaning provided in Section 16(a).

“**Authenticating Agent**” means the Certificate Registrar appointed in Section 9, acting in the capacity of Authenticating Agent under this Ordinance, or any successors to it appointed pursuant to Section 19.

“**Certificate Fund**” means the “Debt Certificates, Series 2021, Debt Service Fund” created in Section 17(a).

“**Certificate Holder**” means the registered owner or registered owners of the Certificates from time to time as shown on the Certificate Register.

“**Certificate of Authentication**” has the meaning provided in Section 8(b).

“**Certificate Register**” has the meaning provided in Section 11.

“**Certificate Registrar**” means the Certificate Registrar appointed in Section 9, or any successors to it appointed pursuant to Section 19.

“**Certificates**” has the meaning provided in Section 1(i).

“**City**” has the meaning provided in Section 1.

“**City Clerk**” means the City Clerk of the City.

“**City Treasurer**” has the meaning provided in Section 1(i).

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

“**Corporate Authorities**” has the meaning provided in Section 1.

“**Counties**” means The County of Winnebago and The County of Boone, Illinois.

“**Debt Reform Act**” has the meaning provided in Section 1(a).

“**Fiscal Year**” means the twelve month period beginning on May 1 of any calendar year and ending on April 30 of the following calendar year.

“**Identification Action**” has the meaning provided in Section 16(b).

“**Installment Contract**” has the meaning provided in Section 1(i).

“**Municipal Code**” has the meaning provided in Section 1(a).

“**Ordinance**” means this Ordinance No. [____]-21 adopted by the Corporate Authorities on August 9, 2021, as from time to time amended with the advance written consent of the Certificate Holder in accordance with Section 18.

“**Paying Agent**” means the Certificate Registrar appointed in Section 9, acting in the capacity of Paying Agent under this Ordinance, or any successors to it appointed pursuant to Section 19.

“**Project**” has the meaning provided in Section 1(c).

“**Project Fund**” means the “Debt Certificates, Series 2021, Project Fund” established in Section 15(b).

“**Purchaser**” has the meaning provided in Section 1(n).

“**Record Date**” has the meaning provided in Section 10.

“**Tax-Exempt**” means, with respect to the Certificates or other obligations of the City, the status of interest paid and received thereon as not includible in the gross income of their owners under the Code for federal income tax purposes, except to the extent that such interest will be taken into account in computing an adjustment used in determining the alternative minimum tax for certain corporations and in computing the “branch profits tax” imposed on certain foreign corporations.

(b) The words “hereof,” “herein,” “hereunder” and other words of similar import refer to this Ordinance as a whole.

(c) The headings of this Ordinance are for convenience of reference only and shall not define or limit the provisions of this Ordinance.

(d) Unless otherwise specified, references to Sections and other subdivisions of this Ordinance are to the designated Sections and other subdivisions of this Ordinance as amended from time to time.

(e) References to the masculine shall include the feminine and neuter genders and *vice versa* and references to the singular shall include the plural and *vice versa*, unless the context or use indicates otherwise.

Section 3. Authorization of the Borrowing, the Installment Contract and the Certificates.

(a) The sum of \$4,000,000 shall be borrowed by the City to finance a portion of the costs of the Project, including to pay costs of the City in connection with the Installment Contract and the costs of issuance of the Certificates authorized by this Ordinance.

(b) In order to effect the acquisition, construction, installation and equipping of the Project, the City shall enter into the Installment Contract with the City Treasurer, as nominee seller of the various components of the Project, with consideration to be paid through installments over a term of approximately fourteen and one-half years as provided in Section 6. The Mayor and the City Treasurer are authorized and directed to execute, and the City Clerk is authorized to attest and deliver on behalf of City, the Installment Contract, which shall be in substantially the form attached to this Ordinance as *Exhibit A*. The Installment Contract as executed and delivered may contain such insubstantial changes from the form attached to this Ordinance as *Exhibit A* as shall be approved by the Mayor, and his signature shall constitute conclusive evidence of his approval and the approval of the Corporate Authorities of such changes. The City Treasurer is authorized and directed to execute the Installment Contract as nominee seller. Immediately after it has been fully executed by both parties, fully executed counterparts of the Installment Contract shall be filed with the City Clerk and the City Treasurer and such filing shall constitute full authority for the City to issue the Certificates.

(c) To evidence the indebtedness incurred under the Installment Contract, the City shall issue, sell and deliver the Certificates as provided in this Ordinance. The City may incur the indebtedness represented by the Installment Contract and evidenced by the Certificates without referendum as authorized by Section 11-61-3 of the Municipal Code and Section 17(b) of the Debt Reform Act.

Section 4. Sources of Payment of the Installment Contract; Nature of City's Obligations Under the Installment Contract; Covenant to Appropriate.

(a) The obligations of the City to make payments under the Installment Contract shall constitute a general obligation of the City payable from the general corporate funds of the City and any other funds legally available for the purpose.

(b) The City covenants to include such amounts in its budget and appropriations for each Fiscal Year as are necessary to make payments under the Installment Contract and the Certificates when due.

