

CITY OF LINCOLN
REGULAR COMMITTEE OF THE WHOLE MEETING
AGENDA
JANUARY 9, 2018
CITY HALL COUNCIL CHAMBERS
7:00 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Public Participation**
5. **An Ordinance authorizing and providing for the issuance of not to exceed \$3,300,000.00 aggregate principal amount General Obligation Bonds (Alternate Revenue Source), Series 2018 of the City of Lincoln, Logan County, Illinois, and for the levy of a direct annual tax sufficient to pay the principal of and interest on said bonds**
6. **Crawford, Murphy & Tilly – Presentation of Sewer Rates for Long Term Control Plan Projects**
7. **Crawford, Murphy & Tilly – Update of 5th Street Land Acquisition**
8. **Farnsworth – Update Progress of Paver Program**
9. **Motor Fuel Tax (MFT) Invoice #194193 from Farnsworth Group**
10. **Fast Track Demolition of 1311 Broadway Street**
11. **An Ordinance Adopting A Policy Prohibiting Sexual Harassment For The City Of Lincoln, Illinois**
12. **Announcements**
13. **Possible Executive Session**
14. **Adjournment**
15. **Upcoming Meetings:**
 - City Council:** Tuesday, January 16, 2018 at 7:00pm
 - Committee of the Whole:** Tuesday, January 23, 2018 at 7:00pm

ORDINANCE NO. _____

AN ORDINANCE authorizing and providing for the issuance of not to exceed \$3,300,000 aggregate principal amount General Obligation Bonds (Alternate Revenue Source), Series 2018 of the City of Lincoln, Logan County, Illinois, and for the levy of a direct annual tax sufficient to pay the principal of and interest on said bonds.

WHEREAS, the City of Lincoln, Logan County, Illinois (the “City”), is a non-home rule municipal corporation and body politic of the State of Illinois, duly created, organized and existing under the Illinois Municipal Code, as amended from time to time (the “Municipal Code”), and having the powers, objects and purposes provided by said Municipal Code; and

WHEREAS, the Mayor of the City (the “Mayor”) and the City Council of the City (the “Corporate Authorities”) have heretofore determined and do hereby determine that it is advisable, necessary and in the best interests of the residents of the City to pay for costs of (i) certain capital expenditures related to the City’s police station (collectively, the “Project”) and (ii) pay certain costs of issuance of the Bonds (as such term is hereinafter defined), all for the benefit of the inhabitants of the City; and

WHEREAS, the estimated cost of the Project, including engineering, legal, financial, bond discount, printing and publication costs, capitalized interest, and other expenses (collectively, the “Project Costs”), is not more than \$3,300,000, and there are insufficient funds on hand and lawfully available to pay such costs; and

WHEREAS, for the purpose of providing funds to pay the Project Costs and in accordance with the provisions of the Local Government Debt Reform Act of the State of Illinois, as supplemented and amended (the “Act”), the Corporate Authorities on the 4th day of December, 2017, adopted an ordinance (the “Authorizing Ordinance”) authorizing the issuance

of alternate bonds, being general obligation bonds payable from any revenue source as provided by the Act, in an amount not to exceed \$3,300,000; and

WHEREAS, the Project constitutes a lawful corporate purpose within the meaning of the Act; and

WHEREAS, on the 8th day of December, 2017, the Authorizing Ordinance, together with a notice in the statutory form, was published in the *Lincoln Progress*, being a newspaper of general circulation in the City, and an affidavit evidencing the publication of the Authorizing Ordinance and said notice have heretofore been presented to the Corporate Authorities and made a part of the permanent records of the Corporate Authorities; and

WHEREAS, more than thirty (30) days have expired since the date of publication of the Authorizing Ordinance and said notice, and no petition with the requisite number of valid signatures thereon has been filed with the City Clerk of the City (the "City Clerk") requesting that the question of the issuance of the alternate bonds be submitted to referendum; and

WHEREAS, on the 18th day of December, 2017, the Corporate Authorities held a public hearing pursuant to the Bond Issuance Notification Act following notice published in the *Lincoln Progress*, on the 8th day of December, 2017; and

WHEREAS, the Corporate Authorities are now authorized to issue alternate revenue bonds in an amount not to exceed \$3,300,000 in accordance with the provisions of the Act, and the Corporate Authorities hereby determine that it is necessary and desirable that the bonds so authorized be issued at this time; and

WHEREAS, the alternate bonds to be issued will be payable from the Pledged Revenues and the Pledged Taxes, both as hereinafter defined; and

WHEREAS, the Corporate Authorities hereby determine that the Pledged Revenues will provide in each year an amount not less than 1.25 times debt service of the alternate bonds proposed to be issued; and

WHEREAS, such determination is supported by the most recent audit of the City (the "Audit), which Audit has been presented previously to the Corporate Authorities and is on file currently with the City Clerk:

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE CITY OF LINCOLN, LOGAN COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Incorporation of Preamble. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are full, true and correct and do hereby incorporate such recitals into this Ordinance by this reference. The Audit is hereby accepted and approved by the Corporate Authorities.

Section 2. Findings; Issuance of Bonds. (a) The Corporate Authorities hereby find and determine that the Corporate Authorities of the City have been authorized by the provisions of the Act, that is necessary and in the best interest of the City and necessary for the welfare of the government and affairs of the City, and that it is a proper public purpose and is in the public interest to issue alternate revenue bonds of the City in an amount not to exceed \$3,300,000 for the purpose of funding the costs of the Project and the costs of the City in connection with the issuance of such bonds.

Section 3. Bond Details. There shall be borrowed on the credit of and for and on behalf of the City, an aggregate principal amount not to exceed \$3,300,000 for the purpose aforesaid and that the City shall issue in the name of the City its "General Obligation Bonds (Alternate Revenue Source), Series 2018" (the "Bonds").

The Bonds shall be issued in one or more series in the form of a separate single authenticated fully registered bond for the aggregate principal amount of each separate maturity of each series of the Bonds. The Bonds shall bear the date of authentication; shall be in denominations of Five Thousand Dollars (\$5,000) each or integral multiples thereof, numbered consecutively from 1 upward and dated as set forth in the hereinafter described Bond Order; and interest on the Bonds shall be payable semiannually on each June 1 and December 1 of each year or such other date as provided in the Bond Order, beginning not earlier than December 1, 2018 (such interest computed upon the basis of a 360-day year of twelve 30-day months). The Bonds shall become due and payable (subject to prior redemption as set forth in the Bond Order) on December 1 over a period ending not later than December 1, 2038 and in an amount not exceeding \$400,000 per year, all as further detailed in the Bond Order executed by the Mayor (the "Bond Order"); provided, however, that no Bond shall bear interest at a rate per annum in excess of five percent (5.00%). The Mayor is hereby given full authority to execute and deliver a Bond Order for and on behalf of the City as herein provided. The Bond Order shall be made a part of the transcript of the proceedings related to the issuance of the Bonds.

Interest on the Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date of the Bonds unless the Bonds are authenticated after the fifteenth (15th) day next preceding an interest payment date and on or before such interest payment date in which case they shall bear interest from such interest payment date, or unless the Bonds are authenticated on or before the fifteenth (15th) day next preceding the first interest payment date, in which case they shall bear interest from the original date of the issuance of the Bonds, until the principal shall be fully paid. All payments of interest on the Bonds shall be paid by check, mailed one business day prior to the interest payment date

to the registered owners thereof as the names appear as of the fifteenth (15th) day next preceding the interest payment date and at the addresses as they appear on the registration books kept by the Registrar (as hereinafter defined) or at such other address as is provided to the Paying Agent (as hereinafter defined) in writing by such registered owner.

The principal of the Bonds shall be payable at the principal corporate trust office of the Paying Agent. All payments on the Bonds shall be made in any coin or currency of the United States of America that on the date of such payment shall be legal tender for the payment of public and private debts. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time).

Section 4. Registrar and Paying Agent.

(a) *General.* State Bank of Lincoln, Lincoln, Illinois or such other entity as may be provided in the Bond Order (the “Registrar” or “Paying Agent”) is hereby appointed to serve as registrar and paying agent for the Bonds. The Registrar is hereby charged with the responsibility of authenticating the Bonds. The Mayor, the Treasurer of the City (the “Treasurer”), the City Clerk, and the City Administrator of the City (the “City Administrator,” and, collectively, the “Designated Representatives”) are hereby authorized to enter into such agreements or understandings with the Registrar as will enable the institution to perform the services required of a registrar and paying agent. The Mayor and Treasurer are further authorized to pay such fees

as the Registrar may charge for the services it provides as Registrar and Paying Agent, and such fees may be paid from the fund established to pay the principal of and interest on the Bonds.

Each Bond shall be transferable or exchangeable only upon the books of the City kept for that purpose at the principal corporate trust office of the Registrar by the registered owner in person, or by its attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The Registrar shall not be required to transfer or exchange any Bond during the period beginning at the close of business on the fifteenth (15th) day next preceding an interest payment date on such Bond and ending on such interest payment date, or after notice calling such Bond for redemption has been mailed, or during the fifteen (15) day period next preceding mailing of notice of redemption of any Bonds. The costs of such transfer or exchange shall be borne by the City except for any tax or governmental charge required to be paid with respect to the transfer or exchange, which taxes or governmental charges are payable by the person requesting such transfer or exchange. The City, Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes, including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

The Registrar and Paying Agent may at any time resign as registrar and paying agent upon giving 30 days' notice in writing to the City and by first class mail to each registered owner of the Bonds then outstanding, and such resignation will take effect at the end of such 30-day

period or upon the earlier appointment of a successor registrar and paying agent by the City. Any such notice to the City may be served personally or sent by registered mail. The Registrar and Paying Agent may be removed at any time as registrar and paying agent by the City, in which event the City may appoint a successor registrar and paying agent for the Bonds. The City shall notify each registered owner of the Bonds then outstanding by first class mail of the removal of the registrar and paying agent. Notices to the registered owners of the Bonds shall be deemed to be given when mailed by first class mail to the addresses of such registered owners as they appear on the registration books kept by the Registrar.

Upon the appointment of any successor registrar and paying agent by the City, the Designated Representatives are authorized and directed to enter into such agreements and understandings with such successor registrar and paying agent as will enable the institution to perform the services required of a registrar and paying agent for the Bonds. The Mayor and Treasurer are further authorized to pay such fees as the successor registrar and paying agent may charge for the services it provides as registrar and paying agent and such fees may be paid from the fund established to pay the principal and interest on the Bonds as fiscal agency charges.

Any predecessor registrar and paying agent shall deliver all of the Bonds and any cash or investments in its possession with respect thereto, together with the registration books, to the successor registrar and paying agent.

