

# City of Rock Falls

603 W. 10<sup>th</sup> Street  
Rock Falls, IL 61071-2854

*Mayor*  
William B. Wescott  
815-380-5333

*City Administrator*  
Robbin Blackert  
815-564-1366



*City Clerk*  
815-622-1100  
Ext. 4

*City Treasurer*  
Kay Abner  
815-622-1100

Rock Falls City Council Agenda  
Council Chambers  
603 W 10<sup>th</sup> Street, Rock Falls IL 61071

September 15, 2020  
6:30 p.m.

**Call to Order at 6:30 p.m.**  
**Pledge of Allegiance**  
**Roll Call**

## **Audience Requests**

## **Community Affairs**

Bethany Bland, President/CEO, Rock Falls Chamber of Commerce

## **Consent Agenda**

1. Approval of the Minutes of the September 1, 2020 Regular Council Meeting
2. Approval of bills as presented

## **Ordinances 2<sup>nd</sup> Reading and Adoption:**

1. Ordinance 2020-2492 - Amending Chapter 2, Article VII of the Rock Falls Municipal Code Abolishing the Position of City Collector
2. Ordinance 2020-2493 - Ordinance providing for the payment of the outstanding General Obligation Bonds (Alternate Revenue Source), Series 2017A, of the City of Rock Falls, Whiteside County, Illinois, and the Execution and Delivery of an Escrow Agreement in Connection Therewith
3. Ordinance 2020-2494 - Ordinance Authorizing Sale of Surplus Property and Further Authorizing the Mayor to Execute an Agreement with Surf Air Wireless, LLC for the Same
4. Ordinance 2020-2495 - An Ordinance Pertaining to the Local CURE Program

## **City Administrator Robbin Blackert**

1. Approval of Offer to Purchase Real Estate from Jane Hampton Trust 514 E 27<sup>th</sup> Street, Sterling IL 61081 in the amount of \$30,000.00 for Parcel No. 11-28-276-011.
2. Resolution 2020-581 - Resolution in Response to Presidential Memorandum on Deferring Payroll Tax Obligations in Light of COVID-19 Disaster

**Information/Correspondence**  
James Reese, City Attorney  
Brian Frickenstein, City Engineer

## **Department Heads**

## **Alderman Reports/Committee Chairman Requests**

### **Ward 1**

Alderman Bill Wangelin

Alderman Gabriella Palmer – Finance/Insurance/Investment Committee Chairman

1. Resolution 2020-580 – Authorizing Transfer of Funds to Escrow Account Relating to Bond Defeasance Made in Connection with Fibernet Asset Sale

### **Ward 2**

Alderman Brian Snow – Building Code Committee Chairman

Alderman Casey Babel

### **Ward 3**

Alderman Jim Schuneman – Utility Committee Chairman/Tourism Committee Chairman

1. Request to waive bidding process for purchase and installation of amphitheater roof
2. Approve purchase and installation of a custom Winkler 44' x 36' Paramount roof for amphitheater at RB&W Park from Midwest Building and Composting, Inc. 251 Ashland Road, Pleasant Plains, IL 62677 in the amount of \$106,474.00

Alderman Rod Kleckler – Public Works/Public Property Committee Chairman

### **Ward 4**

Alderman Lee Folsom – Police/Fire Committee Chairman

Alderman Violet Sobottka – Ordinance/License/Personnel/Safety Committee Chairman

## **Mayor's Report**

### **Executive Session**

1. Personnel Section 2(c)(1) – Employee hiring, firing, compensation, discipline and performance

### **Action Taken from Executive Session**

### **Adjournment**

Next City Council meeting – October 6, 2020 at 6:30 p.m.

Posted: September 11, 2020

Michelle Conklin, Deputy City Clerk

The City of Rock Falls is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with Disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in the meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact Mark Searing, ADA Coordinator, at 1-815-622-1108 promptly to allow the City of Rock Falls to make reasonable accommodations within 48 hours of the scheduled meeting.

REGULAR MEETING MINUTES OF THE MAYOR AND ALDERMEN  
OF THE CITY OF ROCK FALLS

September 1, 2020

The regular meeting of the Mayor and City Council of Rock Falls, Illinois was called to order at 6:30 p.m. September 1, 2020 in the Council Chambers by Mayor William B. Wescott.

Deputy City Clerk Michelle Conklin called the roll following the pledge of allegiance. A quorum was present including Mayor Wescott, Aldermen Palmer, Wangelin, Snow, Babel, Schuneman, Kleckler and Sobottka. Alderman Folsom being absent. In addition, Attorney Matt Cole, Attorney James Reese and City Administrator Robbin Blackert were present.

Consent Agenda items 1 and 2 were read aloud by Deputy City Clerk Michelle Conklin.

1. Approval of the Minutes of the August 18, 2020 Regular City Council Meeting
2. Approval of bills as presented

A motion was made by Alderman Snow and second by Alderman Sobottka to approve Consent Agenda items 1 and 2.

**Vote 7 aye, motion carried.**

A motion was made by Alderman Schuneman and second by Alderman Sobottka to approve first reading of Ordinance 2020-2492 - Amending Chapter 2, Article VII of the Rock Falls Municipal Code Abolishing the Position of City Collector.

**Viva Voce Vote, motion carried. (7 ayes)**

A motion was made by Alderman Schuneman and second by Alderman Palmer to approve first reading of Ordinance 2020-2493 - Ordinance providing for the payment of the outstanding General Obligation Bonds (Alternate Revenue Source), Series 2017A, of the City of Rock Falls, Whiteside County, Illinois, and the Execution and Delivery of an Escrow Agreement in Connection Therewith.

**Viva Voce Vote, motion carried. (7 ayes)**

A motion was made by Alderman Schuneman and second by Alderman Sobottka to approve first reading of Ordinance 2020-2494 - Ordinance Authorizing Sale of Surplus Property and Further Authorizing the Mayor to Execute an Agreement with Surf Air Wireless, LLC for the Same.

**Viva Voce Vote, motion carried. (7 ayes)**

Alderman Kleckler asked Surf Air why they did not want to purchase the entire Fiber System that the City has in place. It would make more sense from a business standpoint to want to have the entire system.

Mr. Armstrong from Surf Air stated that when they were first introduced to the situation, the way that the Fiber Network is distributed, there was a certain ring that the City uses and there was a certain amount of fibers that were designated for the fiber to the home. Surf Air is interested in the fiber to the home as that is where their expertise is.

Dick Simon, Electric Director stated that the ring of fiber that the City has is used for the hydro plant, electric substations, meter points, SCADA systems for electric, water and sewer and the City buildings. This fiber started to be installed in the early 1990's and all the city departments depend on this fiber, if we were to sell it and lease it back it would be a substantial amount of money.

A motion was made by Alderman Snow and second by Alderman Wangelin to approve the request to close Mary Avenue from E 10<sup>th</sup> Street to E 11<sup>th</sup> Street on September 12, 2020 from 12:00 p.m. until 10:00 p.m. for a Block Party.

**Vote 5 aye, 2 nay, motion carried.**

A motion was made by Alderman Palmer and second by Alderman Sobottka to approve the agreement between the City of Rock Falls and the Local Union No. 196 of the International Brotherhood of Electrical Workers, AFL-CIO (Clerical).

**Vote 7 aye, motion carried.**

A motion was made by Alderman Palmer and second by Alderman Wangelin to approve Ordinance 2020-2491 – Approving and Adopting a new Collective Bargaining Agreement for the time period of September 1, 2020 through August 31, 2024 between the City of Rock Falls and the Local Union no. 196 of the International Brotherhood of Electrical Workers, AFL-CIO (Clerical).

**Vote 7 aye, motion carried.**

A motion was made by Alderman Palmer and second by Alderman Sobottka to approve for first reading Resolution 2020-580 – Authorizing Transfer of Funds to Escrow Account Relating to Bond Defeasance Made in Connection with Fibernet Asset Sale.

**Vote 7 aye, motion carried.**

Kate Knowles, resident of the 300 block of E 2<sup>nd</sup> Street addressed the City Council and stated that E 2<sup>nd</sup> Street has no stop signs and very few speed limit signs along it. Cars speed down the street and she would like the City to install a few stop signs, more speed limit signs and some children playing signs. Also, from Seward Park to the Canal there is a lot of brush and weeds growing up and this is obstructing the view of the river.

There is nothing that can be done regarding the brush and weeds as this is the property of the Army Corps of Engineers. The signage will be discussed at the next Public Works Public Property Committee Meeting.

A motion was made by Alderman Snow and second by Alderman Babel to approve the appointment of Emily Roth to the Tourism Committee, as a citizen at large, replacing Mike Sterba. Term to start immediately through November 2022.

**Vote 7 aye, motion carried.**

A motion was made by Alderman Schuneman and second by Alderman Sobottka to approve the appointment of Alderman Casey Babel to the Tourism Committee.