Section 5. Denominations, Numbers, Designation and Date of the Certificates. The Certificates shall be issued only in fully registered form without coupons in the denominations of \$100,000 and integral multiples of \$5,000 in excess of that amount. The Certificates shall be designated “Debt Certificates, Series 2021”. The Certificates shall be issued in the aggregate principal amount of \$4,000,000 and shall be numbered R-1 through R-15, inclusive. The Certificates shall be dated the date they are issued.

Section 6. Terms of the Certificates.

(a) The Certificates shall bear interest from their date until paid at the respective interest rates per year shown in the table in subsection (b) below. Interest on the Certificates shall be payable semi-annually on June 15 and December 15, with the first interest payment date being December 15, 2021. Interest shall be computed on the basis of a 360-day year comprised of twelve 30-day months.

(b) The Certificates shall mature on December 15 of each of the years 2021 through 2035, inclusive, in the respective amounts shown in the table below:

Maturing (December 15)	Amount Maturing (\$)	Interest Rate (%)
2021	280,000	1.59
2022	245,000	1.59
2023	245,000	1.59
2024	250,000	1.59
2025	250,000	1.59
2026	255,000	1.59
2027	255,000	1.59
2028	260,000	1.59
2029	265,000	1.59
2030	265,000	1.59
2031	275,000	1.59
2032	280,000	1.59
2033	285,000	1.59
2034	290,000	1.59
2035	300,000	1.59

Section 7. Optional Redemption. The Certificates maturing on or before December 15, 2029 are not subject to redemption prior to their maturity. The Certificates maturing on and after December 15, 2030, are subject to redemption at the option of the City from any available funds, in whole or in part, on any date on or after December 15, 2029, at a price equal to their principal amount plus in each case accrued interest to the date of redemption, without redemption premium. To redeem Certificates subject to optional redemption, the City shall provide the Certificate Holder and the Certificate Registrar with ten days advance written notice by first class mail, postage prepaid, of the City’s exercise of its option to redeem. The notice shall identify the issue of Certificates to be redeemed and shall specify the amount of those Certificates to be

redeemed, the amount of each maturity to be redeemed (taking into account and subject to the denominations specified in Section 5 above), and the redemption date.

Section 8. Execution and Authentication of the Certificates.

(a) The Certificates shall be executed by the manual or facsimile signature of the Mayor and the manual or facsimile signature of the City Clerk and shall have the corporate seal of the City affixed to or impressed on them (or a facsimile of that seal printed on them). The Mayor and the City Clerk (if they have not already done so) are authorized, if necessary, to file with the Illinois Secretary of State their manual signatures certified by them pursuant to the Uniform Facsimile Signatures of Public Officials Act, as amended, which shall authorize the use of their facsimile signatures to execute the Certificates should that be necessary. The Certificates so executed shall be as effective as if manually executed. In case any officer of the City whose signature or a facsimile of whose signature shall appear on the Certificates shall cease to be such officer before authentication and delivery of the Certificates, that signature or facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until authentication and delivery.

(b) The Certificates shall not be valid for any purpose unless and until a Certificate of Authentication on the Certificates substantially in the form set forth in the form of Certificate attached to this Ordinance as *Exhibit B* and incorporated in Section 13 of this Ordinance (“**Certificate of Authentication**”) shall have been duly executed by an authorized officer of the Authenticating Agent appointed below. That Certificate of Authentication upon the Certificates, when so executed, shall be conclusive evidence that the Certificates have been authenticated and delivered under this Ordinance.

Section 9. Appointment of Paying Agent, Authenticating Agent and Certificate Registrar. Northwest Bank of Rockford, Loves Park, Illinois, is appointed as Paying Agent, Certificate Registrar and Authenticating Agent under this Ordinance.

Section 10. Payment of Principal and Interest. Principal of and interest on the Certificates shall be payable in lawful money of the United States of America at the principal office of the Paying Agent. The principal of the Certificates and all accrued and unpaid interest shall be payable at maturity upon presentment of the matured Certificates at the principal office of the Paying Agent. Installments of interest due prior to final maturity shall be payable on each payment date by check or draft of the Paying Agent mailed to the person or persons in whose name the Certificates are registered on the books of the Certificate Registrar at the close of business on the first day of the month in which the installment is due (the “**Record Date**”). The City shall deposit with the Paying Agent, at least five (5) days prior to each date on which any payment of principal of or interest on the Certificates is due, an amount in immediately available funds equal to the payment due on such due date.

Section 11. Registration, Transfer and Exchange of the Certificates. The Certificates shall be negotiable, subject to the following provisions for registration and registration of transfer. The City shall maintain or cause to be maintained books for the registration of the Certificates at the principal office of the Certificate Registrar (“**Certificate Register**”). The

Certificates shall be registered on those books. Transfer of the Certificates shall be registered on those books only upon surrender of the Certificates to the Certificate Registrar by the Certificate Holder or his or her attorney duly authorized in writing, together with a written instrument of transfer satisfactory to the Certificate Registrar duly executed by the Certificate Holder or his or her duly authorized attorney. Upon surrender of a Certificate for registration of transfer, the City shall execute and the Authenticating Agent shall authenticate and deliver, in the name of the transferee, a new Certificate of the same aggregate principal amount and other terms as the Certificate surrendered.