(b) *Book Entry System.* The City has determined that it is beneficial to the City to have the Bonds held by a central depository system pursuant to an agreement between the City and The Depository Trust Company, New York, New York ("Depository Trust Company") and have transfers of the Bonds effected by book-entry on the books of the central depository system ("Book Entry System"). The Bonds shall be initially issued in the form of a separate single

authenticated fully registered Bond for the aggregate principal amount of each separate maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company.

With respect to the Bonds registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, the City and the Paying Agent shall have no responsibility or obligation to any other holders or owners (including any beneficial owner (“Beneficial Owner”)) of the Bonds with respect to (i) the accuracy of the records of the Depository Trust Company, CEDE & CO., or any Beneficial Owner with respect to ownership questions, (ii) the delivery to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any amount with respect to the principal of, or premium, if any, or interest on the Bonds except as otherwise provided herein.

So long as the Bonds are registered in the name of CEDE & CO., as nominee of the Depository Trust Company, no person other than the Depository Trust Company shall receive an authenticated Bond evidencing an obligation of the City to make payments of the principal of and premium, if any, and interest on the Bonds pursuant to this Ordinance. The City and the Registrar and Paying Agent may treat as and deem the Depository Trust Company or CEDE & CO. to be the absolute bondholder of each of the Bonds for the purpose of (i) payment of the principal of and premium, if any, and interest on such Bonds; (ii) giving notices of redemption and other notices permitted to be given to bondholders with respect to such Bonds;

(iii) registering transfers with respect to such Bonds; (iv) obtaining any consent or other action required or permitted to be taken of or by bondholders; (v) voting; and (vi) for all other purposes whatsoever. The Paying Agent shall pay all principal of and premium, if any, and interest on the Bonds only to or upon the order of the Depository Trust Company, and all such payments shall be valid and effective fully to satisfy and discharge the City's and the Paying Agent's obligations with respect to principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. Upon delivery by the Depository Trust Company to the City of written notice to the effect that the Depository Trust Company has determined to substitute a new nominee in place of CEDE & CO., and subject to the provisions herein with respect to consents, the words "CEDE & CO." in this Ordinance shall refer to such new nominee of the Depository Trust Company. Notwithstanding any other provision hereof to the contrary, so long as any Bond is registered in the name of CEDE & CO., as nominee of the Depository Trust Company, all payments with respect to the principal of and premium, if any, and interest on such Bonds and all notices with respect to such Bonds shall be made and given, respectively, to the Depository Trust Company as provided in a representation letter from the City to the Depository Trust Company (the "Blanket Issuer Letter of Representations").

Upon receipt by the City of written notice from the Depository Trust Company to the effect that the Depository Trust Company is unable or unwilling to discharge its responsibilities and no substitute depository willing to undertake the functions of the Depository Trust Company hereunder can be found which is willing and able to undertake such functions upon reasonable and customary terms, then the Bonds shall no longer be restricted to being registered in the register of the City kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, but may be registered in whatever name or names the bondholders

transferring or exchanging the Bonds shall designate, in accordance with the provisions of this Ordinance.

If the City determines that it is in the best interest of the bondholders that they be able to obtain certificates for the fully registered Bonds, the City may notify the Depository Trust Company and the Registrar, whereupon the Depository Trust Company will notify the Beneficial Owners of the availability through the Depository Trust Company of certificates for the Bonds. In such event, the Registrar shall prepare, authenticate, transfer and exchange certificates for the Bonds as requested by the Depository Trust Company and any Beneficial Owners in appropriate amounts, and whenever the Depository Trust Company requests the City and the Registrar to do so, the Registrar and the City will cooperate with the Depository Trust Company by taking appropriate action after reasonable notice to (i) make available one or more separate certificates evidencing the fully registered Bonds of any Beneficial Owner's Depository Trust Company account or (ii) arrange for another securities depository to maintain custody of certificates for and evidencing the Bonds.

If the Bonds shall no longer be restricted to being registered in the name of the Depository Trust Company, the Registrar shall cause said Bonds to be printed in blank in such number as the Registrar shall determine to be necessary or customary; provided, however, that the Registrar shall not be required to have such Bonds printed until it shall have received from the City indemnification for all costs and expenses associated with such printing.

Section 5. Redemption.

(a) *Optional Redemption.* If so provided in the Bond Order, the Bonds may be subject to redemption prior to maturity at the option of the City, from any available funds, in whole or in part, in integral multiples of \$5,000, in any order of their maturity as determined by

the City (less than all of the Bonds of a single maturity to be selected by the Registrar and within any maturity by lot), on the date of redemption provided in the Bond Order, and on any date thereafter, at the redemption price of par plus accrued interest to the redemption date.

(b) *Mandatory Redemption.* The Bonds may be subject to mandatory redemption as set forth in the Bond Order.

(c) *General.* For any such redemptions, the Bonds shall be redeemed only in the principal amount of \$5,000 and integral multiples thereof. The City shall, at least thirty (30) days prior to the redemption date (unless a shorter time period shall be satisfactory to the Registrar) notify the Registrar of such redemption date and of the principal amount and maturity or maturities of Bonds to be redeemed. For purposes of any redemption of less than all of the outstanding Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed shall be selected by lot not more than sixty (60) days prior to the redemption date by the Registrar, by such method of lottery as the Registrar shall deem fair and appropriate; provided that such lottery shall provide for the selection for redemption of Bonds or portions of Bonds in principal amounts of \$5,000 and integral multiples thereof.

The Registrar shall promptly notify the City in writing of the Bonds or portions of Bonds selected for redemption and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed.

Section 6. Redemption Procedure. For any such redemptions, unless waived by the registered owner of Bonds to be redeemed, official notice of the call for any such redemption shall be given by the Registrar on behalf of the City by mailing the redemption notice by first class mail at least thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be redeemed at the address as it

appears on the registration books kept by the Registrar or at such other address as is furnished in writing by such registered owner to the Registrar.

All official notices of redemption shall state:

- (i) the redemption date,
- (ii) the redemption price,
- (iii) the identification by CUSIP numbers, if applicable, and maturity dates (and, in the case of partial redemption of Bonds within a maturity, the respective principal amounts) of the Bonds to be redeemed,
- (iv) a statement that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date,
- (v) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal corporate trust office of the Registrar, and
- (vi) such other information then required by custom, practice or industry standard.

Prior to any redemption date, the City shall deposit with the Registrar an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on such redemption date.

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

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Neither the failure to mail such redemption notice, nor any defect in any notice so mailed to any particular registered owner of a Bond, shall affect the sufficiency of such notice with respect to other registered owners. Notice having been properly given, failure of a registered owner of a Bond to receive such notice shall not be deemed to invalidate, limit or delay the effect of the notice or redemption action described in the notice. Such notice may be waived in writing by a registered owner of a Bond entitled to receive such notice either before or after the event, and such waiver shall be the equivalent of such notice. Waivers of notice by registered owners shall be filed with the Registrar, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds or portions being redeemed shall be paid by the Registrar at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for the payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of the same maturity in the amount of the unpaid principal, of like tenor, of authorized denominations, and bearing the same rate of interest.

If any Bond or portion of a Bond called for redemption shall not be so paid upon surrender thereof for redemption, the principal and premium, if any, shall, until paid or duly provided for, bear interest from the redemption date at the rate borne by the Bond or portion of a

Bond so called for redemption. All Bonds which have been redeemed shall be canceled and destroyed by the Registrar and shall not be reissued.

In addition to the foregoing notice, further notice shall be given by the Registrar on behalf and at the expense of the City as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as above prescribed.

Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (a) the CUSIP numbers of all Bonds being redeemed; (b) the date of issue of the Bonds as originally issued; (c) the rate of interest borne by each Bond being redeemed; (d) the maturity date of each Bond being redeemed; and (e) any other descriptive information needed to identify accurately the Bonds being redeemed.

Upon the payment of the redemption price of Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

Section 7. Execution and Negotiability. Each of the Bonds shall be executed in the name of the City by the manual or facsimile signature of the Mayor, and the seal of the City shall be affixed, imprinted, engraved or otherwise reproduced thereon and attested by the manual or facsimile signature of the City Clerk. In case any officer whose signature or facsimile signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, the signature of such officer shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

The Bonds shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Illinois, subject to the provisions for registration herein.

The Bonds shall also be authenticated by the manual signature of the Registrar and no Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed.

Section 8. Form of Bonds. The form and tenor of the Bond shall be substantially as follows, all blanks to be filled in properly prior to delivery:

REGISTERED
NO R-__

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF ILLINOIS
COUNTY OF LOGAN

CITY OF LINCOLN
GENERAL OBLIGATION BOND
(ALTERNATE REVENUE SOURCE), SERIES 2018

<u>Interest</u> <u>Rate</u>	<u>Maturity</u> <u>Date</u>	<u>Original</u> <u>Date</u>	<u>Authentication</u> <u>Date</u>	<u>CUSIP</u>
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REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM:

The City of Lincoln, in Logan County, Illinois (the "City"), for value received, hereby promises to pay to the Registered Owner named above or registered assigns, the Principal Sum set forth above on the Maturity Date set forth above (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest hereon (computed on the basis of a 360-day year of twelve 30-day months) at the Interest Rate per annum stated above from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the fifteenth (15th) day next preceding an interest payment date and on or before such interest payment date in which case it shall bear interest from such interest payment date or unless this bond is authenticated on or before the fifteenth (15th) day next preceding the first interest payment date, in which case it shall bear interest from the Original Date, until the principal is paid, which interest is payable semiannually on June 1 and December 1 in each year, beginning on _____, 2018.

This bond is one of an authorized issue of "General Obligation Bonds (Alternate Revenue Source), Series 2018 (the "Bonds") of the City of Lincoln, Logan County, Illinois ("City") of like date, tenor and effect, except as to rates of interest and dates of maturity; aggregating _____ Dollars (\$_____); numbered consecutively from R-1 up; issued for the purpose of paying the costs of the Project (as defined in the hereinafter defined Ordinance) and the costs of issuing the bonds. This bond is issued pursuant to a Bond Ordinance adopted by the City Council of said City ("Corporate Authorities") on the 16th day of January, 2018 and a Bond Order executed on the _____ day of _____, 2018 (the "Bond Order") by the Mayor of said City pursuant thereto (collectively, the "Ordinance") and in accordance with the Local Government Debt Reform Act of the State of Illinois, as supplemented and amended (the "Act"), the proceeds of which bonds are to be applied solely to pay the costs of the Project and the payment of costs of issuance.

[Bonds maturing on and after December 1, 20___, shall be subject to redemption prior to maturity at the option of the City, from any available funds, in whole or in part, in integral multiples of \$5,000, in any order of their maturity as determined by the City (less than all of the Bonds of a single maturity to be selected by the Registrar (as hereinafter defined) and within any maturity by lot), on _____, and on any date thereafter, at the redemption price of par plus accrued interest to the redemption date.]