**Vote 7 aye, motion carried.**

A motion was made by Alderman Snow and second by Alderman Sobottka to enter into Executive Session for the purpose of:

1. Section 2(c)(1) – Personnel - Employee hiring, firing, compensation, discipline and performance

**Vote 7 aye, motion carried. (7:10 p.m.)**

A motion was made by Alderman Snow and second by Alderman Sobottka to return to regular session.

**Vote 7 aye, motion carried. (7:22 p.m.)**

A motion was made by Alderman Snow and second by Alderman Palmer to appoint Melinda Jones as Interim Tourism Director from September 2, 2020 through April 30, 2021.

**Vote 7 aye, motion carried.**

A motion was made by Alderman Sobottka and second by Alderman Snow to appoint Commander David Pilgrim as Police Chief effective as of February 13, 2021.

**Vote 7 aye, motion carried.**

A motion was made by Alderman Snow and second by Alderman Sobottka to Adjourn.

**Viva Voce Vote, motion carried. (7:25 p.m.)**

  
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Michelle K. Conklin, Deputy City Clerk

CITY OF ROCK FALLS

Rock Falls, Illinois 09/15/2020

To the Mayor and City Council of the City of Rock Falls, Your Committee on Finance would respectfully report that they have examined the following bills presented against the City, and have found the same correct and would recommend the payment of the various amounts to the several claimants as follows:

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Tourism		17956.23
General Fund		450117.76
Industrial Development Fund		110.00
Electric		48744.80
Fiber Optic Broadband	Taxable	18516.50
	Tax Exempt	2951.00
Sewer		45104.19
Water		62377.70
Garbage Fund		255.00
Customer Service Center		3500.15
Customer Utility Deposit		\$189.46
		\$649,822.79

Alderman Kleckler  
Alderman Wangelin  
Alderman Palmer

DATE: 09/03/20  
 TIME: 14:03:01  
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CITY OF ROCK FALLS  
 DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 09/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
-----			
TOURISM			
05	TOURISM		
194	GRUMMERT'S HARDWARE - R.F.	2,138.31	9.17
2796	U.S. CELLULAR	1,570.24	109.58
T0004908	MELINDA JONES		89.98
T0004926	ANDREW ARVANETES		1,000.00
T0004927	MICHAEL YOUNG		1,000.00
T0005168	KRISTIN GARNANT		1,000.00
T0005169	JENNIFER MEYER		1,000.00
T0005173	VERNON SKIP WILLITS		2,000.00
T0005337	STAHR MEDIA	325.00	692.50
T0005366	CHRIS KNIGHT		1,000.00
T0005367	DAVID ZAHN		1,000.00
	TOURISM		8,901.23
GENERAL FUND			
01	ADMINISTRATION		
1472	WARD, MURRAY, PACE & JOHNSON	23,511.50	3,630.00
1493	WILLIAM & MARY COMPUTER CENTER	29.50	699.00
176	PETTY CASH		0.30
4331	CIRCUIT CLERK OF LEE COUNTY	400.00	100.00
4392	WILLIAM B WESCOTT	425.65	40.00
753	ROCK FALLS CHAMBER OF COMMERCE	3,500.00	500.00
	ADMINISTRATION		4,969.30
02	CITY ADMINISTRATOR		
1493	WILLIAM & MARY COMPUTER CENTER	29.50	699.00
4972	ROBBIN BLACKERT	400.00	100.00
	CITY ADMINISTRATOR		799.00
03	PLANNING/ZONING		
1472	WARD, MURRAY, PACE & JOHNSON	23,511.50	55.00
	PLANNING/ZONING		55.00
04	BUILDING		

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INVOICES DUE ON/BEFORE 09/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
-----			
GENERAL FUND			
04	BUILDING		
176	PETTY CASH		0.15
2797	MARK SEARING	160.00	40.00
5220	TECHNOLOGY FINANCE CORP	3,560.82	30.43
	BUILDING		70.58
05	CITY CLERK'S OFFICE		
176	PETTY CASH		9.18
795	SBM BUSINESS EQUIPMENT CENTER	3,991.01	369.90
829	SELF HELP ENTERPRISE	103.40	11.00
	CITY CLERK'S OFFICE		390.08
06	POLICE		
1472	WARD, MURRAY, PACE & JOHNSON	23,511.50	220.00
1493	WILLIAM & MARY COMPUTER CENTER	29.50	699.00
176	PETTY CASH		5.00
295	PAM ERBY	400.00	50.00
432	ILLINOIS FIRE & POLICE		34.50
956	UNIFORM DEN INC	970.00	53.85
T0005357	TAX-EXEMPT LEASING CORP	37,961.81	44,004.04
	POLICE		45,066.39
10	STREET		
194	GRUMMERT'S HARDWARE - R.F.	2,138.31	40.02
5220	TECHNOLOGY FINANCE CORP	3,560.82	243.47
55	ARAMARK UNIFORM SERVICES, INC.	3,567.49	89.04
T0005087	PIONEER RESEARCH	10,982.75	3,686.75
T0005346	ESSENCE CHEMICAL COMPANY	2,518.00	970.52
T0005369	MARKING SPECIALISTS CORP		52,623.76
	STREET		57,653.56
13	FIRE		
1472	WARD, MURRAY, PACE & JOHNSON	23,511.50	220.00



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DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 09/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
-----			
GENERAL FUND			
13	FIRE		
194	GRUMMERT'S HARDWARE - R.F.	2,138.31	4.49
295	PAM ERBY	400.00	50.00
423	AT&T	4,130.59	73.43
432	ILLINOIS FIRE & POLICE		34.50
956	UNIFORM DEN INC	970.00	485.59
T0005368	MACQUEEN EMERGENCY		251,550.00
	FIRE		252,418.01
INDUSTRIAL DEVELOPMENT FUND			
14	INDUSTRIAL DEVELOPMENT		
1472	WARD, MURRAY, PACE & JOHNSON	23,511.50	110.00
	INDUSTRIAL DEVELOPMENT		110.00
ELECTRIC FUND			
20	OPERATION & MAINTENANCE		
1472	WARD, MURRAY, PACE & JOHNSON	23,511.50	770.00
176	PETTY CASH		6.00
194	GRUMMERT'S HARDWARE - R.F.	2,138.31	13.37
219	CRESCENT ELECTRIC	1,396.63	282.37
2451	MENARDS	1,501.18	95.95
2557	ASPLUNDH TREE EXPERT CO.	81,406.88	15,297.28
34	ALTORFER INC.	812,511.55	64.31
395	HILLS ELECTRIC MOTOR SERVICE	685.64	350.92
4215	POWER LINE SUPPLY	14,496.26	403.80
4995	CLOUDPOINT GEOSPATIAL	30,293.75	2,433.34
5205	TALLMAN EQUIPMENT CO INC.	428.11	726.64
5210	RITZ SAFETY LLC	2,393.03	1,020.72
5220	TECHNOLOGY FINANCE CORP	3,560.82	517.39
5242	CLEARFIELD INC		926.01
5299	GREAT WESTERN SUPPLY CO	806.97	15.62
795	SBM BUSINESS EQUIPMENT CENTER	3,991.01	109.26
906	T & R SERVICE	1,641.00	4,652.00
964	UUSCO	4,542.00	9,171.00
	OPERATION & MAINTENANCE		36,855.98

FIBER OPTIC BROADBAND/TXEXEMPT

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CITY OF ROCK FALLS  
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 09/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
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FIBER OPTIC	BROADBAND/TXEXEMPT		
24	FIBER OPTIC BROADBAND/TXEXEMPT		
5249	JC FIBER TECH INC		2,951.00
	FIBER OPTIC BROADBAND/TXEXEMPT		2,951.00
SEWER FUND			
30	SEWER		
5105	STANLEY CONSULTANTS, INC.	10,467.50	1,915.00
631	MURRAY & SONS EXCAVATING, INC	93,398.00	6,327.20
	SEWER		8,242.20
38	OPERATION & MAINTENANCE		
1472	WARD, MURRAY, PACE & JOHNSON	23,511.50	220.00
34	ALTORFER INC.	812,511.55	53.37
4995	CLOUDPOINT GEOSPATIAL	30,293.75	2,433.33
5136	AQUA-AEROBIC SYSTEMS INC		3,468.46
5220	TECHNOLOGY FINANCE CORP	3,560.82	182.61
5283	RHINO INDUSTRIES INC	8,131.00	5,716.92
533	ELECTRONICS, INC.	2,336.00	404.50
	OPERATION & MAINTENANCE		12,479.19
WATER FUND			
40	WATER		
4040	ILLINOIS ENVIRONMENTAL	119,019.45	53,749.34
4361	FERGUSON WATERWORKS #2516	38,091.10	960.47
	WATER		54,709.81
48	OPERATION & MAINTENANCE		
1472	WARD, MURRAY, PACE & JOHNSON	23,511.50	220.00
2847	PDC LABORATORIES, INC.	1,480.50	518.00
4361	FERGUSON WATERWORKS #2516	38,091.10	2,439.00
4995	CLOUDPOINT GEOSPATIAL	30,293.75	2,433.33
5176	DIRECT IN SUPPLY	307.33	61.39
5220	TECHNOLOGY FINANCE CORP	3,560.82	213.04