In all cases in which the privilege of transferring Certificates is exercised, the City shall execute, the Authenticating Agent shall authenticate, and the Certificate Registrar shall deliver, replacement Certificates in accordance with the provisions of this Ordinance. Any Certificate surrendered in any transfer shall be canceled immediately by the Certificate Registrar. The City is authorized to prepare or cause to be prepared, and if it does so, the Certificate Registrar (or such other agent as the Corporate Authorities may from time to time designate) shall maintain custody of multiple blank Certificates executed on behalf of the City as provided in Section 8(a) for use in connection with the transfer and exchange of the Certificates.

For every registration of transfer of a Certificate, the City or the Certificate Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge, other than one imposed by the City, required to be paid with respect to that exchange or transfer, and payment of that charge by the person requesting exchange or registration of transfer shall be a condition precedent to that exchange or registration of transfer. No other charge may be made by the City or the Certificate Registrar as a condition precedent to exchange or registration of transfer of the Certificate.

The Certificate Registrar shall not be required to exchange or register the transfer of a Certificate during the period from the close of business on the fifteenth (15th) day preceding a payment date on the Certificate to the opening of business on such payment date.

Section 12. Persons Treated as Owners of the Certificates. The City, the Paying Agent and the Certificate Registrar may treat the applicable Certificate Holder as the absolute owner of its Certificates, whether or not those Certificates are overdue, for the purpose of receiving payment of the principal of or interest on the Certificates and for all other purposes, and neither the City, the Certificate Registrar nor the Paying Agent shall be affected by any notice to the contrary. Payment of the principal of and interest on a Certificate shall be made only to the applicable Certificate Holder, and all such payments shall be valid and effective to satisfy the obligation of the City on the Certificate to the extent of the amount paid.

Section 13. Form of the Certificates. The Certificates shall be in substantially the form set forth in *Exhibit B* to this Ordinance, which Exhibit is incorporated by reference in this Section 13 and shall for all purposes be a part of this Ordinance.

Section 14. Sale of the Certificates; Ratification of Certain Actions; Authentication and Delivery of the Certificates.

(a) The offer of the Purchaser to purchase the Certificates at the price of \$4,000,000, without accrued interest, is accepted.

(b) All actions of the City and its officers, agents, financial advisors and employees relating to the offering, issuance and sale of the Certificates, including the solicitation of offers for the purchase of the Certificates, are ratified, confirmed and approved. The proper officers of the City are authorized to accept the Purchaser's offer to purchase the Certificates.

(c) The Certificates shall be executed as provided in this Ordinance and shall then be delivered to the City Treasurer. The City Treasurer is authorized and directed to deliver the Certificates to the Authenticating Agent and the Authenticating Agent is authorized and directed to authenticate the Certificates and deliver them to the Purchaser upon receipt by the City of the purchase price specified in this Section 14.

Section 15. Application of Certificate Proceeds. The proceeds derived from the sale of the Certificates shall be applied as follows:

(a) There is established a "Debt Certificates, Series 2021, Project Fund" (the "**Project Fund**"). The proceeds of sale of the Certificates shall be deposited by the City Treasurer into the Project Fund. Subject to Section 16, moneys in the Project Fund shall be withdrawn from time to time as needed for the payment of costs and expenses of authorizing the Installment Contract and authorizing and issuing the Certificates and payment of a portion of the costs of the Project and the fees and expenses incidental thereto, and such moneys are appropriated for that purpose.

Subject to the provisions of Section 16, moneys on deposit in the Project Fund shall be disbursed by the City from time to time upon submission to the City Treasurer of a copy of an order signed by an officer of the City stating specifically the purpose for which the order is issued and indicating that the payment for which the order is issued has been approved by the City Council.

Within sixty (60) days after depletion of the Project Fund or payment of all costs of the Project to be paid from proceeds of the Certificates, as referred to in this Ordinance and as approved in this Ordinance by the Corporate Authorities, the City Treasurer shall certify to the Corporate Authorities the fact of such depletion or the City officer in responsible charge of the Project shall certify to the Corporate Authorities the fact that the Project has been acquired, constructed, installed and equipped, as applicable, and upon approval of such certification by the Corporate Authorities, funds (if any) remaining in the Project Fund shall be credited by the City Treasurer to the Certificate Fund and the Project Fund shall be closed.

Funds on deposit in the Project Fund may be invested by the City Treasurer in the same manner as provided in Section 17 of this Ordinance for moneys in the Certificate Fund. All investment earnings in the Project Fund shall be credited to the Project Fund.

(b) All amounts received upon the sale of the Certificates, together with all interest and other investment earnings on those amounts, are appropriated and set aside for the purposes for which the Installment Contract is being entered into and the Certificates are being issued as set forth in this Ordinance.

Section 16. Acquisition Contracts.

(a) Contracts for the acquisition, construction, installation and equipping of the Project, or any component part of the Project (“**Acquisition Contracts**”), shall be entered into in strict compliance with applicable Illinois law and the rules and procedures of the City pertaining to contracts for public works and related contracts for services.