[Bonds due on December 1, 20___ and December 1, 20___, are subject to mandatory redemption, in integral multiples of \$5,000 selected by lot by the Registrar, at a redemption price of par plus accrued interest to the redemption date, as set forth in the Bond Order.]

This bond is transferable or exchangeable only upon the books of the City kept for that purpose at the principal corporate trust office of the Registrar by the registered owner hereof in person, or by its attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or to the registered owner, as the case may be, in exchange therefor. The Registrar shall not be required to transfer or exchange this bond during the period beginning at the close of business on the fifteenth (15th) day next preceding an interest payment date on this bond and ending on such interest payment date. The City, the Registrar, the Paying Agent (as hereinafter defined) and any other registrar or paying agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes, including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

This bond is subject to defeasance prior to payment as provided in the Ordinance referred to herein. THE OWNER OF THIS BOND, BY THE ACCEPTANCE HEREOF, HEREBY AGREES TO ALL THE TERMS AND PROVISIONS CONTAINED IN THE ORDINANCE.

The City has designated the Bonds as qualified tax-exempt obligations to qualify the bonds for the \$10,000,000 exception from the provisions of Section 265(b) of the Internal Revenue Code of 1986 relating to the disallowance of 100% of the deduction for interest expense allocable to tax-exempt obligations.

Bonds maturing in any one year are issuable only in fully registered form in the denomination of \$5,000 or any integral multiple thereof.

The principal of this bond is payable at the principal corporate trust office of State Bank of Lincoln, Lincoln, Illinois (the "Registrar" or "Paying Agent"). All payments of interest on this bond shall be paid by check, mailed one (1) business day prior to the interest payment date to the registered owner hereof as of the fifteenth (15th) day next preceding such interest payment date at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the registered owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding

business day. The Paying Agent shall wire transfer payments so such payments are received at the depository by 2:30 p.m. (New York City time). All payments on the bond shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

The Bonds shall be initially issued in a Book Entry System (as defined in the Ordinance). The provisions of this bond and of the Ordinance are subject in all respects to the provisions of the Blanket Issuer Letter of Representations (as defined in the Ordinance) between the City and The Depository Trust Company, or any substitute agreement, affecting such Book Entry System.

This bond is a general obligation of the City payable from the City's collection of utility taxes (including any replacement or successor taxes of similar effect) imposed, collected and distributed pursuant to applicable law and ad valorem taxes levied against all taxable property in the City, without limitation as to rate or amount, all in accordance with the provisions of the Local Government Debt Reform Act of the State of Illinois, as supplemented and amended. The full faith, credit and resources of the City are pledged to the punctual payment of the principal of and interest on this bond. This bond is negotiable, subject to registration provisions, pursuant to the laws of the State of Illinois.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law; that the indebtedness of the City, including the issue of the Bond of which this is one, does not exceed any limitation imposed by law; and that provision has been made for the collection of a direct annual tax sufficient to pay the interest hereon as it falls due and also to pay and discharge the principal hereof at maturity.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the City of Lincoln, Logan County, Illinois, has caused this bond to be executed by the manual or duly authorized facsimile signature of the Mayor of the City, the seal of said City (or a facsimile thereof) to be affixed, imprinted, engraved or otherwise reproduced hereon and attested by the manual or duly authorized facsimile signature of the City Clerk, all as of the Original Date identified above.

CITY OF LINCOLN,
LOGAN COUNTY, ILLINOIS

By: _____
Mayor

(SEAL)

Attest:

By: _____
City Clerk

REGISTRAR’S CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds described in the within-mentioned Ordinance.

STATE BANK OF LINCOLN

By: _____
Authorized Representative

[End of Form of Bond]

Section 9. Authorization for Preparation and Sale of the Bonds; Purchase Contract.

(a) The Treasurer is hereby authorized and directed to have the Bonds prepared, and the Mayor and the City Clerk are hereby authorized and directed to execute and attest the Bonds in the form and manner provided herein. The Treasurer is hereby authorized and directed to deliver the Bonds to Bernardi Securities, Inc., as underwriter for the Bonds (the “Purchaser”) thereof, upon receipt of the purchase price of not less than 97% of the par amount of the Bonds plus accrued interest to date of delivery, as further detailed in the Bond Order. The Mayor and the City Clerk are authorized and directed to execute a bond purchase agreement (the “Purchase Contract”) in connection with the sale of the Bonds, in the name of and on behalf of the City,

provided that the Bonds shall be sold at such price and bear interest at such rates that neither the true interest cost (yield) nor the net interest rate received upon such sale shall exceed the maximum rate otherwise authorized by Illinois. The Purchase Contract shall be substantially in the form of purchase contracts commonly used in transactions similar to that described in this Ordinance, with such changes as necessary to reflect the terms and provisions of the Bonds, this Ordinance and such other changes as the Mayor or Treasurer shall determine are necessary or desirable in connection with the sale of the Bonds. No person holding any office of the City, either by election or appointment, is in any manner financially interested directly in his own name or indirectly in the name of any other person, association, trust or corporation, in the Purchase Contract. Before being issued, the Bonds shall be registered and numbered, such registration being made in a book provided for that purpose, in which shall be entered a description of the Bonds issued, including the number, date, to whom issued, amount, rate of interest and when due. The Bonds shall be executed as in this Ordinance provided as soon after the execution of the Purchase Contract as may be done, and thereupon the Bonds shall be deposited with the Treasurer, and be by said Treasurer delivered to the Purchaser upon receipt of the purchase price therefor.

(b) The Bonds when fully paid for and delivered to the Purchaser, shall be the binding general obligations of the City. The proper officers of the City are hereby directed to sell the Bonds to the Purchaser and to do whatever acts and things which may be necessary to carry out the provisions of this Ordinance.

Section 10. Official Statement. The use by the Purchaser of the Preliminary Official Statement and any final Official Statement relating to the Bonds, on behalf of the City, is hereby ratified, approved and authorized, and the Mayor and the Treasurer are authorized and directed

to execute the Preliminary Official Statement and the final Official Statement on behalf of the City in a form consistent with this Ordinance. The Preliminary Official Statement is hereby deemed nearly final. The officers of the City are hereby authorized to take any action as may be required on the part of the City to consummate the transactions contemplated by the Purchase Contract, this Ordinance, the Preliminary Official Statement, the final Official Statement and the Bonds.

Section 11. Bond Insurance. In the event the Purchaser certifies to the City that it would be economically advantageous for the City to acquire a municipal bond insurance policy for the Bonds, the City hereby authorizes and directs the Treasurer to obtain such an insurance policy. The acquisition of a municipal bond insurance policy is hereby deemed economically advantageous if the difference between the present value cost of (a) the total debt service on the Bonds if issued without municipal bond insurance and (b) the total debt service on the Bonds if issued with municipal bond insurance, is greater than the cost of the premium on the municipal bond insurance policy. In the event the payment of principal and interest on the Bonds is insured pursuant to a municipal bond insurance policy issued by a bond insurer (the "Bond Insurer"), and as long as such municipal bond insurance policy shall be in full force and effect, the City and the Registrar agree to comply with such usual and reasonable provisions regarding presentment and payment of the Bonds, subrogation of the rights of the Bondholders to the Bond Insurer upon payment of the Bonds by the Bond Insurer, amendment hereof, or other terms, as approved by the Mayor of the City on advice of counsel, his or her approval to constitute full and complete acceptance by the City of such terms and provisions under authority of this Section.

Section 12. Continuing Disclosure. The Continuing Disclosure Undertaking (the “Undertaking”) in substantially the form which has been presented to and is hereby approved by the Corporate Authorities, and the Mayor and the City Clerk are hereby authorized and directed to complete, execute and attest the same on behalf of the City. Notwithstanding any other provisions of this Ordinance, failure of the City to comply with the Undertaking shall not be considered an event of default under the Bonds or this Ordinance.

Section 13. Alternate Revenue Source; Tax Levy. For the purpose of providing funds required to pay the interest on the Bonds promptly when and as the same falls due, and to pay and discharge the principal thereof at maturity, the City covenants and agrees with the Purchaser and the owners of the Bonds that the City will deposit principal proceeds received by the City from the City’s collection of utility taxes (including any replacement or successor taxes of similar effect) imposed, collected and distributed pursuant to applicable law into the Bond Fund (as hereinafter defined). The Pledged Revenues are hereby pledged to the payment of the Bonds, and the Corporate Authorities covenant and agree to provide for, collect and apply the Pledged Revenues to the payment of the Bonds and the provision of not less than an additional .25 times debt service.

For the purpose of providing additional funds to produce sums necessary to pay the interest on the Bonds as it falls due and also pay and discharge the principal thereof at maturity, there shall be levied upon all the taxable property within the City a direct annual tax (the “Pledged Taxes”) for each of the years while the Bonds or any of them are outstanding, in amounts sufficient for that purpose, and that there be and there is hereby levied upon all of the taxable property in the City, in each of the years 2017 to 2037 a maximum direct annual tax in the amount of \$400,000, such amount to be finalized in the Bond Order.

Principal or interest coming due at any time when there are not sufficient funds on hand from the foregoing tax levy to pay the same shall be paid from current funds on hand of the City, and the fund from which such payment was made shall be reimbursed out of the taxes hereby levied when the same shall be collected.

The City covenants and agrees with the Purchaser and the holders of the Bonds that so long as the Bonds remain outstanding, the City will take no action or fail to take any action which in any way would adversely affect the ability of the City to levy and collect the foregoing tax levy, unless the abatement of any particular tax levy amount has been provided for through the deposit of moneys in a segregated account, and the City and its officers will comply with all present and future applicable laws in order to assure that the Pledged Revenues will be available and the Pledged Taxes will be levied, extended and collected as provided herein and deposited in the Bond Fund established to pay the principal of and interest on the Bonds.

The funds derived from the tax levy be and the same are hereby appropriated and set aside for the sole and only purpose of paying principal and interest on said Bonds when and as the same become due. The funds from the sale of said Bonds be and they are hereby appropriated and set aside for the purpose hereinbefore set out.

If the City deposits funds from any lawful source into the Bond Fund, the City Clerk shall file written direction with the County Clerk to abate the taxes by the amount so deposited, and such deposits shall be made prior to any such abatement being filed with the County Clerk. No Pledged Taxes may be abated unless and until the proper amount of such abatement has been deposited irrevocably into the Bond Fund and dedicated to the payment of the Bonds.