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INVOICES DUE ON/BEFORE 09/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
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WATER FUND			
48	OPERATION & MAINTENANCE		
55	ARAMARK UNIFORM SERVICES, INC.	3,567.49	98.29
	OPERATION & MAINTENANCE		5,983.05
GARBAGE FUND			
50	GARBAGE		
1472	WARD, MURRAY, PACE & JOHNSON	23,511.50	55.00
	GARBAGE		55.00
CUSTOMER SERVICE CENTER			
51	CUSTOMER SERVICE CENTER		
176	PETTY CASH		0.15
760	ROCK FALLS POSTMASTER	10,740.00	3,500.00
	CUSTOMER SERVICE CENTER		3,500.15
CUSTOMER UTILITY DEPOSITS			
75	CUSTOMER UTILITY DEPOSITS		
T0005226	ALTISOURCE		150.00
	CUSTOMER UTILITY DEPOSITS		150.00
	TOTAL ALL DEPARTMENTS		495,359.53

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CITY OF ROCK FALLS  
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INVOICES DUE ON/BEFORE 09/11/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
-----			
TOURISM			
05	TOURISM		
2528	LAMAR ADVERTISING COMPANY	6,140.00	1,535.00
5118	SIKICH, LLP	25,000.00	200.00
5175	GRAGERT DESIGNS		520.00
5268	KOLONI INC		6,800.00
	TOURISM		9,055.00
GENERAL FUND			
01	ADMINISTRATION		
4331	CIRCUIT CLERK OF LEE COUNTY	500.00	600.00
5118	SIKICH, LLP	25,000.00	2,000.00
	ADMINISTRATION		2,600.00
06	POLICE		
1935	SCHUNEMAN INSURANCE AGENCY		110.00
194	GRUMMERT'S HARDWARE - R.F.	2,205.36	1.61
4508	LEXISNEXIS RISK SOLUTIONS	150.00	30.00
4631	WHITESIDE COUNTY	99,542.62	75,405.60
5277	PAPER RECOVERY SERVICE CORP	210.00	75.00
533	ELECTRONICS, INC.	2,740.50	318.00
	POLICE		75,940.21
10	STREET		
34	ALTORFER INC.	812,629.23	26.45
5269	DIXON PAINT COMPANY	1,001.82	395.00
55	ARAMARK UNIFORM SERVICES, INC.	3,754.82	99.69
631	MURRAY & SONS EXCAVATING, INC	99,725.20	9,369.60
	STREET		9,890.74
12	PUBLIC PROPERTY		
533	ELECTRONICS, INC.	2,740.50	39.00
	PUBLIC PROPERTY		39.00

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INVOICES DUE ON/BEFORE 09/11/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
-----			
GENERAL FUND			
13	FIRE		
1935	SCHUNEMAN INSURANCE AGENCY		110.00
194	GRUMMERT'S HARDWARE - R.F.	2,205.36	15.89
5169	MOTOROLA SOLUTIONS		100.00
	FIRE		225.89
ELECTRIC FUND			
20	OPERATION & MAINTENANCE		
1224	AIRGAS USA LLC	1,092.00	578.96
1853	MOORE TIRES INC.	3,438.09	797.46
219	CRESCENT ELECTRIC	1,679.00	4,885.47
2611	FISCH MOTORS INC	273.00	34.00
4215	POWER LINE SUPPLY	14,900.06	742.11
4528	MODERN SHOE SHOP	377.98	485.98
4656	THOMPSON TRUCK AND TRAILER	2,678.75	7.20
4730	FLETCHER-REINHARDT CO	5,402.09	756.00
4995	CLOUDPOINT GEOSPATIAL	37,593.75	176.40
5018	USIC LOCATING SERVICES LLC	2,603.76	407.39
5118	SIKICH, LLP	25,000.00	800.00
5226	HUPP TOYOTALIFT		133.02
533	LECTRONICS, INC.	2,740.50	149.00
66	STERLING CHEVROLET CO.	21.03	1,485.83
964	UUSCO	13,713.00	450.00
	OPERATION & MAINTENANCE		11,888.82
FIBER OPTIC BROADBAND/TAXABLE			
23	FIBER OPTIC BROADBAND/TAXABLE		
5207	INTERNET SERVICES PROVIDER NET	18,200.00	4,500.00
5216	CLOUD NINE COMMUNICATIONS	1,679.00	99.00
5225	SYNDEO NETWORKS INC	74,349.00	13,542.50
5255	SMARTRG INC	1,500.00	375.00
	FIBER OPTIC BROADBAND/TAXABLE		18,516.50
SEWER FUND			
38	OPERATION & MAINTENANCE		
2067	CIVIL CONSTRUCTORS, INC.		18,996.28

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INVOICES DUE ON/BEFORE 09/11/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
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SEWER FUND			
38	OPERATION & MAINTENANCE		
2301	STERLING NAPA	153.71	59.98
2517	WM CORPORATE SERVICES, INC	9,384.80	1,094.40
4446	MORING DISPOSAL, INC.	175,241.44	1,800.00
4528	MODERN SHOE SHOP	377.98	130.49
482	JOHNSON OIL CO	1,552.38	610.20
5118	SIKICH, LLP	25,000.00	400.00
5153	DAVE JACKLEY SEWER &		350.00
5264	FLOW-TECHNICS INC		660.00
533	ELECTRONICS, INC.	2,740.50	78.00
651	NICOR	8,203.72	203.45
	OPERATION & MAINTENANCE		24,382.80
WATER FUND			
48	OPERATION & MAINTENANCE		
2796	U.S. CELLULAR	1,679.82	378.29
4707	KIMBALL MIDWEST	508.60	49.00
5118	SIKICH, LLP	25,000.00	400.00
55	ARAMARK UNIFORM SERVICES, INC.	3,754.82	105.15
631	MURRAY & SONS EXCAVATING, INC	99,725.20	752.40
	OPERATION & MAINTENANCE		1,684.84
GARBAGE FUND			
50	GARBAGE		
5118	SIKICH, LLP	25,000.00	200.00
	GARBAGE		200.00
CUSTOMER UTILITY DEPOSITS			
75	CUSTOMER UTILITY DEPOSITS		
T0005370	LAURA DUTTON		39.46
	CUSTOMER UTILITY DEPOSITS		39.46
	TOTAL ALL DEPARTMENTS		154,463.26

CITY OF ROCK FALLS

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ORDINANCE NO. \_\_\_\_\_

**ORDINANCE AMENDING CHAPTER 2, ARTICLE VII  
OF THE ROCK FALLS CITY CODE  
ABOLISHING THE POSITION OF CITY COLLECTOR**

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ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF ROCK FALLS

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

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Published in pamphlet form by authority of the City Council of the City of Rock Falls, Illinois,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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ORDINANCE NO. \_\_\_\_\_

**ORDINANCE AMENDING CHAPTER 2, ARTICLE VII  
OF THE ROCK FALLS CITY CODE  
ABOLISHING THE POSITION OF CITY COLLECTOR**

**WHEREAS**, Section 3.1-35-120 of the Illinois Municipal Code (65 ILCS 5/1-1.1 et. seq.) authorizes the corporate authorities of any municipality to establish and appoint the position of city collector; and

**WHEREAS**, among the duties of the city collector is to keep books and accounts of the City, to collect money and other revenues of the City on the City's behalf, and to act as the City's designated Freedom of Information Act (FOIA) officer; and

**WHEREAS**, following a discussion of said duties, the Mayor and City Council (collectively, the "Corporate Authorities") have determined that, through the passage of time, the duties of the city collector have been delegated or assigned to other positions within the City's staff, and that the position of city collector is no longer needful or necessary to maintain; and

**WHEREAS**, the Corporate Authorities of the City have determined it in the best interests of the City and its residents to abolish the position of city collector and to designate the City's business office superintendent as the City's FOIA officer, all as more specifically set forth herein.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and City Council of the City of Rock Falls, Whiteside County, Illinois as follows:

**SECTION 1:** The City hereby finds that all of the recitals contained in the preambles to this Ordinance are true and correct and does incorporate them into this Ordinance by this reference.

**SECTION 2:** The position of city collector within the City of Rock Falls is hereby abolished. Chapter 2, Article VII, Division 5.5 of the Rock Falls Municipal Code is repealed in its entirety.

**SECTION 3:** Chapter 2, Article VII of the Rock Falls Municipal Code, as amended, is further amended by the addition of a new Section 2-246 entitled "City's business office superintendent designated as Freedom of Information Act (FOIA) officer" to read as follows:

**"Sec. 2-246. – City's business office superintendent designated as Freedom of Information Act (FOIA) officer.**

- (a) The city's business office superintendent is hereby appointed by the city council to be the designated chief Freedom of Information Act officer for the city to be responsible for and to perform those duties required by the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq., (the "Act"). In



such capacity the business office superintendent shall be responsible for maintaining the city's compliance with all statutory obligations of the Act and be empowered to consult with the city attorney for all issues relating to the Act. The deputy city clerk shall also serve as a designated Freedom of Information Act officer and shall assist the business office superintendent in performing such duties as necessary to maintain the city's compliance with the Act.