(b) The Corporate Authorities shall adopt a resolution or ordinance (each an “**Identification Action**”) identifying all or any part of an Acquisition Contract to the Installment Contract as required by Section 17(b) of the Debt Reform Act. The City Clerk is authorized and directed to file a certified copy of this Ordinance, a certified copy of each Identification Action and a copy of the related Acquisition Contract or Acquisition Contracts with the City Treasurer in his or her capacity as nominee seller under the Installment Contract. The adoption of an Identification Action and the filing of it and the related Acquisition Contract or Acquisition Contracts with the City Treasurer are conditions to the disbursement of moneys on deposit in the Project Fund to pay amounts due under the Acquisition Contract.

(c) This Ordinance shall constitute an Identification Action with respect to all expenses of authorizing the Installment Contract and expenses of authorization and issuance of the Certificates. The City Treasurer is authorized and directed to (i) apply the proceeds of the sale of the Certificates directly to pay expenses of authorizing the Installment Contract and expenses of authorization and issuance of the Certificates at the time the Certificates are issued and (ii) to disburse moneys on deposit in the Project Fund as needed subsequently for such purposes, without further action by the Corporate Authorities or other officers of the City.

Section 17. Certificate Fund.

(a) There is created a special fund of the City, which fund shall be held separate and apart from all other funds and accounts of the City and shall be known as the “Debt Certificates, Series 2021, Debt Service Fund” (the “**Certificate Fund**”). The Certificate Fund shall be a trust fund established for the purpose of carrying out the covenants, terms and conditions imposed upon the City by this Ordinance. All of the moneys from time to time on deposit in the Certificate Fund are pledged to secure the payment of maturing principal of and interest on the Certificates when due. Such pledge is irrevocable until the obligations of the City are discharged under this Ordinance.

(b) Funds of the City that are lawfully available for this purpose shall be deposited into the Certificate Fund and used to pay the maturing principal of and interest on the Certificates when due. Investment earnings on moneys on deposit in the Certificate Fund shall be retained in the Certificate Fund and used to pay the maturing principal of and interest on the Certificates on the next interest payment date after their receipt.

(c) Moneys on deposit in the Certificate Fund may be invested from time to time pursuant to any authorization granted to municipalities by Illinois statute or court decision. Any such investments may be sold from time to time by the City as moneys are needed for the purposes for which the Certificate Fund has been created. In addition, the City Treasurer shall sell such investments when necessary to remedy any deficiency in the Certificate Fund.

Section 18. This Ordinance Constitutes a Contract. Upon the issuance of the Certificates, the provisions of this Ordinance shall constitute a contract between the City and the Certificate Holder, and no changes, additions or alterations of any kind shall be made to this Ordinance, except as expressly provided in this Ordinance. This Ordinance may be amended, changed or altered by action of the City Council only with the advance written consent of the Certificate Holder to such amendment, change or alteration.

Section 19. Certificate Registrar Covenants. If requested by the Certificate Registrar, the Mayor and the City Clerk are authorized to execute the Certificate Registrar's standard form of agreement between the City and the Certificate Registrar with respect to the obligations and duties of the Certificate Registrar, Paying Agent and Authenticating Agent under this Ordinance. Subject to modification by the express terms of any such agreement, such duties shall include the following:

- (a) to act as Certificate Registrar, Authenticating Agent, Paying Agent and/or transfer agent as provided in this Ordinance;
- (b) to maintain a list of Certificate Holders as set forth in this Ordinance and to furnish such list to the City upon request, but otherwise to keep such list confidential to the extent permitted by law;
- (c) to cancel and/or destroy Certificates that have been paid at maturity or upon earlier redemption or submitted for exchange or transfer;
- (d) to furnish the City at least annually a certificate with respect to any Certificates canceled and/or destroyed; and
- (e) to furnish the City with respect to the Certificates at least annually an audit confirmation of principal of the Certificates paid, principal of the Certificates remaining outstanding and payments made with respect to interest on the Certificates.

The City Clerk is directed to file a certified copy of this Ordinance with the Certificate Registrar.

The City covenants with respect to the Certificate Registrar, and the Certificate Registrar further covenants and agrees, as follows:

- (1) The City shall at all times retain a Certificate Registrar with respect to the Certificates; it will maintain at the designated office(s) of such Certificate Registrar a place or places where the Certificates may be presented for payment, registration, transfer or exchange; and it will require that the Certificate Registrar properly maintain the

Certificate Register and perform the other duties and obligations imposed upon it by this Ordinance in a manner consistent with the standards, customs and practices of the municipal securities industry.

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

(3) The City may remove the Certificate Registrar at any time. If, at any time, the Certificate Registrar shall resign, shall be removed, shall become incapable of acting, or shall be adjudicated a bankrupt or insolvent, or if a receiver, liquidator, or conservator of the Certificate Registrar or of its property shall be appointed, or if any public officer shall take charge or control of the Certificate Registrar or of its property or affairs, the City covenants and agrees that it will thereupon appoint a successor Certificate Registrar. The City shall give notice by certified mail of any such appointment made by it to the Certificate Holder within twenty (20) days after such appointment. Any successor Certificate Registrar appointed under the provisions of this Section 19 shall be a bank, trust company, or national banking association maintaining a corporate trust office in the State of Illinois and having capital and surplus and undivided profits in excess of \$25,000,000.