Pursuant to Section 13 of the Debt Reform Act, the moneys deposited or to be deposited into the Bond Fund (as defined herein), including any tax receipts derived from the taxes levied

pursuant to this Ordinance, are pledged as security for the payment of the Bonds. While any Bonds remain outstanding and unpaid, the tax levies to be made as provided by this Ordinance shall be for the sole benefit of the owners of the outstanding Bonds and such owners shall have and are granted a security interest in, and a lien upon, all rights, claims and interests of the City arising pursuant to those levies and all present and future proceeds of such levies. The security interest in and lien upon those rights, claims and interests are immediately valid and binding from the time the Bonds are issued, and shall immediately attach to (a) the tax receipts wherever held, (b) amounts held in the Bond Fund and other funds pledged for the benefit of holders of the Bonds, and (c) those rights, claims and interests pledged hereby, without any physical delivery or further act and the lien of such pledge shall be immediately valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the City or against the funds, rights, claims or interests pledged hereby irrespective of whether such parties have notice thereof.

The pledge is an agreement between the City and the bondholders to provide security for the Bonds in addition to any statutory lien.

Section 14. Filing of Ordinance. Forthwith upon this Ordinance becoming effective, the City Clerk is hereby directed to file a certified copy of this Ordinance, which certificate shall recite that this Ordinance has been passed by the Corporate Authorities and published, with the County Clerk of Logan County (the "County Clerk"), and it shall be the duty of said County Clerk in and for the years 2018 to 2037 while the Bonds or any of them are outstanding (as set forth in the Bond Order), inclusive, to annually ascertain the rate necessary to produce the tax herein and therein levied, and extend the same for collection on the tax books against all of the taxable property within the City in connection with other taxes levied in said years, in order to

raise the respective amounts aforesaid and in said years such annual tax shall be computed, extended and collected in the same manner as now or hereafter provided by law for the computation, extension and collection of taxes for general corporate purposes of the City, and when collected, the taxes hereby levied shall be used only for the purpose of paying the principal of and interest on the Bonds.

Section 15. Abatement of Pledged Taxes. The City covenants and agrees with the owners of the Bonds that so long as any of the Bonds remain outstanding, the City will not cause the abatement of the Pledged Taxes and otherwise will take no action or fail to take any action which in any way would adversely affect the ability of the City to levy and collect the Pledged Taxes, unless and to the extent there then shall be moneys irrevocably on deposit for the payment of the Bonds in the Bond Fund (as discussed below). Upon the funding of said Account, the City will abate the Pledged Taxes to the extent funded, and appropriate certification of such abatement shall be timely filed with the County Clerk in connection with such abatement.

If for any reason there is a failure to pay debt service after such abatement, the additional amount, together with additional interest accruing, shall be added to the tax levy in the year of, or the next year following, such failure.

Section 16. Treatment of Bonds as Debt. The Bonds shall be payable from the Pledged Revenues and shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory limitation, unless the Pledged Taxes have been extended pursuant to the general obligation, full faith and credit promise supporting the Bonds, in which case the amount of the outstanding Bonds will be included in the computation of indebtedness of the City for purposes of all statutory provisions or limitations until an audit of the City shows that

the Bonds been paid from the Pledged Revenues for a complete fiscal year, in accordance with the Act.

Section 17. Costs of Issuance. Costs of issuance of the Bonds not otherwise paid shall be paid from the remaining proceeds by the City. When all the costs of issuance of the Bonds have been paid, the City shall then transfer any amount then remaining from the proceeds of the Bonds to the Bond Fund as herein provided.

Section 18. Bond Fund. There is hereby created and established a special fund of the City known as the “Bond Fund, Series 2018” (the “Bond Fund”) to be held by the Treasurer, which is a trust fund established for the purpose of carrying out the covenants, terms and conditions imposed upon the City by this Ordinance. The Bond Fund shall be the fund for the payment of the principal of and interest on the Bonds at maturity or on interest payment dates or redemption. Any capitalized interest included in the proceeds of the sale of the Bonds shall be deposited in the Bond Fund for the payment of interest on the Bonds, and the Pledged Taxes and Pledged Revenues shall be deposited into the Bond Fund, as received, and shall be used solely and only for the payment of principal and interest on the Bonds when due (including any redemption). The Bonds are secured by a pledge of all moneys on deposit in the Bond Fund, and such pledge is irrevocable until the Bonds have been paid in full or until the obligations of the City are discharged under this Ordinance. Accrued interest and premium received at the time of delivery of the Bonds, if any, shall be deposited in the Bond Fund.

The City directs that the Treasurer deposit the following amounts received from the collection of the Pledged Taxes into the Bond Fund: (a) an amount equal to one-half of the total principal and interest due on the Bonds in such year (the “Debt Service Requirement”) shall be deposited into the Bond Fund from collections of the first installment of property taxes and

(b) an amount equal to the other half of the Debt Service Requirement shall be deposited into the Bond Fund from collections of the second installment of property taxes.

Section 19. Project Fund. There is hereby created and established a special fund of the City known as the “Project Fund, Series 2018” (the “Project Fund”) to be held by the Treasurer. Proceeds of the Bonds shall be deposited in the Project Fund, and the Project Fund shall be used for the purpose of paying for the costs of the Project, and costs of issuance. For the purpose of paying first interest due on the Bonds, an amount necessary for that purpose may be loaned from the Project Fund to the Bond Fund. Said amount shall be reimbursed to the Project Fund from the Bond Fund as Pledged Revenues and/or Pledged Taxes are received and available therefor. Additional loans from the Project Fund to the Bond Fund to pay debt service on the Bonds may be made upon further direction by the Corporate Authorities so long as provision is made to reimburse the Project Fund with Pledged Revenues and/or Pledged Taxes.

Interest received from deposits in the Project Fund shall, at the discretion of the Corporate Authorities, either be transferred for the payment of the principal of and interest on the Bonds on the interest payment date next after such interest is received or retained in the Project Fund.

In the event that any moneys remain in the Project Fund upon completion of the Project, the City shall deposit the remaining moneys in the Project Fund into the Bond Fund and shall cause such moneys to be used to pay the interest on the Bonds on the earliest possible date.

Section 20. Additional Funds and Accounts. In addition to the funds established hereunder, the Mayor is hereby authorized and directed to establish, and the Treasurer is further authorized to hold, any and all funds and/or accounts they deem necessary or convenient to the accomplishment of the purposes set forth in this Ordinance.

Section 21. Defeasance of the Bonds. If, when the Bonds or a portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or a portion thereof for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Bonds or a portion thereof then outstanding shall be paid; or (i) sufficient moneys or (ii) direct obligations of the United States of America (including obligations issued or held in book entry form on the books of the Department of the Treasury), the principal of and the interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds or any designated portion thereof issued hereunder shall no longer be deemed outstanding or entitled to any pledge of the Pledged Taxes or the Pledged Revenues made herein.

Section 22. Investment of Moneys. Moneys in the Bond Fund and the Project Fund may be invested by the Treasurer in lawful investments for the City. All income earned or losses sustained on such investments shall be credited to the Fund or Account from which the investments were made.

Section 23. Additional Bonds. The City may without limit issue additional bonds (“Additional Bonds”) on a parity with or junior to the Bonds as to the pledge of the Pledged Revenues. If such Additional Bonds are to be parity bonds, the Pledged Revenues shall be sufficient to provide for or pay all of the following: (i) debt service on all outstanding Bonds computed immediately after the issuance of any proposed Additional Bonds, and (ii) an additional amount not less than 0.25 times debt service on the outstanding Bonds and Additional Bonds after the issuance of the proposed Additional Bonds. Such sufficiency shall be calculated

for each year to the final maturity of the Bonds and the Additional Bonds. The determination of the sufficiency of the Pledged Revenues shall be supported by reference to the most recent audit of the City. If such audit shows the Pledged Revenues to be insufficient, then the determination of sufficiency may be supported by the report of an independent accountant or feasibility analyst demonstrating the sufficiency of the Pledged Revenues and explaining by what means they will be greater than shown in the audit.

Section 24. Amendments with Consent of Bondholders. Subject to the terms and provisions contained in this section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66 $\frac{2}{3}$ %) in aggregate principal amount of the Bonds issued pursuant to this Ordinance and then outstanding shall have the right from time to time, anything contained in this Ordinance to the contrary notwithstanding, to consent to and approve the adoption by the City of such ordinance or ordinances supplemental hereto or amendatory hereof, as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding in any particular manner any of the terms or provisions contained in this Ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

- (a) An extension of the maturity of the principal of or interest on any Bond issued pursuant to this Ordinance; or
- (b) A reduction in the principal amount of any Bond or the rate of interest thereon; or
- (c) A preference or priority of any Bond or Bonds issued pursuant to this Ordinance over any other Bond or Bonds issued pursuant to the provisions of this Ordinance; or
- (d) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance.

If the owners of not less than sixty-six and two-thirds percent (66²/₃%) in aggregate principal amount of the Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the City Clerk, no owner of any Bond issued pursuant to this Ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the City from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this Ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations of the City under this Ordinance and all owners of Bonds then outstanding, shall thereafter be determined, exercised and enforced in accordance with this Ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the City and of the owners of the Bonds authorized by this Ordinance, and the terms and provisions of the Bonds and this Ordinance, or any supplemental or amendatory ordinance, may be modified or altered in any respect with the consent of the City and the consent of the owners of all the Bonds then outstanding.

Section 25. Pledged Revenues; General Covenants. The City covenants and agrees with the registered owners of the Bonds, so long as any such Bonds remain Outstanding, as follows:

A. The Pledged Revenues are pledged to the payment of the Bonds. The Corporate Authorities will provide for, collect and apply the Pledged Revenues to the payment of the Bonds

as are from time to time outstanding and the provision of not less than an additional 0.25 times debt service thereon, all in accordance with Section 15 of the Act.

B. The City will punctually pay or cause to be paid from the sources provided for in this Ordinance, the principal of and interest to become due on the Bonds in strict conformity with the terms of the Bonds and this Ordinance, and it will faithfully observe and perform all of the conditions, covenants and requirements thereof.

C. The City will pay and discharge, or cause to be paid and discharged, from the Bond Fund, any and all lawful claims which, if unpaid, might become a lien or charge upon the Pledged Revenues or Pledged Taxes, or any part thereof, or upon any such funds in the hands of the Bond Registrar, or which might impair the security of the Bonds. Nothing herein contained shall require the City to make any such payment so long as the City in good faith contests the validity of said claims.

D. The City 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 will be made of all transactions relating to the Pledged Revenues, the Pledged Taxes and the Bond Fund. Such books of record and accounts will at all times during business hours be subject to the inspection of the holders of not less than ten percent (10%) of the principal amount of the outstanding Bonds or their representatives authorized in writing.