- (b) The business office superintendent shall make available for inspection and copying upon request or through the mail:
  - (1) The directory of Freedom of Information Act officers;
  - (2) The address where a request for public records should be directed; and
  - (3) The schedule of fees allowable under Section 6 of the Act, which the business officer superintendent shall also cause to be posted on the official website of the city.”

**SECTION 4:** In all other respects, Chapter 2, Article VII of the Rock Falls Municipal Code shall remain in full force and effect as previously adopted and/or amended.

**SECTION 5:** The provisions and sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

**SECTION 6:** The City Clerk is directed to publish this Ordinance in pamphlet form.

**SECTION 7:** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

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ORDINANCE providing for the payment of the outstanding General Obligation Bonds (Alternate Revenue Source), Series 2017A, of the City of Rock Falls, Whiteside County, Illinois, and the execution and delivery of an escrow agreement in connection therewith.

\* \* \*

WHEREAS, the City of Rock Falls, Whiteside County, Illinois (the “*City*”), is a duly organized and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, is now operating under the provisions of the Illinois Municipal Code (the “*Municipal Code*”), and all laws amendatory thereof or supplementary thereto, including the Local Government Debt Reform Act, as amended; and

WHEREAS, the City has previously issued and there are currently outstanding General Obligation Bonds (Alternate Revenue Source), Series 2017A, dated April 27, 2017 (the “*Bonds*”) and were issued such that the interest on the Bonds is not included in gross income of the owners thereof for federal income tax purposes (“*Tax-Exempt Bonds*”); and

WHEREAS, the Bonds were issued to pay the costs of designing, constructing and operating a broadband internet system for the City (the “*Broadband System*”);

WHEREAS, the City has determined that it is in the best interests of the City to sell the Broadband System; and

WHEREAS, given the sale of the Broadband System, in order to maintain the status of the Bonds as Tax-Exempt Bonds, the City must provide for the payment of the Bonds on their earliest possible redemption date; and

WHEREAS, the Council of the City (the “*Council*”) has determined that the City has funds on hand and lawfully available in an amount not to exceed \$3,000,000 to so provide for the payment of the outstanding Bonds (the “*Available Funds*”); and

WHEREAS, the Available Funds are sufficient, together with investment earnings thereon, to provide for the payment of all of the principal of and interest on the outstanding Bonds through and including the optional redemption date thereof; and

WHEREAS, the Council hereby finds that it is in the best interests of the City to apply the Available Funds to the payment of the Bonds when due and upon redemption prior to maturity (the "*Defeasance*"); and

WHEREAS, in accordance with their terms, the Bonds may be called for redemption in advance of their respective maturities, and it is necessary and desirable to make such call for the redemption of the Bonds on their earliest possible call date, and provide for the giving of proper notice to the registered owners of the Bonds; and

WHEREAS, in order to properly provide for the payment of the Bonds, it will be necessary to irrevocably deposit the Available Funds in escrow with an escrow agent, the same being Sauk Valley Bank and Trust Company, Sterling, Illinois, or such other bank or trust company authorized to do business in the State of Illinois (the "*Escrow Agent*") as set forth in the agreement between the City and the Escrow Agent establishing said escrow account (the "*Escrow Agreement*"), to pay the principal of and interest on the Bonds when due and upon redemption prior to maturity; and

WHEREAS, it is necessary that the Council authorize the form of Escrow Agreement with the Escrow Agent and direct the execution of the Escrow Agreement by officers of the City:

NOW, THEREFORE, Be It Ordained by the Council of the City of Rock Falls, Whiteside County, Illinois, as follows:

*Section 1. Incorporation of Preambles.* The Council hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by this reference.

*Section 2. Form and Authorization of Agreement.* The Available Funds shall be deposited into an escrow account (the "*Escrow Account*") held by the Escrow Agent pursuant to the Escrow Agreement. The Escrow Agreement shall be in substantially the form attached hereto as *Exhibit A* with such changes therein as shall be approved by the officers of the City executing the Escrow Agreement, such execution to constitute evidence of the approval of such changes, for the purpose of paying the Bonds. The Council approves the form, terms and provisions of the Escrow Agreement and authorizes the Mayor and the City Clerk to execute, attest and deliver the Escrow Agreement in the name and on behalf of the City. Amounts in the escrow will be held in cash or be used to purchase non-callable direct obligations of or non-callable obligations guaranteed by the full faith and credit of the United States of America as to principal and interest or U.S. Treasury Securities—State and Local Government Series (the "*Government Securities*"), in each case sufficient to provide for the Defeasance. The Escrow Agent and Robert W. Baird & Co. Incorporated are hereby authorized to act as agent for the City in the purchase of the Government Securities described in the previous sentence. The sufficiency of the Government Securities and the interest earned thereon to provide for the Defeasance shall be determined by a verification agent to be selected by the Mayor.

*Section 3. Transfer and Deposit of Available Funds.* The Available Funds are hereby appropriated for the Defeasance and are hereby ordered deposited into the Escrow Account pursuant to the Escrow Agreement to provide for the payment of all principal of and interest on the Bonds when due and upon redemption prior to maturity. The City Treasurer is hereby authorized and directed forthwith to transfer the Available Funds in the amount necessary to effectuate the Defeasance to the Escrow Agent to be deposited into the Escrow Account. The amount of such Available Funds which are necessary to be deposited into the Escrow Account shall be conclusively established under the terms of the Escrow Agreement.

*Section 4. Call of the Bonds.* In accordance with the redemption provisions of the ordinance authorizing the Bonds, the City by the Council does hereby make provision for the payment of and does hereby call the Bonds for redemption on April 1, 2027, the same being the earliest possible call date for the Bonds.

*Section 5. Abatement of Tax.* The Mayor, the City Clerk and the City Treasurer be and the same are hereby directed to prepare and file with the County Clerk a Certificate of Reduction of Taxes Heretofore Levied for the Payment of Bonds showing the Bonds being paid and directing the abatement of the taxes heretofore levied to pay the Bonds.

*Section 6. Severability.* If any section, paragraph, clause 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 7. Superseder and Effective Date.* All ordinances, resolutions, and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded, and this Ordinance shall be in full force and effect immediately upon its passage and approval.

ADOPTED: September 1, 2020

AYES: \_\_\_\_\_  
\_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Approved: September 1, 2020

\_\_\_\_\_  
Mayor, City of Rock Falls,  
Whiteside County, Illinois

ATTEST:

\_\_\_\_\_  
City Clerk, City of Rock Falls,  
Whiteside County, Illinois

Recorded in the City Records on September 1, 2020.

**EXHIBIT A**

**FORM OF ESCROW AGREEMENT**



STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF WHITESIDE        )

**CERTIFICATION OF ORDINANCE AND MINUTES**

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Rock Falls, Whiteside County, Illinois (the “City”), and as such official I am the keeper of the records and files of the Council of the City (the “Council”).

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Council held on the 1st day of September, 2020, insofar as same relates to the adoption of Ordinance No. \_\_\_\_\_ entitled:

ORDINANCE providing for the payment of the outstanding General Obligation Bonds (Alternate Revenue Source), Series 2017A, of the City of Rock Falls, Whiteside County, Illinois, and the execution and delivery of an escrow agreement in connection therewith.

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

I do further certify that the deliberations of the Council 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 an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Council at least 96 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 96-hour period preceding said meeting, that said agenda contained a separate specific item concerning the proposed adoption of said ordinance, a true, correct and complete copy of the agenda as so posted being attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Illinois Municipal Code, as amended, and that the Council has complied with all of the applicable provisions of said Act and said Code and its procedural rules in the adoption of said ordinance.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the City, this 1st day of September, 2020.

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City Clerk

[SEAL]

[Clerk to attach agenda]

MINUTES of a regular public meeting of the Council of the City of Rock Falls, Whiteside County, Illinois, held in the Council Chambers of the Municipal Complex, 603 West 10th Street, Rock Falls, Illinois, at 6:30 o'clock P.M. on the 1st day of September, 2020.

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

Upon the roll being called, the following Aldermen were physically present at said location: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

The following Aldermen attended the meeting by video or audio conference: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

The following officials of the City were physically present at said location and ensured that members of the public present could hear all discussion and testimony and all votes of the members of the body, the availability of electronic meeting access by video and/or audio conference to any members of the public attending the meeting in person at said location and requesting such access: \_\_\_\_\_

Access to the meeting was provided to members of the public to contemporaneously hear all discussion, testimony, and roll call votes by the following means: \_\_\_\_\_

\_\_\_\_\_

The Mayor announced that the next item on the agenda was the consideration of an ordinance providing for the payment of the City's outstanding General Obligation Bonds (Alternate Revenue Source), Series 2017A, dated April 27, 2017, and authorizing the execution and delivery of an escrow agreement in connection therewith.

Whereupon, the Mayor presented and the City Clerk made available to the Aldermen and interested members of the public, complete copies of an ordinance entitled:

ORDINANCE providing for the payment of the outstanding General Obligation Bonds (Alternate Revenue Source), Series 2017A, of the City of Rock Falls, Whiteside County, Illinois, and the execution and delivery of an escrow agreement in connection therewith.