Section 20. General Covenants. The City covenants with the Certificate Holder that, so long as any principal of the Certificates remains outstanding:

(a) it will punctually pay or cause to be paid from the Certificate Fund the principal of and interest to become due in respect to the Certificates in strict conformity with the terms of the Certificates and this Ordinance, and it will faithfully observe and perform all of the conditions, covenants and requirements of the Certificates and this Ordinance;

(b) it will pay and discharge, or cause to be paid and discharged, from the Certificate Fund any and all lawful claims that, if unpaid, might become a lien or charge upon the Certificate Fund or any funds in the hands of the Paying Agent, or that might impair the security of the Certificates, provided that nothing contained in this subsection shall require the City to make any such payment so long as the City in good faith contests the validity of such claims;

(c) it will keep, or cause to be kept, proper books of record and accounts, separate from all other records and accounts of the City, in which complete and correct entries shall be made of all transactions relating to the Project and to the Certificate

Fund, and which shall be subject at all times during business hours to inspection and copying by the Certificate Holder or its representative duly authorized in writing;

(d) it will preserve and protect the security of the Certificates and the rights of the Certificate Holder, and will warrant and defend the rights of the Certificate Holder against all claims and demands of all persons, so that from and after the sale and delivery of the Certificates by the City, the Certificates shall be incontestable by the City;

(e) it will adopt, make, execute and deliver any and all such further ordinances, resolutions, instruments and assurances as may be reasonably necessary or proper to carry out the intention of, or to facilitate the performance of this Ordinance, and for the better assuring and confirming unto the Certificate Holders the rights and benefits provided in this Ordinance; and

(f) once the Certificates are issued, the Installment Contract shall be and forever remain until paid or defeased the general obligation of the City.

Section 21. Certificates Are Not Private Activity Bonds. The Certificates are not “private activity bonds” as defined in Section 141(a) of the Code. In support of such conclusion, the City certifies, represents and covenants as follows:

(a) Except for “incidental uses,” not more than five percent of the proceeds of the Certificates will be used, directly or indirectly, in any activity carried on by a Nongovernmental Person that is not functionally related to the City’s use of such proceeds as part of the Project, or that is disproportionate to (greater than) the use of such Proceeds by the City as part of the Project. The term “**Nongovernmental Person**” means a person other than a state or local government unit.

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

(c) The Project will be available for use by the general public. No user of the Project other than the City will use it on any basis other than the same basis as the general public; and no person other than the City will be a user of the Project as a result of (i) ownership, (ii) actual or beneficial use pursuant to a lease or a management, service or incentive payment contract or output contract, or (iii) any other similar arrangement, whether written or oral, that confers special legal entitlements or special economic benefits.

Section 22. General Arbitrage Covenants. The City represents and certifies as follows with respect to the Certificates:

(a) The City has not been notified of any disqualification or proposed disqualification of it by the Commissioner of the Internal Revenue Service as a bond issuer that may certify bond issues under former Treasury Regulations Section 1.103-13(a)(2)(ii) (1979).

(b) Moneys on deposit in any fund or account in connection with the Certificates, whether or not such moneys were derived from the proceeds of the sale of the Certificates or from any other source, will not be used in a manner that will cause the Certificates

to be “arbitrage bonds” within the meaning of Section 148 of the Code and any lawful regulations promulgated thereunder, as the same presently exist or may from time to time be amended, supplemented or revised.

(c) Proceeds of the Certificates will not be used, directly or indirectly, to reimburse the City for expenditures made prior to the date of issuance and delivery of the Certificates, except architectural or engineering or similar costs incurred prior to commencement of the Project, or expenditures for which an intent to reimburse has been properly declared under Treasury Regulations Section 1.150-2. This Ordinance is in itself a declaration of official intent under Treasury Regulations Section 1.150-2 as to all costs of the Project paid not more than sixty (60) days prior to or on or after the date of this Ordinance and prior to issuance of the Certificates.

Section 23. Arbitrage Rebate. The City recognizes that the provisions of Section 148 of the Code require a rebate of “excess arbitrage profits” to the United States of America in certain circumstances. The City covenants to make such rebate payments in accordance with the Code, if required. Investment earnings on the proceeds of sale of the Certificates in the Project Fund are appropriated to the purpose of paying such rebate to the extent necessary.

Section 24. Registered Form. The City recognizes that Section 149 of the Code requires the Certificates to be issued and to remain in fully registered form in order for the interest on them to be and remain exempt from federal income taxes. In this connection, the City agrees that it will not take any action to permit the Certificates to be issued in, or converted into, bearer or coupon form.