E. The City will preserve and protect the security of the Bonds and the rights of the registered owners of the Bonds, and will warrant and defend their rights against all claims and demands of all persons. From and after the sale and delivery of any of the Bonds by the City, to the extent lawful the Bonds shall be incontestable by the City.

F. The City will adopt, make, execute and deliver any and all such further ordinances, 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 owners of the Bonds of the rights and benefits of this Ordinance.

G. As long as any Bonds are outstanding, the City will continue to deposit the Pledged Revenues and, if necessary, the Pledged Taxes into the Bond Fund. The City covenants and agrees with the purchasers of the Bonds and with the registered owners thereof that so long as any Bonds remain outstanding, the City will take no action or fail to take any action which in any way would adversely affect the ability of the City to collect the Pledged Revenues. The City and its officers will comply with all present and future applicable laws in order to assure that the Pledged Revenues will be available and that the Pledged Taxes will be levied, extended and collected as provided in this Ordinance and deposited in the Bond Fund.

H. Once issued and while outstanding, the Bonds shall be and forever remain until paid or defeased the general obligation of the City, for the payment of which its full faith and credit are pledged, and shall be payable from, in addition to the Pledged Revenues as herein provided, the levy of the Pledged Taxes as provided in the Act.

Section 26. Tax Covenants. In order to preserve the exclusion of interest on any Bonds, the interest on which is exempt from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as existing on the date of issuance of the Bonds (the "Code") and as an inducement to purchasers of the Bonds, the City represents, covenants and agrees that:

(a) The facilities financed with the Bonds are available for use by members of the general public. Use by a member of the general public means use by natural persons not

engaged in a trade or business. No person or entity, other than the City or another state or local governmental unit, will use more than 10% of the proceeds of the Bonds or property financed by Bond proceeds other than as a member of the general public. No person or entity other than the City or another state or local governmental unit own property financed by Bond proceeds or have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as a take-or-pay or output contract or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from the use by the general public, unless such uses in the aggregate relate to no more than 10% of the proceeds of the Bonds.

(b) No more than ten percent (10%) of the payment of principal of or interest on the Bonds will be (under the terms of the Bonds, this Ordinance or any underlying arrangement), directly or indirectly, (i) secured by any interest in property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments (whether or not to the City) in respect of such property or borrowed money used or to be used for a private business use.

(c) No more than five percent (5%) of the Bond proceeds will be loaned to any entity or person other than a state or local governmental unit. No more than five percent (5%) of the Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Bond proceeds.

(d) The City reasonably expects, as of the date hereof, that it will comply with the covenants described in paragraph (a), (b) and (c) above during the entire term of the Bonds.

(e) No more than five percent (5%) of the proceeds of the Bonds will be attributable to private business use as described in (a) and private security or payments described in (b) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any government use of proceeds of the issue (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(f) The City will not take any action nor fail to take any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal tax purposes nor will the City act in any other manner which would adversely affect such status, and it will not make any investment or do any other act or thing during the period that the Bonds are outstanding which would cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code.

(g) The City certifies that to the extent necessary to preserve the tax-exempt status of the Bonds it will rebate any arbitrage profits to the United States of America in accordance with Section 148(f) of the Code and the Regulations promulgated thereunder.

It shall be not an event of default under this Ordinance if interest on any Bond is not excludable from gross income for federal income tax purposes pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Bonds.

(h) The City represents that:

(i) The Bonds are not private activity bonds as defined in Section 141 of the Code;

(ii) The City shall designate all or a portion of the Bonds as qualified tax-exempt obligations for purposes of Section 265(b) of the Code pursuant to the Bond Order; and

(iii) The reasonably anticipated amount of qualified tax-exempt obligations (including 501(c)(3) obligations and tax-exempt leases but excluding other private

activity bonds) which will be issued by the City and all entities subordinate to the City during 2018 does not exceed \$10,000,000.

(iv) City has not designated more than \$10,000,000 of qualified tax-exempt obligations during 2018.

(i) These covenants are based solely on current law in effect and in existence on the date of delivery of the Bonds.

The City hereby authorizes the Designated Representatives responsible for issuing the Bonds to make such further covenants and certifications as may be necessary to assure that the use thereof will not cause the Bonds to be arbitrage bonds and to assure that the interest on the Bonds will be excludable from gross income for federal income tax purposes. In connection therewith, the City further agrees: (a) through its officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to consult with counsel approving the Bonds and to comply with such advice as may be given; (c) to pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds as required pursuant to Section 148 of the Code and the regulations promulgated thereunder; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by their officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

Section 27. Noncompliance with Tax Covenants. Notwithstanding any other provisions of this Ordinance, the covenants and authorizations contained in this Ordinance (the "Tax Sections") which are designed to preserve the exclusion of interest on the Bonds from gross income under federal law (the "Tax Exemption") need not be complied with if the City receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

Section 28. Registered Form. The City recognizes that Section 149(a) of the Code requires the Bonds to be issued and to remain in fully registered form in order that interest thereon is exempt from federal income taxation for the Bonds. In this connection, the City agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

Section 29. Severability. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 30. Publication. The City Clerk is hereby authorized and directed to publish this Ordinance in pamphlet form and to file copies thereof for public inspection in his/her office.

Section 31. Conflicting Ordinances. All ordinances, resolutions and parts of ordinances and resolutions, in conflict herewith are hereby repealed.

Section 32. Headings. The headings or titles of the several sections shall be solely for convenience of reference and shall not affect the meaning, construction or effect of this Ordinance.

Section 33. Effective Date. This Ordinance shall be in full force and effect from and after its adoption and publication.

ADOPTED this 16th day of January, 2018 by a roll call vote as follows:

AYES: _____.

NAYS: _____.

ABSENT: _____.

APPROVED this 16th day of January, 2018.

Mayor

ATTEST:

City Clerk

Alderman _____ moved and Alderman _____ seconded the motion that said Ordinance as presented by the City Clerk be adopted.

After a full discussion thereof, the Mayor directed that the roll be called for a vote upon the motion to adopt said Ordinance as presented.

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

and the following Aldermen voted NAY: _____.

Whereupon the Mayor declared the motion carried and said Ordinance adopted, approved and signed the same in open meeting and directed the City Clerk to record the same in full in the records of the City Council of the City of Lincoln, Logan County, Illinois, which was done.

Other business not pertinent to the adoption of said Ordinance was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF LOGAN)

CERTIFICATION OF MINUTES AND ORDINANCE

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

I further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the Corporate Authorities held on the 16th day of January, 2018, insofar as the same relates to the adoption of Ordinance No. _____ entitled:

AN ORDINANCE authorizing and providing for the issuance of not to exceed \$3,300,000 aggregate principal amount General Obligation Bonds (Alternate Revenue Source), Series 2018 of the City of Lincoln, Logan County, Illinois, and for the levy of a direct annual tax sufficient to pay the principal of and interest on said bonds.

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

I do further certify that the deliberations of the Corporate Authorities on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and that the City has complied with all of the provisions of said Act and with all of the procedural rules of the Corporate Authorities.

IN WITNESS WHEREOF, I hereunto affix my official signature and seal of said City, this 16th day of January, 2018.

City Clerk

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF LOGAN)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of Logan County, Illinois, and as such official I do further certify that on the ____ day of _____, 2018, there was filed in my office a duly certified copy of Ordinance No. _____ entitled:

AN ORDINANCE authorizing and providing for the issuance of not to exceed \$3,300,000 aggregate principal amount General Obligation Bonds (Alternate Revenue Source), Series 2018 of the City of Lincoln, Logan County, Illinois, and for the levy of a direct annual tax sufficient to pay the principal of and interest on said bonds.

duly adopted by the City Council of the City of Lincoln, Logan County, Illinois, on the 16th day of January, 2018, and that the same has been deposited in the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said County, this ____ day of _____, 2018.

County Clerk of Logan County, Illinois

(SEAL)

5th STREET LAND ACQUISITION
Lincoln Committee of the Whole Meeting
January 9, 2018

- I. Status of Acquisitions
 - a. 40 Parcels Total to be Acquired
 - b. 17 Parcels Agreed to Settlement Amount (11 Recorded)
 - c. 4 Additional Parcels close to Settlement
 - d. Current Total Estimated Acquisition Amount – \$208,385

- II. Ongoing Coordination Activities of Parcels to be Acquired
 - a. Staking of proposed right-of-way acquisition limits
 - b. Concerns with access and staging during construction
 - c. Requested additional drainage improvements
 - d. Future access accommodations
 - e. Transaction documents for acquisition
 - f. Pending counter-offers
 - g. Limited communications

- III. State Fiscal Year Letting based on Schedule of Acquisitions
 - a. ROW Certified approximately 75 days in advance of letting
 - b. Completion of all remaining parcels in 2018
 - c. Possible bid dates (subject to program availability)
 - i. March 8, 2019
 - ii. April 26, 2019
 - d. Confirmation of inter-agency agreements and funding status

MEMORANDUM

TO: Mayor and Aldermen of the City of Lincoln

FROM: Walt Landers, Street Superintendent

MEETING

DATE: January 9, 2018

RE: Motor Fuel Tax (MFT) Invoice #194193 from Farnsworth Group

Background: At the December 4, 2017, City Council meeting the council voted not to approve the payment of the MFT invoice from Farnsworth Group in the amount of \$38,728.70. The reason for that action was due to the issue of a change order for the 2017 Sidewalk Replacement Project of \$11,818.44, which exceeded the project budget of \$125,000.00.

Services covered by this invoice include development of the 2017/2018 MFT Program, submission to Illinois Department of Transportation (IDOT) for approval and implementation of the program. Preliminary engineering of both the 2017 Sidewalk Replacement Project and Street Resurfacing Project. The development of bid packets for both projects and oversee bid openings.

The use of MFT funds generally requires IDOT supervision and approval. IDOT Bureau of Local Roads and Street Manual establishes standards for billing for Agreements between a municipality and a consulting engineer based on a percentage of project costs.

Analysis/Discussion: The City has previously utilized the services of the Farnsworth Group for general administration of the Motor Fuel Tax Fund. On August 7, 2017; the City Council had adopted Resolution No. 2017-348 regarding the use of MFT funds. (A copy of the Resolution is attached for City Council review).

Farnsworth Group has offered to cover the cost of the restoration and seeding covered in the contract with Kinney Contractors to the amount of \$5610.00. If approved the City would deduct this amount from the invoice in question of \$38,728.70, bringing the total payout for the MFT invoice to \$33,118.70

COW Recommendation: Approve the payment of the MFT invoice to Farnsworth Group in the amount of \$33,118.70 and place on the agenda for the January 16, 2018 City Council Meeting.