(the "*Ordinance*").

Alderman \_\_\_\_\_ then moved and Alderman \_\_\_\_\_ seconded the motion that the Ordinance as presented be adopted.

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

Upon the roll being called, the following Aldermen voted AYE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and the following Aldermen voted NAY: \_\_\_\_\_

Whereupon, the Mayor declared the motion carried and the Ordinance adopted, and henceforth did approve and sign the same in open meeting, and did direct the City Clerk to record the same in full in the records of the Council of the City of Rock Falls, Whiteside County, Illinois.

Other business was duly transacted at said meeting.

Upon motion duly made and carried, the meeting adjourned.

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City Clerk

CITY OF ROCK FALLS

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**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE AUTHORIZING SALE OF SURPLUS PROPERTY  
AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT  
WITH SURF AIR WIRELESS, LLC FOR THE SAME**

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ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF ROCK FALLS

THIS 15<sup>TH</sup> DAY OF SEPTEMBER, 2020

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Published in pamphlet form by authority of the City Council of the City of Rock Falls, this 15<sup>th</sup> day of September, 2020.

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**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE AUTHORIZING SALE OF SURPLUS PROPERTY  
AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT  
WITH SURF AIR WIRELESS, LLC FOR THE SAME**

**WHEREAS**, the City of Rock Falls (the “City”) is the owner of that certain fiber-optic network and related equipment, commonly known as “FiberNet”, which is operated for the purpose of providing high-speed internet services to the residents and businesses of the City (all of the foregoing, the “Fiber Asset”); and

**WHEREAS**, the Mayor and City Council of the City (collectively, the “Corporate Authorities”) have reviewed the needs of the City with reference to the Fiber Asset, have made a careful study of said needs and have determined and concluded that the Fiber Asset is no longer useful or necessary to the function of the City and is hereby declared to be surplus personal property of the City; and

**WHEREAS**, pursuant to Section 11-76-4 of the Illinois Municipal Code (the “Code”), the corporate authorities of a municipality may by ordinance authorize the sale of surplus personal property owned by the municipality in such manner as they may designate, with or without advertising the sale; and

**WHEREAS**, Surf Air Wireless, LLC, a Delaware limited liability company (“Surf Air”), has approached the City and has indicated its desire to purchase the Fiber Asset and to assume the City’s obligations with respect to the same; and

**WHEREAS**, in connection with said purchase, Surf Air and the City have negotiated and desire to enter into an Asset Purchase Agreement (the “Agreement”), said Agreement being attached hereto and incorporated herein as Exhibit A; and

**WHEREAS**, pursuant to the Agreement, Surf Air has, among other things, offered to pay to the City the sum of Two Million Two Hundred Twenty-Five Thousand and No/100ths Dollars (\$2,225,000.00) (the “Purchase Price”) for the Fiber Asset, including such further and additional consideration as is set forth in the Agreement; and

**WHEREAS**, the Corporate Authorities find it in the best interests of the City that the Fiber Asset be sold for the Purchase Price, all pursuant to the Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Rock Falls, Whiteside County, Illinois as follows:

**SECTION 1:** The preambles to this Ordinance are true and correct and are hereby incorporated into this Section 1 as if more fully set forth herein.

**SECTION 2:** The Corporate Authorities of the City of Rock Falls hereby declare and find that the Fiber Asset is no longer necessary or useful to, or for the best interests of the City, and further authorize its sale in accordance with this Ordinance.

**SECTION 3:** The Agreement and sale of the Fiber Assets to Surf Air pursuant to said Agreement is approved. The Mayor is hereby authorized and directed to sign, and the City Clerk to attest, the Agreement on behalf of the City. The Mayor is further authorized to sign any revised version of the Agreement that is recommended and approved by the City Attorney, so long as such revisions do not decrease the sale price or other consideration to be received by the City.

**SECTION 4:** The Mayor and City Clerk are further authorized to execute any supplemental documents, exhibits or the like as may be necessary or needful to consummate the sale of the Fiber Asset pursuant to this Ordinance and the Agreement.

**SECTION 5:** 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 6:** All ordinances, Ordinances, motions, or parts thereof in conflict herewith and the same are hereby repealed.

**SECTION 7:** This Ordinance shall be in full force and effect upon its adoption, approval, and publication as required by law.

Approved this 15<sup>th</sup> day of September, 2020.

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Mayor

ATTEST:

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City Clerk



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NAY

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**EXHIBIT A**

*(attach Asset Purchase Agreement)*

ORDINANCE NO. 2020-2495

AN ORDINANCE PERTAINING TO THE LOCAL CURE PROGRAM

WHEREAS, the City of Rock Falls, Whiteside County, Illinois, is an Illinois municipality, eligible for reimbursement of funds through the Local Coronavirus Urgent Remediation Emergency Support Program (Local CURE Program), 20 ILCS 605/605-1045; and

WHEREAS, the Local CURE Program is funded from financial assistance the State of Illinois received through the U.S. Department of the Treasury's Coronavirus Relief Fund (CFDA No. 21.019) authorized under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief and Economic Security Act, P.L. 116-136 ("CARES Act"); and

WHEREAS, as a Local Government recipient of financial support through the Local CURE Program, the City of Rock Falls is required to utilize the financial support received from the Illinois Department of Commerce and Economic Opportunity (the "Department") for the specific purposes and in compliance with the terms and certifications of the Local CURE Program; and

WHEREAS, the corporate authorities of the City of Rock Falls have determined that it is advisable, necessary and in the best interest of the City of Rock Falls to enter into the attached Local CURE Program Financial Support Conditions and Certification in order to participate in and receive the funding pursuant to the Local CURE Program.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

ARTICLE 1

The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

ARTICLE 2

The Financial Support Conditions and Certification in substantially the form of the exhibit attached hereto is hereby incorporated herein by reference, authorized and approved.

ARTICLE 3

The Mayor is hereby authorized to execute and deliver and the City Clerk is hereby authorized to attest to said execution of said certification in substantially the form of the

exhibit appended hereto as so authorized and approved for and on behalf of the City of Rock Falls.

#### ARTICLE 4

SEVERABILITY. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

#### ARTICLE 5

The City Council finds that the customary practice of requiring a first and second reading of ordinances is not applicable or necessary in the case of this Ordinance, and a first reading preliminary to adoption hereof is hereby waived, and this Ordinance shall become effective upon its passage.

#### ARTICLE 6

REPEAL OF CONFLICTING PROVISIONS. All ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

#### ARTICLE 7

EFFECTIVE DATE. This Ordinance shall be in full force and effect on September 15, 2020.

Passed this 15<sup>th</sup> day of September, 2020.

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William B. Wescott, Mayor

ATTEST:

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Michelle K. Conklin, Deputy City Clerk

LOCAL CORONAVIRUS URGENT REMEDIATION EMERGENCY SUPPORT PROGRAM  
("Local CURE Program")

FINANCIAL SUPPORT CONDITIONS AND CERTIFICATION

**City of Rock Falls** ("Local Government"), with its principal office at **603 W 10th St, Rock Falls, IL 61071**, is eligible to receive an amount not to exceed **\$382,251** ("allotment") as financial support pursuant to the Local CURE Program.

The Local CURE Program is funded from financial assistance the State of Illinois received through the U.S. Department of the Treasury's Coronavirus Relief Fund (CFDA No. 21.019) authorized under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief and Economic Security Act, P.L. 116-136 ("CARES Act").

As a Local Government recipient of financial support through the Local CURE program, the Local Government is required to utilize the financial support received from the Illinois Department of Commerce and Economic Opportunity (the "Department") for the specific purposes as set forth below. To participate in the Local CURE Program, the Local Government must remain in compliance with the terms and certifications stated herein. Please review the items below carefully, as the Local Government and its representative shall warrant that all material facts presented are accurate. If the Local Government is unable to provide this assurance, it is ineligible to receive financial support under the Local CURE Program.

The Department may enter into an agreement with one or more third parties to assist in the administration of the Local CURE Program. The Local Government shall adhere to all instructions or guidance issued by the Department's third party vendors in addition to those of the Department.

The allowable uses of program funds and eligible expenditures set forth in this certification will be modified by the Department, in accordance with the Illinois Administrative Procedure Act, if the CARES Act or the U.S. Department of the Treasury guidance is amended to authorize different categories of eligible uses or eligible expenses.

The Local Government should return this signed Financial Support Conditions and Certification by **October 1, 2020**.

FINANCIAL SUPPORT CONDITIONS

As the authorized representative of the Local Government, I agree and certify that the Local Government:

### General Information

1. Provided true and accurate information on the following documents, as applicable: the application and the IRS Form W-9.
2. Will have, by the time Local Government submits its first request for reimbursement, an active registration on the federal System for Award Management (“SAM”) and will maintain an active SAM registration throughout the duration of the Local Government’s participation in the Local CURE Program.
3. Is a “unit of local government” as defined by the Illinois Constitution, Article VII, Section 1 and has the legal authority to apply for and receive financial support under the Local CURE Program.
4. Is not located completely within one or more of the five Illinois counties that received direct allotments from the CARES Act fund (Cook, DuPage, Kane, Lake, or Will).