Section 25. Additional Tax Covenants. The City covenants with the Certificate Holder that it (i) will take all actions which are necessary to be taken (and avoid any actions which it is necessary to avoid being taken) so that interest on the Certificates will not be or become included in gross income for federal income tax purposes under existing law including, without limitation, the Code; (ii) will take all actions reasonably within its power to take which are necessary to be taken (and avoid taking any actions which are reasonably within its power to avoid taking and which it is necessary to avoid) so that interest on the Certificates will not be or become included in gross income for federal income tax purposes under the federal income tax laws as in effect from time to time; and (iii) will take no action in the investment of the proceeds of the Certificates, the Project Fund, the Certificate Fund, or any other fund of the City that would result in making interest on the Certificates subject to federal income taxes by causing the Certificates to be “arbitrage bonds” within the meaning of Section 148 of the Code. In furtherance of the foregoing provisions, but without limiting their generality, the City agrees:

- (a) through its officers, to make such further specific covenants, certifications and representations as shall be truthful, and assurances as may be necessary or advisable;
- (b) to comply with all representations, covenants and assurances contained in certificates or agreements as may be prepared by counsel approving the Certificates;

- (c) to consult with such counsel and to comply with such advice as may be given;
- (d) to file such forms, statements and supporting documents as may be required and in a timely manner; and
- (e) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the City in such compliance.

Section 26. Opinion of Counsel Exception. The City reserves the right to use or invest proceeds of the Certificates or moneys on deposit in the funds and accounts created by this Ordinance in any manner, notwithstanding the covenants in this Ordinance, *provided*, it shall first have received an opinion from an attorney or a firm of attorneys of nationally recognized standing as municipal bond counsel to the effect that use or investment of such moneys as contemplated is lawful and will not result in loss of Tax-Exempt status of interest on the Certificates.

Section 27. Designation of the Certificates. The City represents that the reasonably anticipated amount of Tax-Exempt obligations (other than “private activity bonds”, as defined in Section 141 of the Code, that are not “qualified 501(c)(3) bonds” as defined in Section 145 of the Code) that will be issued by the City and all subordinate entities of the City during calendar year 2021 will not exceed \$10,000,000. The City intends that the Certificates qualify as “qualified tax-exempt obligations” under Section 265(b)(3)(B) of the Code and designates the Certificates for such purpose. The City and all subordinate entities of the City, if any, have not issued and designated any other obligations for such purposes during calendar year 2021, other than a vehicle lease with U.S. Bank for dump trucks and plow equipment in the amount of \$305,041.82. The Certificates are not “private activity bonds” as defined in Section 141(a) of the Code.

Section 28. Additional Authority. The Mayor, the City Clerk, the City Treasurer, and the other officers and employees of the City are authorized to execute and deliver on behalf of the City such other documents, agreements and certificates and to do such other things consistent with the terms of this Ordinance as such officers and employees shall deem necessary or appropriate in order to effectuate the intents and purposes of this Ordinance, including without limitation to make any representations and certifications they deem proper pertaining to the use of the proceeds of the Certificates and moneys in the Project Fund and the Certificate Fund in order to establish that the Certificates do not constitute “arbitrage bonds” as defined in Section 22(b) above.

Section 29. Conflicting Ordinances, Etc. All ordinances, resolutions and orders or parts of ordinances, resolutions and orders in conflict with this Ordinance are repealed to the extent of such conflict.

Section 30. Severability. If any Section, subsection, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such Section, subsection, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 31. Effective Date. This Ordinance shall be in full force and effect immediately after its adoption as provided by law, including particularly Section 10 of the Debt Reform Act.

PASSED by the City Council of the City of Loves Park, Winnebago and Boone Counties, Illinois, on August 9, 2021.

Voting Aye (list names):

Voting Nay (list names):

Absent (list names):

APPROVED AND SIGNED by the Mayor on August 9, 2021.

Mayor
City of Loves Park,
Winnebago and Boone Counties, Illinois

[SEAL]

ATTEST:

City Clerk
City of Loves Park,
Winnebago and Boone Counties, Illinois

EXHIBIT A

[Form of Installment Purchase Contract]

[Attach Form of Installment Purchase Contract]

EXHIBIT B

[Form of Certificate]

UNITED STATES OF AMERICA

STATE OF ILLINOIS

COUNTIES OF WINNEBAGO AND BOONE

CITY OF LOVES PARK

DEBT CERTIFICATES,
SERIES 2021

CERTIFICATE NO. R-[] PRINCIPAL AMOUNT: \$[] .00

DATE OF CERTIFICATE: August 17, 2021 INTEREST RATE: 1.59%

REGISTERED OWNER: [] MATURITY DATE: December 15, 20[]

The City of Loves Park, Winnebago and Boone Counties, Illinois (the “**City**”), for value received, promises to pay to the Registered Owner specified above or that person’s registered assigns, the Principal Amount of this Certificate specified above in the manner described below and to pay to the Registered Owner of this Certificate interest on that sum semi-annually in the manner described below at the Interest Rate per year specified above from the Date of Certificate specified above to the date of payment of this Certificate. Interest on this Certificate shall be payable on each payment date by check or draft of Northwest Bank of Rockford, Loves Park, Illinois (the “**Paying Agent**”), mailed to the person in whose name this Certificate is registered at the close of business on the first day of the month in which an installment of interest is due. Payment of principal due on the Maturity Date of this Certificate together with any accrued and unpaid interest shall be paid only upon presentation of this Certificate to the Paying Agent. The principal of and interest on this Certificate are payable in lawful money of the United States of America. No interest shall accrue on this Certificate after its Maturity Date unless this Certificate shall have been presented for payment at maturity and shall not then have been paid.