Fiscal Impact: Approval will reduce the amount of the current invoice from \$38,728.70 to \$33,118.70

Council Recommendation: Approve a payment to Farnsworth Group for MFT invoice #194193 in the amount of \$33,118.70

CITY CLERK
LINCOLN, ILLINOIS

OCT 19 2017

RECEIVED



Robert Meht
City Administrator
City of Lincoln, Illinois
700 Broadway
P.O. Box 609
Lincoln, IL 62656

October 13, 2017
Project No: 017MFT0280.00
Invoice No: 194193

Invoice Total \$38,728.70

Project 017MFT0280.00 Lincoln MFT 17-00000-00-GM Preliminary Engineering
17-00000-00-GM Preliminary Engineering Services as shown on the State Approved Cost Estimate dated 8/18/17.
Professional Services for Period Ending September 30, 2017.
Professional Services

Total Fee 38,728.70

Total Earned	38,728.70	
Previous Fee Billing	0.00	
Current Fee Billing	38,728.70	
Total Fee		38,728.70
Total this Invoice		\$38,728.78

~~20-00-06-5321~~

20-0000-5271

MGT PRELIMINARY ENGINEERING
2/17/17

Please Remit Payment to: Farnsworth Group, Inc. P.O. Box 843219, Kansas City, MO 64184-3219

Please include FGI invoice number on check.

For Billing Inquiries, please call: 303-889-8435 or 314-962-7900

1 1/2% Interest Monthly After 30 Days

www.fg.com

FERN: 37-1123230

Please submit all other correspondence to: Farnsworth Group, Inc. 2700 McGraw Dr., Bloomington, IL 61704 Attn: Accounts Receivable



Municipal Estimate of Maintenance Costs



Submitted Type: Original

Local Public Agency: City of Lincoln County: Logan Section: 17-00000-00-GM

Maintenance Period
Beginning: 05/01/17 Ending: 04/30/18

Estimated Cost of Maintenance Operations

Maintenance Operation (No. and Description)	Maint. Eng. Group	Insp. Req.	For Group I, IA, IB or II					Est Total Operation Cost
			Item	Unit	Quantity	Unit Price	Item Cost	
1. Spot Patching	IA	N	Bluminous Cold Mix	Ton	150	\$125.00	\$18,750.00	
			Bluminous Hot Mix	Ton	45	\$185.00	\$8,075.00	
			Labor	Hr	700	\$27.00	\$18,900.00	
			Equipment	Hr	700	\$25.00	\$17,500.00	\$62,260.00
2. Cleaning Inlets and Culverts	IA	N	Labor	Hr	400	\$27.00	\$10,800.00	
			Equipment	Hr	400	\$25.00	\$10,000.00	\$20,800.00
3. Gutter Cleaning	IA	N	Landfill Cost	LSum	1	\$27,000.00	\$27,000.00	
			Labor	Hr	1,800	\$27.00	\$40,500.00	
			Equipment	Hr	1,800	\$28.00	\$57,800.00	\$105,000.00
4. Snow and Ice Removal	IA	N	Labor	Hr	1,250	\$27.00	\$33,750.00	
			Equipment	Hr	1,250	\$25.00	\$31,250.00	\$65,000.00
5. Traffic Signal Electrical Service	I	N	Electrical Energy	LSum	1	\$58,000.00	\$58,000.00	\$58,000.00
6. Sidewalk Replacement Program	IV	Y	Contract	LSum	1	\$125,000.00	\$125,000.00	\$125,000.00
7. Curb and Gutter and Sidewalk Replacement	IA	N	Concrete	CY	150	\$100.00	\$15,000.00	
			Labor	Hr	80	\$27.00	\$2,160.00	
			Equipment	Hr	40	\$30.00	\$1,200.00	\$18,360.00
8. Spray Patching	IA	N	Bl. Matl. Spray Patch	Gal	7,250	\$5.00	\$36,250.00	
			Spray Patch Aggregate	Ton	210	\$17.50	\$3,675.00	\$39,925.00
9. HMA Overlays	IV	Y	Contract	LSum	1	\$500,000.00	\$500,000.00	\$500,000.00
10. Snow Removal	I	N	Road Salt	Ton	350	\$100.00	\$35,000.00	\$35,000.00
Add Row			Mayor					
Total Estimated Maintenance Operation Cost							\$1,067,435.04	

Estimated Cost of Maintenance Engineering	
Preliminary Engineering	\$38,728.70
Engineering Inspection	\$40,614.35
Material Testing	\$0.00
Advertising	\$0.00
Bridge Inspections	\$0.00
Total Estimated Maintenance Engineering Cost	\$79,343.05

Maintenance Program Estimated Costs			
	Estimated Cost	MFT Portion	Other Funds
Maint Oper	\$1,067,435.00	\$442,507.50	\$625,000.00
Maint Eng	\$79,343.05	\$79,343.05	\$0.00
Totals	\$1,146,778.05	\$521,850.55	\$625,000.00
Total Estimated Maintenance Cost		\$1,146,778.05	



PURCHASE ORDER
No. 2018090003

VENDOR:

Farnsworth Group, Inc.
 P.O. Box 843219
 Kansas City, MO 64184-3219

SHIP TO:

City of Lincoln
 P.O. Box 509
 700 Broadway Street
 Lincoln, IL 62656-2306

BILL TO:

City of Lincoln
 P.O. Box 509
 700 Broadway Street
 Lincoln, IL 62656-2306

VENDOR NO.	VENDOR PHONE NUMBER	TERMS	DATE	REQUIRED DELIVERY DATE			
10344	(309) 683-8534	0	05/01/2017				
SHIPPING INSTRUCTIONS							
(none)							
ITEM	QTY	UOM	DESCRIPTION/TASK	FED CODE	ACCOUNT	UNIT PRICE	AMOUNT
1	0.00		Preliminary engineering on sidewalk and street projects		20-0000-5231	38,728.70	38,728.70
2	0.00		Engineering inspection on sidewalk and street projects		20-0000-5231	40,614.35	40,614.35

SUBTOTAL: 79,343.05
TAX: 0.00
SHIPPING: 0.00

TAXABLE: No
CONFIRMING:

TOTAL: 79,343.05

 AUTHORIZED SIGNATURE

IMPORTANT: OUR ORDER NUMBER MUST APPEAR ON EVERY INVOICE AND PACKAGE

City of Lincoln is exempt from state sales tax, ID#09995-2235-07

Purchase Orders
PO Proof List

User: rblw
Printed: 11/03/2017 - 2:53PM
Batch: 00001.11.2017 - RB 11



Ship Location	Vendor No.	Vendor Name	PO Date	Acct No.	Account Description	Amount	Qty
Preliminary engineering on sidewalk and street projects							
2018000003	10244	Farnsworth Group, Inc.	5/1/2017	20-0000-5231	Engineering	\$38,728.70	0.00
Engineering inspection on sidewalk and street projects							
2018000003	10244	Farnsworth Group, Inc.	5/1/2017	20-0000-5231	Engineering	\$40,814.35	0.00
						\$79,543.05	0.00
Grand Total:						\$79,543.05	0.00



Illinois Department of Transportation

2017-348

Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code .

BE IT RESOLVED, by the Mayor and City Council of the City of Lincoln, Illinois, that there is hereby appropriated the sum of \$675,000.00 of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code from May 1, 2017 to April 30, 2018.

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Springfield, Illinois.

I, Peggy Bateman, Clerk in and for the City of Lincoln, County of Logan

hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Mayor and City Council at a meeting on August 7, 2017

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 7th day of August, 2017

(SEAL) [Signature] City Clerk

Approved [Signature] Regional Engineer Department of Transportation 8-13-2017 Date



Municipal Estimate of Maintenance Costs



Submission Type: Original

Local Public Agency: City of Lincoln County: Logan Section: 17-00000-00-GM Maintenance Period Beginning: 05/01/17 Ending: 04/30/18

Estimated Cost of Maintenance Operations

Maintenance Operation (No. and Description)	Maint. Eng. Group	Insp. Req.	For Group I, IA, IB or II				Est Total Operation Cost
			Item	Unit	Quantity	Unit Price	
1. Spot Patching	IA	N	Luminous Cold Mix	Ton	159	\$125.00	\$19,875.00
			Luminous Hot Mix	Ton	45	\$145.00	\$6,075.00
			Labor	Hr	700	\$27.00	\$18,900.00
			Equipment	Hr	700	\$25.00	\$17,500.00
						\$62,350.00	
2. Cleaning Inlets and Culverts	IA	Y	Labor	Hr	400	\$27.00	\$10,800.00
			Equipment	Hr	400	\$25.00	\$10,000.00
						\$20,800.00	
3. Gutter Cleaning	IA	N	Landfill Cost	LSum	1	\$27,000.00	\$27,000.00
			Labor	Hr	1,500	\$27.00	\$40,500.00
			Equipment	Hr	1,500	\$25.00	\$37,500.00
						\$105,000.00	
4. Snow and Ice Removal	IA	N	Labor	Hr	1,250	\$27.00	\$33,750.00
			Equipment	Hr	1,250	\$25.00	\$31,250.00
						\$65,000.00	
5. Traffic Signal Electrical Service			Electrical Energy	LSum	1	\$96,000.00	\$96,000.00
							\$96,000.00
6. Sidewalk Replacement Program	IV	Y	Contract	LSum	1	\$125,000.00	\$125,000.00
							\$125,000.00
7. Curb and Gutter and Sidewalk Replacement	IA	N	Concrete	CY	150	\$100.00	\$15,000.00
			Labor	Hr	80	\$27.00	\$2,160.00
			Equipment	Hr	40	\$50.00	\$1,200.00
						\$18,360.00	
8. Spray Patching	IA	N	B.E. Mat. Spray Patch	Gal	7,250	\$5.00	\$36,250.00
			Spray Patch Aggregate	Ton	210	\$17.50	\$3,675.00
						\$39,925.00	
9. HMA Overlays	IV	Y	Contract	LSum	1	\$500,000.00	\$500,000.00
							\$500,000.00
10. Snow Removal			Road Salt	Ton	350	\$100.00	\$35,000.00
							\$35,000.00
Add Row			Mayor				
						Total Estimated Maintenance Operation Cost:	\$1,067,435.00

Estimated Cost of Maintenance Engineering	
Preliminary Engineering	\$38,728.70
Engineering Inspection	\$40,814.95
Material Testing	\$0.00
Advertising	\$0.00
Bridge Inspections	\$0.00
Total Estimated Maintenance Engineering Cost:	\$79,343.05

Maintenance Program Estimated Costs			
	Estimated Cost	MFT Portion	Other Funds
Maint Oper	\$1,067,435.00	\$442,507.50	\$625,000.00
Maint Eng	\$79,343.05	\$79,343.05	\$0.00
Total:	\$1,146,778.05	\$521,850.55	\$625,000.00
Total Estimated Maintenance Cost:		\$1,146,778.05	

Submitted
Municipal Official
Date
8-8-17
Title
MAYOR

Approved
Regional Engineer
Department of Transportation
Date
9-12-2017



**Illinois Department
of Transportation**

**Maintenance Engineering to be
Performed by a Consulting Engineer
(to be attached to BLR 14291 or BLR 14221)**

Local Agency City of Lincoln
Section Number 17-00000-00-GM

The services to be performed by the consulting engineer, pertaining to the various items of work included in the estimated cost of maintenance operations (BLR 14291 or BLR 14221), shall consist of the following:

PRELIMINARY ENGINEERING shall include:

Investigation of the condition of the streets or highways for determination (in consultation with the local highway authority) of the maintenance operations to be included in the maintenance program; preparation of the maintenance resolution, maintenance estimate of cost and, if applicable, proposal; attendance at meetings of the governing body as may reasonably be required; attendance at public letting; preparation of the contract and/or acceptance of BLR 12330 form. The maintenance expenditure statement must be submitted to IDOT within 9 months of the end of the maintenance period.