### Local CURE Program Requirements

5. Has incurred or will incur eligible costs, as defined by 14 Ill. Admin. Code Part 700, for which it will seek reimbursement from the Department under the Local CURE Program. Specifically, the costs incurred by the Local Government:
  - a. are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
  - b. are not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the unit of local government; and
  - c. were or will be incurred during the period that begins on March 1, 2020 and ends December 30, 2020.
6. Understands that pursuant to the Local CURE Program, the Local Government will only be permitted to seek reimbursement from the Department for costs that have already been expended for services performed or goods received. No advance payments will be permitted.
7. Shall seek reimbursement from one or more of the following five categories of eligible incurred expenses:
  - a. Medical expenses, including but not limited to: expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, costs of providing COVID-19 testing, and emergency medical response expenses;
  - b. Public health expenses, including but not limited to: expenses for communication and enforcement by local governments of public health orders related to COVID-19;
  - c. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services were substantially dedicated to mitigating or responding to COVID-19;
  - d. Expenses for actions taken to facilitate compliance with COVID-19 related public health measures; and
  - e. Any other COVID-19 related expenses reasonably necessary to the function of government, or for other uses approved by the Department, that satisfy the Local CURE Program eligibility criteria. The Local Government must document how expenses are related to COVID-19.

8. Understands that to be eligible for reimbursement, the Local Government must have had services performed or received goods to respond directly to the public health emergency with respect to COVID-19 by December 30, 2020.
9. Understands that it is Local Government's responsibility to communicate with and report to the Department Local Government's needs regarding the allotment on a regular basis, as directed by the Department. This includes the requirement that Local Government report as soon as practicable if it believes that a portion of the allotment will not be utilized by the Local Government, OR if Local Government is in need of additional funds in excess of the allotment, for costs which will be incurred by December 30, 2020 and which will comply with all the Local CURE Program requirements.
10. Understands that on or around **November 1, 2020**, the Department will send a notice to Local Government indicating that it must report in detail: (a) how Local Government intends to spend the remainder of the initial allotment, and (b) any anticipated eligible expenses through December 30, 2020 in excess of the local government's initial allotment. If, by **December 1, 2020**, Local Government does not submit a report to the Department, or the detailed report submitted by Local Government reveals that some or all of the allotment will not be utilized by the Local Government, the Department will redirect, in accordance with 14 Ill. Admin. Code Part 700, the projected unspent balance to other local governments eligible for the Local CURE Program, which have reported a need for funds.
11. Understands that all requests for reimbursement for any Local CURE Program allotment received by Local Government before February 1, 2021 must be received by the Department or its third party administrator by **January 31, 2021**.
12. Understands that if Local Government's allotment has a remaining balance of funds for which Local Government has not sought reimbursement by January 31, 2021, on **February 1, 2021**, the remaining balance will be redirected to one or more local governments eligible for the Local CURE Program, which have a need for funds.
13. Understands that if the Local Government receives an allotment on or after **February 1, 2021**, the Local Government must submit all requests for reimbursement for this allotment to the Department or its third party administrator by **February 28, 2021**.
14. Understands that for any allotment received by Local Government on or after December 1, 2020, to be eligible for reimbursement, the Local Government must have had services performed or received goods to respond directly to the public health emergency with respect to COVID-19 by December 30, 2020.
15. Understands that the Local Government will submit to the Department or its third party administrator requests for reimbursement on forms provided by the Department or its third party administrator, including all required supporting documentation and in the manner requested by the Department or third party administrator, that the third party administrator will review the information received for eligibility, and if approved, the payment(s) will be released by the Department to the Local Government.
16. Understands that funds received through the Local CURE Program may not be used to fill shortfalls in the Local Government's revenue to cover expenditures that would not otherwise qualify under the program unless the Department authorizes such expenditures, in accordance with the Illinois Administrative Procedure Act, after a modification to the CARES Act or subsequent guidance issued by the U.S. Department of the Treasury.

17. Shall not seek reimbursement for incurred expenses under the Local CURE Program for which the Local Government has received or will receive a duplicate benefit through another State or federal funding opportunity.
18. Understands that any funding provided through the Local CURE Program is authorized under section 601(a) of the Social Security Act, as added by section 5001 of the CARES Act. The Local Government shall follow all requirements of the CARES Act, including, but not limited to, all related guidance, including subsequent guidance, issued by the U.S. Department of the Treasury.
19. Shall use the funds received from the Department in accordance with the requirements of the Local CURE Program, including the statute (20 ILCS 605/605-1045), rules (14 Ill. Admin. Code Part 700), including any amendments thereto, and all written guidance and manuals issued by the Department and/or its third party administrator. The Department, as the administrator of the Local CURE Program, has the authority to take any action necessary to bring Local Government into compliance with the program requirements.
20. Understands that the Department reserves the right to seek a refund from the Local Government if the Department, another State agency or the federal government finds that the Local Government: (a) made a false or fraudulent statement to the Department or its third party administrator; (b) made a false or fraudulent claim for funds; or (c) spent the Local CURE Program funds on ineligible expenses or for duplicate costs that were reimbursed through another federal or State program.

#### Local CURE Program Administrative Requirements

21. Shall provide all necessary forms, documentation and information as required or requested by the Department or its third party administrator(s) to operate the Local CURE Program.
22. Shall submit all required reports and information requested by the Department or the third party administrator including, but not limited to, information demonstrating funds received under the Local CURE Program were deposited in an account held by the Local Government.
23. When requesting a reimbursement, shall submit a report certifying the costs, as required by 2 CFR 200.415, and provide all documentation and information required by 14 Ill. Admin. Code Part 700, and any other information requested by the Department or its third party administrator.
24. Shall include Local CURE funding in the applicable financial statement and/or audit of the Local Government, including a Single Audit pursuant to the Single Audit Act (31 U.S.C. §§7501-7507).
25. Shall not seek reimbursement for costs paid to an entity on the federal or State debarred and suspended list.
26. Shall comply with the following provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200): 2 CFR 200.303 regarding internal controls; 2 CFR 200.330 through 200.332 regarding subrecipient monitoring and management; subpart E regarding cost eligibility requirements; and subpart F regarding audit requirements.



## General Administrative Requirements

27. Is complying with all relevant State and federal laws and regulations.
28. And its affiliate(s), is/are not barred from receiving the Local CURE Program funds because the Local Government, or its affiliate(s), is/are delinquent in the payment of any debt to the State, unless the Local Government, or its affiliate(s), has/have entered into a deferred payment plan to pay off the debt, and the Local Government acknowledges the Department may terminate and/or seek a refund of the Local Government's Local CURE Program allotment if this certification is false (30 ILCS 500/50-11).
29. Shall continue to comply, as applicable, with the provisions of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), the Davis-Bacon Act (40 U.S.C. 276a-276-1), the Drug-Free Workplace Act of 1988 (44 CFR, Part 17, Subpart F), the Fair Labor Standards Act (29 U.S.C. 201), and the Illinois Prevailing Wage Act (820 ILCS 130/1).
30. Shall comply with all relevant laws and regulations concerning non-discrimination.
31. Shall pay no appropriated funds to any person for influencing or attempting to influence an officer or employee of federal, State or local government, or an employee of a member of any federal, State or local government in connection with the awarding of any State and federal contract, the making of any State and federal grant, the making of any State and federal loan, the entering into any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any State and federal contract, grant, loan or cooperative agreement.
32. Shall prohibit employees, contractors, and subcontractors from using their positions for a purpose that constitutes or presents an appearance of personal or organizational conflict of interests or personal gain.
33. Has no action, lawsuit or proceeding pending or, to the knowledge of the Local Government, threatened which questions the legality or propriety of the transactions contemplated by the receipt of funds through the Local CURE Program or which will have a material adverse effect on the performance required by the Local Government.
34. Has not received any notice of any investigation conducted or charges, complaints or actions brought by the State of Illinois or any governmental body within the State of Illinois regarding the Local Government or its principals and key personnel that will be involved in the use of the Local CURE Program funds received.
35. Has not received any notice that any of its principals or key personnel that will be involved in the use of the Local CURE Program funds are the subject of any criminal investigations or charges.
36. Understands that neither the Department nor the Local Government shall be liable for actions chargeable to the other party related to the Department's provision of funds to the Local Government including, but not limited to, the negligent acts and omissions of a party's agents, employees or subcontractors in the performance of their duties, unless such liability is imposed by law.
37. Understands that receiving funds pursuant to the Local CURE Program is contingent upon and subject to the availability of sufficient funds. The Department may terminate or suspend the Local Government's allotment, in whole or in part, without penalty or further payment being required, if (i) sufficient funds have not been appropriated or otherwise made available to the Department by the State or the federal funding source, (ii) the Governor or the Department

reserves funds, or (iii) the Governor or the Department determines that funds will not or may not be available for payment. The Department shall provide notice, in writing, to the Local Government of any such funding failure and its election to terminate or suspend Local Government's allotment as soon as practicable. Any suspension or termination pursuant to this paragraph will be effective upon the date of the written notice unless otherwise indicated.