Interest on this Certificate shall be payable semi-annually on June 15 and December 15 beginning on December 15, 2021. Interest shall be computed on the basis of a 360-day year comprised of twelve 30-day months.

The issue of certificates (the “**Certificates**”) of which this Certificate is one is being issued in the aggregate principal amount of \$4,000,000 in order to pay a portion of the costs of undertaking a project consisting of acquiring, constructing, installing and equipping improvements to the municipal water system including but not limited to boring a municipal well and improvements to an existing water storage tank and, incidental to those project costs, to pay bond

discount, interest, bond reserve requirements (if any) and legal, other financing and related administrative fees and costs (collectively, the “**Project**”), as described in the ordinance of the City adopted on August 9, 2021 (the “**Ordinance**”), authorizing the issuance of the Certificates. This Certificate was issued in accordance with the Illinois Constitution, the Local Government Debt Reform Act of the State of Illinois, 30 ILCS 350/1 *et seq.*, as amended (the “**Debt Reform Act**”), and the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, as amended, and pursuant to the Ordinance. This Certificate has been issued by the City upon full payment for it as provided in the Ordinance. This Certificate evidences the obligations of the City to make payments under an Installment Purchase Contract, dated as of August 17, 2021 (the “**Installment Contract**”), between the City and a nominee seller of the Project to the City as authorized by Section 17(b) of the Debt Reform Act. The obligation of the City to make payments under the Installment Contract constitutes a general obligation of the City payable from the general corporate funds of the City and any other funds legally available for the purpose. In the Ordinance, the City has covenanted to include such amounts in its budget and appropriations for each fiscal year as are necessary to make payments under the Installment Contract and this Certificate when due. *There is no statutory authority for (i) the levy of a separate ad valorem tax in addition to other ad valorem taxes of the City or (ii) the levy of a special ad valorem tax unlimited as to rate or amount to pay any amounts due under the Installment Contract and this Certificate.*

The issuance of this Certificate does not cause the indebtedness of the City to exceed any limitation under the laws of the State of Illinois.

The Certificates maturing on or before December 15, 2029 are not subject to redemption prior to their maturity. The Certificates maturing on and after December 15, 2030, are subject to redemption at the option of the City from any available funds, in whole or in part, on any date on or after December 15, 2029, at a price equal to their principal amount plus in each case accrued interest to the date of redemption, without redemption premium. To redeem Certificates subject to optional redemption, the City shall provide the registered owner of each Certificate to be redeemed and the Certificate Registrar (defined below) with ten days advance written notice by first class mail, postage prepaid, of the City’s exercise of its option to redeem. The notice shall identify the issue of Certificates to be redeemed and shall specify the amount of those Certificates to be redeemed, the amount of each maturity to be redeemed (taking into account and subject to the denominations specified in the Ordinance), and the redemption date.

This Certificate is negotiable, subject to the following provisions for registration of transfer. The City maintains books for the registration of transfer of this Certificate at the principal office of Northwest Bank of Rockford, Loves Park, Illinois, the Certificate Registrar and Authenticating Agent appointed in the Ordinance (the “**Certificate Registrar**” and “**Authenticating Agent**”). This Certificate is registered on those books and transfer of this Certificate may be registered on those books only upon surrender of this Certificate to the Certificate Registrar by the registered owner or his or her attorney duly authorized in writing together with a written instrument of transfer satisfactory to the Certificate Registrar duly executed by the registered owner or his or her duly authorized attorney. Upon surrender of this Certificate for registration of transfer, a new Certificate in the same aggregate outstanding principal amount will be issued to the transferee as provided in the Ordinance.

For every registration of transfer of this Certificate, the City or the Certificate Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge, other than one imposed by the City, required to be paid with respect to that exchange or transfer, and payment of that charge by the person requesting exchange or registration of transfer shall be a condition precedent to that exchange or registration of transfer. No other charge may be made by the City or the Certificate Registrar as a condition precedent to exchange or registration of transfer of this Certificate.

The Certificate Registrar shall not be required to exchange or register the transfer of this Certificate during the period from the close of business on the fifteenth (15th) day preceding a payment date on this Certificate to the opening of business on such payment date.

The City, the Paying Agent and the Certificate Registrar may treat the registered owner of this Certificate as its absolute owner, whether or not this Certificate is overdue, for the purpose of receiving payment of the principal of or interest on this Certificate and for all other purposes, and neither the City, the Certificate Registrar nor the Paying Agent shall be affected by any notice to the contrary. Payment of the principal of and interest on this Certificate shall be made only to its registered owner, and all such payments shall be valid and effective to satisfy the obligation of the City on this Certificate to the extent of the amount paid.

All conditions that by law must have existed or must have been fulfilled in the issuance of the Certificates existed and were fulfilled in compliance with law. The issuance of the Certificates by the City will not cause the City to exceed or violate any applicable limitation or condition respecting the issuance of debt obligations imposed by the laws of Illinois or by any ordinance or resolution of the City. The Certificates are issued for purposes for which the City is authorized by law to issue its debt obligations.

This Certificate shall not be valid for any purpose unless and until the certificate of authentication on this Certificate shall have been duly executed by the Authenticating Agent.