ENGINEERING INSPECTION shall include:

Furnishing the engineering field inspection, including preparation of payment estimate for contract, material proposal and/or deliver and install proposal and/or checking material invoices of those maintenance operations requiring engineering field inspection, as opposed to those routine maintenance operations as described in Chapter 14-2.04 of BLRS Manual, which may or may not require engineering inspection.

For furnishing preliminary engineering, the engineer will be paid a base fee PLUS a negotiated fee percentage. For furnishing engineering inspection the engineer will be paid a negotiated fee percentage. The negotiated preliminary engineering fee percentage for each group shown in the "Schedule of Fees" shall be applied to the total estimated costs of that group. The negotiated fee for engineering inspection for each group shall be applied to the total final cost of that group for the items which required engineering inspection. In no case shall this be construed to include supervision of contractor operations.

SCHEDULE OF FEES

Total of the Maintenance Operation	Base Fee
<input checked="" type="checkbox"/> > \$20,000	\$1,250.00
<input type="checkbox"/> ≤ \$20,000 (Negotiated: \$1,250 Max.)	

PLUS

Group	Preliminary Engineering		Engineering Inspection		Operation to be Inspected
	Acceptable Fee %	Negotiated Fee %	Acceptable Fee %	Negotiated Fee %	
I	NA	NA	NA	NA	NA
IIA	2%	\$6,228.70	3%	\$2,114.70	(1,2,3,4,7,8)
IIIB	3%		4%		
III	4%		5%		
IV	5%	\$1,250.00 (5%)	6%	\$37,500.00 (6%)	

By: [Signature]
Local Agency Official Signature

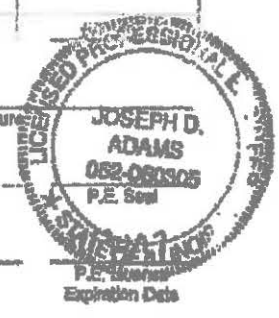
By: [Signature]
Consulting Engineer Signature

Mayor
Title

Senior Project Engineer
Title

8/7/2017
Date

8/7/2017
Date





Regional Engineer,
Department of Transportation

Springfield, Illinois

Equipment Rental Schedule

County: Logan
Road District: 6-Springfield
Municipality: Lincoln

Section: 17 - 00000 - 00 - 001

I hereby request approval of the use of MPT funds to pay rental for the equipment listed below at the rates shown. The equipment is owned by City of Lincoln, and is to be used on the above named section.

Rental Rates calculated using: Schedule of Average Ownership Equipment Rental Expense Blue Book Other
Multiplier Used: 1.377

Item of Equipment	Manufacturer	Model	Size	Year Built	Page No.	Rental Rate	Operator Rate	Total Rate
#1 Pick	Chevrolet	pickup	half ton	2000	81	\$12.84		\$12.84
#2 Dump	International	dump/truck	4000	1997	82	\$37.29		\$37.29
#3 Plow	Fisk	Rev.			40	\$18.08		\$18.08
#3 Dump	Ford		1 Ton	2014	82	\$37.29		\$37.29
#4 Dump	Ford		1 Ton	2014	82	\$37.29		\$37.29
#4 Plow	Fisk	Rev.			40	\$18.08		\$18.08
#5 Flat Bed	Chevrolet	trucks	3/4 Ton	2018	80	\$18.32		\$18.32
#5 Plow	Western	Rev.			40	\$18.08		\$18.08
#6 Dump	International	dump/truck	4000	1998	82	\$37.29		\$37.29
#5 Plow	Fisk	Rev.			40	\$18.08		\$18.08
#6 Spread	Fisk	PTO			43	\$8.12		\$8.12
#7 Dump	International	dump/truck	7400	2008	82	\$37.29		\$37.29
#7 Plow	Fisk	Rev.			40	\$18.08		\$18.08
#7 Spreader	Fisk	PTO			43	\$8.12		\$8.12
#8 Dump	International	dump/truck	4000	2008	82	\$37.29		\$37.29
#8 Plow	Fisk	Rev.			40	\$18.08		\$18.08
#10 Dump	International	dump/truck	4000	2010	82	\$37.29		\$37.29
#10 Plow	Hardison	Rev.			40	\$18.08		\$18.08
#10 Spreader	Hardison	PTO			43	\$8.12		\$8.12
#11 Utility	Ford	utility/truck	1 Ton	1997	81	\$12.84		\$12.84
#18 Bucket	GMC	bucket/truck	17ton	1999	60	\$47.80		\$47.80
#14 Plow	Chevrolet	bucket	3/4 Ton	2011	81	\$12.84		\$12.84
#14 Plow	Western	Rev.			40	\$18.08		\$18.08
#18 Flat Bed	GMC	trucks	1 Ton	1995	60	\$18.32		\$18.32
#18 Dump	International	dump/truck	4000	2001	82	\$37.29		\$37.29
#18 Plow	Fisk	Rev.			40	\$18.08		\$18.08
#17 Dump	International	dump/truck		2001	82	\$37.29		\$37.29
#17 Plow	Fisk	Rev.			40	\$18.08		\$18.08
#8 Bucket Jr.	Chevrolet	bucket	10000	2008	60	\$58.80		\$58.80
Palson Spread	Egn	series		1998	44	\$87.72		\$87.72
Alzora spreader	Johnson	model 60		2007	44	\$87.72		\$87.72
Wheel Loader	John Deere	830k		2012	48	\$38.88		\$38.88
Backhoe #1	John Deere	310s		2008	48	\$47.88		\$47.88
Backhoe #2	John Deere	310s		1998	48	\$38.88		\$38.88
Motor Grader	Dresser	680		1992	21	\$81.60		\$81.60
Dozer	International	load star		1974	14	\$28.80		\$28.80
Ch. Spreader	Elyse	1400A		1984	42	\$71.16		\$71.16
#1 Tractor/Loader	John Deere	6210		2000	2848	\$77.72		\$77.72
#2 Tractor/Loader	John	6450s		2008	2246	\$28.47		\$28.47
Air Compressor	Logan Rand	175		1976	10	\$18.84		\$18.84
Special Zip		22450s		2004	8	\$48.48		\$48.48
Tire Roller	Brook	600		1982	34	\$31.72		\$31.72
Steel Roller	Roller	190		1978	84	\$40.87		\$40.87
Brush Chipper	Brush Bandt	210		1/91	6	\$21.51		\$21.51
Skid Steer	Bobcat	557		2004	46	\$25.02		\$25.02
Snow Blower					38	\$5.51		\$5.51
Street Broom					8	\$8.61		\$8.61
Spray Patcher	Total Patcher	Vortex		2015		\$45.29		\$45.29

[Signature]
Signature
MTY-R
Title of Official

[Signature]
Regional Engineer
7-18-2017
Date

6/7/2017
Date

MEMORANDUM

TO: Mayor Seth Goodman and Members of the City Council

FROM: Wes Woodhall, Building and Safety Official

DATE: January 4, 2018

RE: Fast Track Demolition of 1311 Broadway Street

Background: The first property that has been recommended for fast track demolition under the FY 2017/2018 budget is 1311 Broadway Street. The property owner has shown to be unresponsive to many years of ordinance violations. The house has been vacant for 3 years. There are several breaches in the structure allowing feral animal activity to take place. The rear shed is full of waste and rubbish and is in immediate danger of collapse. There are several large trees that are dead and in danger of falling onto neighboring properties. A vacant home of this nature poses a danger to the neighborhood and is the type of dangerous building that should be addressed by the fast track demolition process.

Analysis/Discussion: The Building and Safety Department has received two estimates for the demolition and restoration of the property at 1311 Broadway Street and they are as follows:

Harold Goodman Inc.: \$6,750.00

Jim Moody Excavating: \$4,300.00

Given that the estimate from Jim Moody Excavating came in at \$2,450.00 less than the estimate from Harold Goodman Inc., staff recommends that the fast track demolition of 1311 Broadway Street be performed by Jim Moody Excavating. The City will be responsible for the dump fee associated with the demolition of this property. It is likely that the dangerous building at 1311 Broadway Street will be demolished in late January or early February, upon the expiration of the mandatory 30-day waiting period. All title searches and legal notices have been conducted.

COW Recommendation: Place on Council agenda for approval of using budgeted funds for the fast track demolition of 1311 Broadway St.

Fiscal Impact: An estimated cost of \$2,500.00 would be realized for the dumping of materials from this property.

Council Recommendation: Approve bid from Jim Moody Excavating for the demolition and removal of the property at 1311 Broadway St.





ORDINANCE NO. _____

AN ORDINANCE ADOPTING A POLICY PROHIBITING SEXUAL HARASSMENT
FOR THE CITY OF LINCOLN, ILLINOIS

WHEREAS, the Illinois General Assembly has recently enacted Public Act 100-0554, an Act concerning government, which became effective immediately, dated November 16, 2017; and

WHEREAS, pursuant to the Act, each governmental unit shall adopt an ordinance or resolution establishing a policy to prohibit sexual harassment; and

WHEREAS, all prior existing sexual harassment policies of the CITY OF LINCOLN shall be superseded by the Policy Prohibiting Sexual Harassment adopted by this Ordinance; and

WHEREAS, should any section or provision of this Ordinance or the adopted Policy Prohibiting Sexual Harassment be declared to be invalid, that decision shall not affect the validity of this Ordinance or adopted Policy Prohibiting Sexual Harassment as a whole or any part thereof, other than the part so declared to be invalid.

NOW, THEREFORE, be it ordained by the corporate authorities of the CITY OF LINCOLN the following:

1. The Policy Prohibiting Sexual Harassment, included as Exhibit A to this Ordinance, and which is also available under the "Anti-Harassment Policy" in the CITY OF LINCOLN employee handbook is hereby adopted.