#### Accessibility of Records and Retention

38. Shall make books, records, related papers, supporting documentation, financial records and personnel relevant to the Local CURE Program available to authorized Department representatives, the Illinois Auditor General, Illinois Attorney General, any Executive Inspector General, federal authorities, and any other person as may be authorized by the Department (including auditors), by the State of Illinois or by federal statute. Local Government shall cooperate fully in any such audit or inquiry. Failure by the Local Government to maintain books, records, financial records and supporting documentation shall establish a presumption in favor of the State for the recovery of any funds paid by the State under the Local CURE Program for which adequate books, records, financial records and supporting documentation are not available to support disbursement.
39. Understands that the Department or its third party administrator will conduct monitoring of the Local CURE Program to ensure funds were spent in accordance with the Local CURE Program statute and the administrative rules.
40. Shall provide to any agent authorized by the Department, upon presentation of credentials, full access to, and the right to examine, any document, papers and records either in hard copy or electronic format, of the Local Government involving transactions related to the Local CURE Program.
41. Shall maintain for five (5) years from the date of submission of the final request for reimbursement, adequate books, all financial records and supporting documents, statistical records and all other records pertinent to the Local CURE Program. If any litigation, claim or audit is started before the expiration of the retention period, the records must be retained until all litigation, claims or audit exceptions involving the records have been resolved and final action taken.

#### Other Expenditures Prohibited by the CARES Act

42. Shall not seek reimbursement under the Local CURE Program for expenditures prohibited by section 5001(b) of the CARES Act, including, but not limited to:
  - a. advocacy for the legalization of any drug or other substance included in Schedule I of the schedules of controlled substances established under Section 202 of the Controlled Substances Act;
  - b. dissemination of deliberately false or misleading scientific information;
  - c. lobbying; or
  - d. expenses for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition

caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

**Please Answer the Following Questions:**

1. Does the Local Government intend to use the full allotment of funds set forth in the first paragraph, above?  Yes  No
  - a. If yes, the Local Government agrees that it shall notify the Department as soon as practicable if the Local Government determines that it will not use its full allotment.
  - b. If no, approximately, how much of the allotment does the Local Government plan to use? \$ \_\_\_\_\_
  
2. Does the Local Government have or estimate it will have additional Local CURE Program eligible expenses greater than the allotment set forth in the first paragraph, above?  
 Yes  No
  - a. If yes, please provide an estimate of the additional funds needed and the types of expenses generally. \_\_\_\_\_  
\_\_\_\_\_
  
3. Does the Local Government plan to use any of the funds received through the Local CURE program from the Department as a required match component for another State or federal program?  Yes  No
  - a. If yes, please describe the program(s). \_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION**

The individual below, acting in the capacity to represent the Local Government in completion of this certification, certifies that all information contained herein, is true to the best of his/her knowledge and belief.

I declare under penalty of perjury that the above statements are true and correct.

**Authorized Representative**

\_\_\_\_\_  
Signature William Wescott, Mayor  
Name & Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
E-mail

36-6006076 087151569  
Local Government FEIN Local Government DUNS Number

**Primary Local Government Contact for Local CURE Program**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

## OFFER TO PURCHASE REAL ESTATE

TO: Jane Hampton, as Trustee ("Seller")  
Jane Hampton Trust dated July 7, 2011  
514 E. 27<sup>th</sup> St Sterling, IL 61081

FROM: City of Rock Falls ("Buyer")  
601 W. 10<sup>th</sup> Street  
Rock Falls, IL 61071

Buyer hereby offers to purchase from Seller the real estate and all improvements thereon described herein (the "Property"). The real estate is identified as Parcel No. 11-28-276-011 by the Whiteside County, Illinois Office of Assessment, and is described on the attachment labeled as "Exhibit 1" located on West First St, near its intersection with 4<sup>th</sup> Ave, Rock Falls, Whiteside County, Illinois. Upon acceptance by Seller, this Offer shall constitute a binding Contract between the parties. For purposes hereof, the date of acceptance by Seller (or Buyer, if applicable) shall be the "Effective Date".

1. Offer; Purchase Price.

Buyer offers to pay to Seller for the Property the sum of thirty thousand dollars (\$30,000) (the "Purchase Price").

2. Closing.

Closing of the transaction shall occur within two (2) years from the Effective Date (the "Closing Date"). Closing shall take place at the office of H.B. Wilkinson Title Co. in Sterling, Whiteside County, Illinois, or at such other place and time as may be mutually agreed by the parties. Possession shall be given to Buyer at Closing.

3. Contingencies.

This Offer is fully contingent upon Buyer being approved for grant funds for assistance with environmental cleanup of the former Micro Industries Property from the Illinois Environmental Protection Agency and/or the U.S. Environmental Protection Agency on or before thirty (30) days prior to the Closing Date. Failure to obtain the same within twenty-four (24) months of execution of this Offer shall result in termination of this Offer, with no further obligations existing on either Party.

4. Title Insurance and other Due Diligence Matters.

Buyer agrees that it shall be responsible for conducting its own inspections to the Property. Seller shall, at closing, be responsible to provide title evidence, including a commitment for title insurance insuring title to the Property in Buyer, as it deems necessary.

business days after it is posted with the United States Postal Service, at the address specified for Notices.

7. Entire Agreement.

This Offer constitutes the entire agreement between the parties hereto with respect to the subject matter hereof and supersede any and all prior negotiations, understandings and agreements with respect hereto, whether oral or written. This Offer may be amended only by a written instrument executed by the party against whom enforcement of the modification is sought.

8. Counterparts.

This Offer may be executed simultaneously, including via facsimile, in one or more counterparts, each of which shall be deemed an original, but all such counterparts shall together constitute one and the same instrument.

*(signatures to appear on the following page)*

Exhibit 1

Parcel 1:

All of Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and part of Lot 17 in Block 4 of the Town, now City of Rock Falls, Whiteside County, Illinois; according to the Plat thereof recorded January 28, 1868 in Plat Book 2, page 14 described as follows: Beginning at the Southwest corner of said Lot 7, Block 4; thence Northeasterly on the Southerly line of said Lots 7 through 17, Block 4, 261.0 feet; thence Northwesterly 100.32 feet to a point on the North line of said Lot 17, Block 4, 260.69 feet Northeasterly of the Northwest corner of said Lot 7, Block 4; thence Southwesterly on the Northerly line of said Lot 17 through 7, Block 4, 260.69 feet to the Northwest corner of said Lot 7, Block 4; thence Southeasterly on the Westerly line of said Lot 7, 100.32 feet to the said place of beginning, AND ALSO the following described portion of West Second Street as described in Vacation Ordinance recorded September 21, 1979 as Document No. 5935-79: Beginning at the Southwest corner of Block 4 in the Original Town of Rock Falls, Whiteside County, Illinois; thence Northeasterly on the Southerly line of said Block 4, 88 feet; thence Southeasterly perpendicular to the last described course, 6.3 feet; thence Southwesterly parallel with the said Southerly line of Block 4, 88 feet; thence Northwesterly perpendicular to the last described course, 6.3 feet to the said point of beginning.

Parcel 2:

All of Lots 7 through 18 in Block 3, and all of Lot 18 and part of Lot 17 in Block 4 of the Town, now City of Rock Falls, Whiteside County, Illinois; according to the Plat thereof recorded January 28, 1868 in Plat Book 2, page 14, ALSO part of Third Avenue, originally known as Gray Street, described as follows: Beginning at a point on the Southerly line of said Lot 17, Block 4, 261.0 feet Northeasterly of the Southwest corner of Lot 7, Block 4, thence Northwesterly 100.32 feet to a point on the Northerly line of said Lot 17, 260.69 feet Northeasterly of the Northwest corner of Lot 7, Block 4; thence Northeasterly on the Northerly line of said Lots 17 and 18, Block 4, and an extension Northeasterly thereof and on the Northerly line of said Lots 7 through 18, Block 3, 415.11 feet to the Northeast corner of said Lot 18, Block 3, thence Southeasterly on the Easterly line of said Lot 18, Block 3, 100.32 feet to the Southeast corner thereof; thence Southwesterly on the Southerly line of said Lots 18 through 7, Block 3 and an extension Southwesterly thereof and on the Southerly line of said Lots 18 and 17, Block 4, 415.02 feet to the said point of beginning, AND ALSO a tract described as follows: Commencing at a point on the Southerly line of Lots 18 through 7, Block 3 in the Original Town of Rock Falls, Whiteside County, Illinois, which point is 157 feet Southwesterly from the Southeast corner of said Lot 18; thence Southwesterly on said Southerly line of said Lots 18 through 7, 65 feet; thence Southeasterly perpendicular to the last described line, 6 feet; thence Northeasterly 65 feet parallel with the Southerly line of Lots 18 through 7; thence Northwesterly to the point of beginning.