IN WITNESS WHEREOF, the City of Loves Park, Winnebago and Boone Counties, Illinois, by its City Council, has caused this Certificate to be executed by the manual or facsimile signature of its Mayor and the manual or facsimile signature of its City Clerk and has caused its corporate seal to be affixed to or impressed on this Certificate (or a facsimile of its seal to be printed on this Certificate), all as of the Date of Certificate specified above.

**CITY OF LOVES PARK,
WINNEBAGO AND BOONE COUNTIES, ILLINOIS**

By: _____
Mayor

[SEAL]

ATTEST:

City Clerk

[FORM OF CERTIFICATE OF AUTHENTICATION]

This Certificate is one of the debt certificates described in the Ordinance authorizing the issuance of the \$4,000,000 Debt Certificates, Series 2021, of the City of Loves Park, Winnebago and Boone Counties, Illinois.

NORTHWEST BANK OF ROCKFORD,
as Authenticating Agent

By: _____
Authorized Officer

[FORM OF ASSIGNMENT]

The following abbreviations, when used in the inscription on this Certificate, shall be construed as though they were written out in full according to applicable laws or regulations:

UNIF GIFT MIN ACT - _____ Custodian _____
(Cust)

(Minor)

under Uniform Gifts to Minors Act _____
(State)

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with right of survivorship and not as
tenants in common

Additional abbreviations may also be used though not in the above list.

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

(Name and Address of Assignee)

the within Certificate and does irrevocably constitute and appoint _____
attorney to transfer the said Certificate 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 Certificate in every particular, without alteration or enlargement or any change whatever.

NOTICE: The signature(s) should be guaranteed by an eligible guarantor institution (banks, stockbrokers, savings and loan associations and credit unions with membership in approved Signature Guarantee Medallion Program).

STATE OF ILLINOIS)
) SS
COUNTY OF WINNEBAGO)

CERTIFICATION OF ORDINANCE

I, the undersigned, certify that I am the duly qualified and acting City Clerk of the City of Loves Park, Winnebago and Boone Counties, Illinois (the “**City**”), and that as such official I am the keeper of the records and files of the City and of the City Council (the “**Corporate Authorities**”).

I further certify that the foregoing is a full, true and complete copy of Ordinance No. [____]-21 of the City (the “**Ordinance**”) entitled:

ORDINANCE OF THE CITY OF LOVES PARK, WINNEBAGO AND BOONE COUNTIES, ILLINOIS, AUTHORIZING AND PROVIDING FOR (A) THE EXECUTION AND DELIVERY OF AN INSTALLMENT PURCHASE CONTRACT FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS OF A PROJECT CONSISTING OF ACQUIRING, CONSTRUCTING, INSTALLING AND EQUIPPING IMPROVEMENTS TO THE MUNICIPAL WATER SYSTEM AND, INCIDENTAL TO THOSE PROJECT COSTS, TO PAY BOND DISCOUNT, INTEREST, BOND RESERVE REQUIREMENTS (IF ANY) AND LEGAL, OTHER FINANCING AND RELATED ADMINISTRATIVE FEES AND COSTS, AND (B) THE ISSUANCE, SALE AND DELIVERY OF \$4,000,000 DEBT CERTIFICATES, SERIES 2021, OF THE CITY EVIDENCING THE RIGHTS TO PAYMENT UNDER THE INSTALLMENT PURCHASE CONTRACT; APPROVING THE FORM AND TERMS OF THE INSTALLMENT PURCHASE CONTRACT; PRESCRIBING THE FORM AND TERMS OF THE DEBT CERTIFICATES; PROVIDING FOR THE SECURITY FOR AND SOURCES OF PAYMENT OF THE INSTALLMENT PURCHASE CONTRACT AND THE DEBT CERTIFICATES; AND CONCERNING RELATED MATTERS.

which was duly adopted by the Corporate Authorities at the regular meeting of the Corporate Authorities held on August 9, 2021 at which a quorum was present and acting throughout. The Ordinance has not been amended or repealed and remains in full force and effect.

I further certify that (a) the deliberations of the Corporate Authorities on the adoption of the Ordinance were conducted openly, (b) the vote on the adoption of the Ordinance was taken openly, (c) the meeting was held at a specified time and place convenient to the public, (d) notice of the meeting was duly given to all of the news media requesting such notice, (e) the meeting was called and held in strict compliance with the provisions of the Illinois Open Meetings Act, as amended (the “**Act**”), the Illinois Municipal Code, as amended (the “**Illinois Municipal Code**”) and the Code of Ordinances, City of Loves Park, Illinois (the “**City Code**”), (f) the agenda of the meeting was posted in a public place at the City Hall and at the place of the meeting at least forty-eight (48) hours prior to the convening of the meeting, and (g) in the adoption of the Ordinance the Corporate Authorities have complied with all of the provisions of the Act, the

Illinois Municipal Code and the City Code and with all of the procedural rules of the Corporate Authorities.

IN WITNESS WHEREOF, I hereunto affix my official signature and the official seal of the City as of this ____ day of _____, 2021.

City Clerk,
City of Loves Park,
Winnebago and Boone Counties, Illinois

[SEAL]

CH2:25100662.4