2. That should any clause, sentence, or paragraph of the above-noted Ordinance be declared invalid by any Court of competent jurisdiction, such invalidity shall not affect any other portion of said Ordinance.

3. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

The vote on the adoption of this Ordinance was as follows:

Alderman Parrott	_____	Alderman Keller	_____
Alderwoman Bauer	_____	Alderman Welch	_____
Alderman Hoinacki	_____	Alderwoman Brown	_____
Alderwoman Horn	_____	Alderman Hoefle	_____

Ayes: _____

Nays: _____

Absent: _____

Abstentions: _____

Passed and approved this _____ day of _____, 2018.

CITY OF LINCOLN,

BY: _____

Seth Goodman, Mayor
City of Lincoln, Logan
County, Illinois

ATTEST: _____ (SEAL)

City Clerk, City of Lincoln,
Logan County, Illinois

EXHIBIT A

Anti-Harassment Policy

It is the policy of the City of Lincoln to maintain a working environment which encourages mutual respect, promotes respectful and congenial relationships between employees, and is free from all forms of harassment of any employee or applicant for employment by anyone, including supervisors, co-workers, vendors, patrons, consultants, or customers.

The City of Lincoln has a "zero-tolerance" harassment policy. Harassment in any manner or form is expressly prohibited and will not be tolerated. Accordingly, management is committed to vigorously enforcing this policy against harassment, including but not limited to, sexual harassment at all levels. All reported or suspected occurrences of harassment will be promptly and thoroughly investigated. Where harassment is determined to have occurred, the City of Lincoln will immediately take appropriate disciplinary action, including written warnings and possible suspension, transfer and/or termination. The City of Lincoln will not permit or condone any acts of retaliation against anyone who files harassment complaints or cooperates in the investigation of it.

Definitions

- The term "harassment" includes, but is not limited to, unwelcome slurs, jokes, verbal, graphic or physical conduct relating to an individual's race, color, religion, sex, sexual preference or sexual orientation, age, marital status, ancestry, national origin, physical or mental disability, or military service status.
- Sexual harassment consists of unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature.
- Submission to such conduct is an explicit or implicit term or condition of employment.
- Employment decisions are based on an employee's submission to or rejection of such conduct, or such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.
- The term "harassment" may also include conduct of employees, supervisors, vendors and/or customers who engage in verbally or physically harassing behavior which has the potential for humiliating or embarrassing an employee of the City.

In accordance with the prohibitions and definitions of the Illinois Human Rights Act as amended in 1993 and the Civil Rights Act of 1964 as amended in 1991, the following explanations and examples constitute sexual harassment under this policy:

Hostile Environment – Conduct that has the purpose or effect of unreasonably interfering with a person's job performance or which creates an intimidating or offensive work environment.

Quid Pro Quo Sexual Harassment – 1) Making submission to sexual demands an implicit or explicit term or condition of employment or compensation; 2) Making decisions affecting someone's employment or compensation on the basis of whether the person submits to or rejects sexual demands.

Reasonable Person/Reasonable Woman Standard – The legal standard for judging whether a specific instance of sexually oriented behavior constitutes sexual harassment. In other words, cases are judged based on the question, "Would any reasonable person or reasonable woman object to or be offended by this behavior?"

Some examples of offensive conduct may include:

Verbal – Demeaning language focused on gender; sexual innuendoes; suggestive comments about a person's body; humor and jokes about sex, anatomy, or gender specific traits; spreading rumors about a coworker's sex life; asking or telling about sexual fantasies, preference or history; sexual propositions; or statements of a sexual nature about another employee, even outside of his presence.

Quid Pro Quo – Threats or promises by a supervisor (e.g., loss of job, promise of job, promotion, or other employment benefit), or suggesting or insinuating that employment or future promotions will be given in exchange of sexual favors.

Nonverbal – Leering; staring at a person's body; obscene gestures; sexual gestures focused on body parts; giving personal, unwanted gifts; following a person; sending suggestive letters, notes, illustrations, e-mails or photographs; or insulting sounds (e.g., whistling, catcalls, smacking the lips, or "kissing" noises). This could escalate to a higher level including violence (e.g., stalking).

Hostile Work Environment – Sexually-charged work environment, where the atmosphere makes it difficult for an employee to work or feel comfortable. This includes a wide range of behaviors and actions from displaying sexually suggestive pictures, posters, pin-ups, cartoons, slogans of a sexual nature and illustrations; written communications or e-mail; telling suggestive stories and jokes; or using sexual gestures.

Physical – Unwanted or unwelcome touching, hugging, kissing, pinching or brushing against the body; touching oneself in a sexual manner in front of another person; physical coercion to engage in a sexual act; or actual assault. Assume that the only acceptable behavior is a handshake.

Note that some of the prohibited conduct included above may not technically be considered illegal harassment by a court or government agency, but it still warrants disciplinary action since it can have a negative effect on our workplace. For example, we can discipline an employee who uses obscene language or tells off-color jokes, even though that conduct generally would not be considered illegal harassment unless the employee engaged in it on an ongoing basis.

Complaint Procedure –The City of Lincoln provides its employees with a convenient and reliable method for reporting incidents of harassment, including sexual harassment. Any employee who feels that he has been or is being harassed, or discriminated against, is encouraged to immediately inform the alleged harasser that the behavior is unwelcome. In most instances, the person is unaware that his conduct is offensive and when so advised can easily and willingly correct the conduct so that it does not reoccur. If the informal discussion with the alleged harasser is unsuccessful in remedying the problem or if such an approach is not possible, the employee should immediately report the complained-of conduct to his immediate supervisor, City Administrator, or any member of management. The report should include all facts available to the employee regarding the harassment.

Confidentiality – All reports of harassment will be treated seriously. The City will make its best effort to respect the private and sensitive nature of such reports. However, absolute confidentiality is not

promised nor can it be assured. The City of Lincoln will conduct an investigation of any complaint that will require limited disclosure of pertinent information to certain parties, including the alleged harasser.

Investigative Procedure – Once a complaint is received, the City Administrator will begin a prompt and thorough investigation. The investigation may include interviews with all involved employees, including the alleged harasser, and any employees who are aware of facts or incidents alleged to have occurred.

Once the investigation is completed, a determination will be made regarding the validity of the harassment allegations. If it is determined that harassment has occurred, prompt and remedial action will be taken. Complainants who file maliciously false complaints of sexual harassment shall be subject to disciplinary action.

Duties of Employees and Supervisors – All employees of the City of Lincoln, both management and non-management, are responsible for assuring that a workplace free of harassment is maintained. Any employee may file a harassment complaint regarding incidents experienced personally or incidents observed in the workplace.

The City of Lincoln strives to maintain a lawful and pleasant work environment where all employees are able to effectively perform their work without interference of any type and requests the assistance of all employees in this effort. City supervisors are expected to adhere to the anti-harassment policy. If a complaint is raised, supervisors are to act promptly to notify the City Administrator of the complaint so that an investigation can be conducted. In instances where the City Administrator is the subject of a violation, the matter should be reported to the Mayor. If a supervisor fails to follow this policy he will be disciplined. Such discipline may include termination.

Responsibility – Employees

Each individual has the responsibility to refrain from committing harassment in the workplace.

Should an employee be unclear as to whether the conduct the employee finds offensive is discriminatory or harassing, the employee should contact their immediate supervisor or the City Administrator.

It is suggested but not required that, if it is within the employee's comfort level to do so, verbally let the offending person(s) know that the conduct is found offensive, and ask that it stop immediately and not occur again.

Again, only if it is within the employee's comfort level to do so, and if the offensive behavior does not stop, the employee can write a letter to the accused detailing all the facts, describing feelings about the behavior, and stating what the employee would like to have happen next. It is recommended that the employee keep a copy of any such letter. It is not necessary or required for employees to submit a written request that the improper conduct cease.

The employee should file an official good faith complaint with the City Administrator (who has been designated to receive complaints and conduct investigations) or to the Mayor (who has been designated as an alternative investigator in situations concerning the City Administrator) without fear of retaliation. It is not necessary to make a verbal or written request to the harasser that such harassment cease prior to making the good faith complaint with the City Administrator will begin investigating all complaints within twenty-four (24) hours of receipt.

Should the employee feel that the issue is not resolved to his satisfaction, the employee has the legal recourse to file a charge of sexual harassment with the Illinois Department of Human Rights and/or the Equal Employment Opportunity Commission. Should the employee choose to file a charge with the Illinois Department of Human Rights or the Equal Employment Opportunity Commission, it must be done so within one hundred and eighty (180) days after the sexual harassment allegedly was committed. The address of the Illinois Department of Human Rights is as follows: 222 S. College, Floor 1,

Springfield, IL 62704. The address of the Equal Employment Opportunity Commission is 500 W. Madison St., Suite 2800, Chicago, IL 60681.

Management:

Refrain from all forms of discrimination or harassment at all times. If observing harassing behavior, ask the offending person(s) to stop immediately, explaining what the conduct is, how it offends, that it is illegal, and that it will not be tolerated. Depending upon the seriousness of the conduct, or if the conduct continues or recurs, file an official complaint in writing with the City Administrator or the Mayor (the designated alternative investigator) without fear of retaliation. The City Administrator will handle the complaint made in good faith by conducting a complete internal investigation and by writing up the complaint and the results of the investigation as expeditiously as possible and in a timely fashion. The internal investigators will make every reasonable effort to determine the facts and resolve the situation.

Sanctions for Employees:

The City of Lincoln may apply any sanction or combination of sanctions to deal with unreasonable conduct, discrimination, and/or harassment; there is no requirement that there be progressive discipline. The City Administrator has the responsibility to recommend an appropriate sanction to the Mayor. Those sanctions include but are not limited to:

1. Counseling or referring the offender(s).
2. Transferring the offender(s).
3. Probation, with a warning of suspension or discharge for continuing or recurring offenses.
4. Suspension without pay, during the investigation period. If it is determined that no violation of the policy has been established, the employee will be reimbursed for loss of pay.
5. Discharge.
6. Monitoring the offender(s) for a prescribed period of time.
7. Documentation of discipline and basis placed in the employee's personnel record, in the event a policy violation is found.

Sanctions for Non-Employees:

In the case of discrimination or harassment committed by a member of an external organization or the recurrence of sexually offensive behavior by previously reported person(s) of an external organization, the City reserves the right to contact the appropriate delegate within the organization so that the organization might effectively manage the complaint internally. Should that organization elect to ignore the complaint, the City will consider suspending business relations with that organization until the harassment stops. All investigative materials will be maintained in the City Administrator's office.