**RESOLUTION NO. 2020 - \_\_\_\_\_**

**A RESOLUTION IN RESPONSE TO PRESIDENTIAL MEMORANDUM  
ON DEFERRING PAYROLL TAX OBLIGATIONS IN LIGHT  
OF COVID-19 DISASTER**

**WHEREAS**, on August 8, 2020, President Donald J. Trump issued a Presidential Memorandum entitled "Memorandum on Deferring Payroll Tax Obligations in Light of the Ongoing COVID-19 Disaster" (the "Memorandum") by which the Secretary of the Treasury of the United States was directed to defer the withholding, deposit and payment of the portion of tax supporting social security to be paid by employees whose wages or compensation during any bi-weekly pay period generally is less than \$4,000.00, pre-tax; and

**WHEREAS**, pursuant to the Memorandum, on August 31, 2020 the Internal Revenue Service issued Notice 2020-65 by which employers were granted authority to defer withholding and deposit of the employee portion of payroll taxes for employees whose wages generally are less than \$4,000.00 on a bi-weekly pay period basis; and

**WHEREAS**, the City Council of the City of Rock Falls has considered the provisions of the Memorandum and of IRS Notice 2020-65, and has concluded that it is in the best interest of the City and its employees that the City not elect to defer withholding and deposit of payroll taxes, as authorized by the Memorandum and Notice 2020-65.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council and Mayor of the City of Rock Falls, that:

1. The statements contained in the preamble paragraphs to this Resolution are declared true and accurate and are incorporated herein.
2. The City Council directs the payroll clerk of the City to not offer to any employee of the City the option of deferral of withholding and deposit of payroll taxes as referred to within the Memorandum and IRS Notice 2020-65.
3. This resolution shall be in full force and effect from and after its passage and approval and publication as required by law.

This resolution read and approved this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



Alderman Voting Aye

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Alderman Voting Nay

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CITY OF ROCK FALLS

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**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS  
TO ESCROW ACCOUNT RELATING TO BOND DEFEASANCE  
MADE IN CONNECTION WITH FIBERNET ASSET SALE**

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ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
OF THE  
CITY OF ROCK FALLS

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

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Published in pamphlet form by authority of the City Council of the City of Rock Falls, this  
\_\_\_\_\_ day of \_\_\_\_\_, 2020.

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**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS  
TO ESCROW ACCOUNT RELATING TO BOND DEFEASANCE  
MADE IN CONNECTION WITH FIBERNET ASSET SALE**

**WHEREAS**, in 2017, the City of Rock Falls (the “City”) authorized two (2) separate bond issues, said issues being the (i) \$2,120,000 General Obligation Bonds (Alternate Revenue Source), Series 2017A, referred to herein as “2017A Bonds”; and (ii) \$2,665,000 Taxable General Obligation Bonds (Alternate Revenue Source), Series 2017B, referred to herein as the “2017B Bonds”, the 2017A Bonds and 2017B Bonds being collectively referred to as the “Bonds”, to pay for the costs of designing, constructing and operating a broadband internet system for the City; and

**WHEREAS**, the City has been approached by Surf Air Wireless, LLC, a Delaware limited liability company (“SAW”), proposing the purchase of a portion of the City’s broadband internet system, commonly known as “FiberNet” (all of the foregoing, the “Asset Sale”); and

**WHEREAS**, the Bonds are still outstanding and have not been paid in full; and

**WHEREAS**, in connection with the Asset Sale, and upon advice of the City’s bond counsel, a defeasance of the 2017A Bonds must occur and the City’s obligations under the same must be secured with funds placed in an escrow account with the bond registrar and paying agent, Sauk Valley Bank & Trust Company; and

**WHEREAS**, the amount to be deposited with the registrar and paying agent prior to the Asset Sale to defease the Bonds is the amount of \$2,610,636.57; and

**WHEREAS**, the City does not have sufficient funds within its General or Fiber/Broadband Funds to satisfy the amount required to be placed in escrow for the bond defeasance; and

**WHEREAS**, the City’s Sewer Fund and Electric Utility Fund have sufficient reserve accounts not needed for the current operations of the same to fund the escrow deposit; and

**WHEREAS**, the Mayor and City Council have duly considered the needs of the City relative to the Asset Sale and deem it appropriate and necessary to transfer such surplus funds from the Sewer and Electric Utility Funds for the funding of the escrow deposit; and

**WHEREAS**, the City finds it in the best interests of the City and its residents to authorize acceptance of the transfer of the sum of \$1,305,318.29 from the Sewer Fund and \$1,305,318.28 from the Electric Utility Fund to the registrar and paying agent as holder of the escrow account, with such amounts to be repaid to the Electric Utility Fund and to the Sewer Fund in installments on an annual basis from proceeds received from the Asset Sale over a period not to exceed ten (10) years, all as more specifically set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the City Council of the City of Rock Falls, as follows:

**SECTION 1:** The recitals contained in the preambles to this Resolution are true and correct and are hereby incorporated into this Resolution as if more fully set forth herein.

**SECTION 2:** The City Treasurer is hereby authorized to transfer the total sum of \$2,610,636.57, consisting of \$1,305,318.29 from the Sewer Fund and \$1,305,318.28 from the Electric Utility Fund, to Sauk Valley Bank & Trust Company for placement into escrow to secure payment of the City's obligations under the 2017A Bonds following the bond defeasance.

**SECTION 3:** The foregoing amounts shall accrue interest at the rate of one percent (1.00%) per annum and shall be repaid to the Sewer and Electric Utility Funds, in equal amounts, from amounts received by the City as installment sale payments and franchise fees generated under the Asset Sale, but provided that the first \$270,000.00 received each year from the Asset Sale shall be dedicated to and used for payment of the annual amounts due on the 2017B Bonds, and any amounts received by the City each year as installment sale payments or franchise fees in excess of \$270,000.00 under the Asset Sale shall be exclusively utilized for repayment to the Sewer and Electric Utility Funds pursuant to this Resolution. Notwithstanding the foregoing, all amounts owed to the Sewer and Electric Utility Funds hereunder shall be repaid in full on or before **ten (10) years** from the date hereof.

**SECTION 4:** The sums transferred hereunder shall in no manner be deemed to conflict with or supersede the City's adopted policies, which require adequate and sufficient reserves to be held by each enterprise department for continued operations in the event of a revenue shortfall. To ensure the same, the City's Finance Committee is hereby charged with reviewing the financial impact to the Sewer and Electric Utility Funds, if any, resulting from the passage of this Resolution at least once every three (3) years until such amounts as are due and owing to said funds hereunder are repaid in full.

**SECTION 5:** The City Clerk is hereby authorized to provide a certified copy of this Resolution to any party so requesting.

**SECTION 6:** All resolutions and parts of resolutions in conflict herewith are, to the extent of such conflict, hereby repealed.

**SECTION 7:** This Resolution shall be in full force and effect from and after its passage and approval and publication as required by law.

*(remainder of page intentionally left blank)*

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

AYE

NAY

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MBC BUILDINGS  
MIDWEST BUILDINGS AND COMPOSTING, INC.  
251 Ashland Rd.  
Pleasant Plains, IL. 62677  
217/476-8021 Office  
217/476-3685 Fax  
[sales@midwestbuildings.com](mailto:sales@midwestbuildings.com)

**BID:**

DATE: Aug. 24, 2020  
PO: W082420AI  
Rock Falls Park District  
Rock Falls, IL.  
Mark Searing

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Winkler 44' X 36' Paramount custom roof stage structure with truss arches on 9' centers, mounted on I beams, FR cover material, Il. Stamped Engineered drawings;	:	57,357.00
Freight:		2,200.00
Construction by Lake Contracting, Addieville, IL.		47,190.00
Total:		106,747.00
No Sales Tax		

**ITEMS NOT INCLUDED IN THIS BID:**

Site prep, state and local permits, insurance above standard, foundation, rock, fill, sand, electric, plumbing, gutters,, other optional construction supplies unless specified in bid, added cost due to sub-grade obstructions, added cost due to improper foundation specs, applicable sales tax unless noted.

**Payment due as follows:** Building – 50% down at time of order, balance due on delivery. Other construction material: Balance due on delivery unless noted otherwise. Construction: 50% at start of construction, 25% due at completion of main frame steel erection, 15% due at completion of main cover and ends, balance due on completion of project. Engineering cost due at time of order. 2% per month interest charged on all payments 10 days past due.

Freight rates have expiration dates and may be subject to change at time of shipment. Down payments are non-refundable.

Project bid does not take into account additional project cost due to changes made by engineering analysis for stamped drawings.

Midwest Buildings and Composting, MBC Buildings and Winkler Canvas will not be held liable in any form for customer decision not to obtain proper state, county or local permits and engineering for this project

**This bid is good for 15 days..**

**DOWN PAYMENT: \$ 26,258.50 plus \$4,840.00 for Engineering Total DP: \$ 31,098.50**

**Cover color: white FR material**

**CUSTOMER SIGNATURE:** \_\_\_\_\_ **Date:** \_\_\_\_\_

