

Request For Board Action

REFERRED TO BOARD: January 19, 2015

AGENDA ITEM NO: 8

ORIGINATING DEPARTMENT: Administration

SUBJECT: Consideration of an Ordinance Ratifying The Acts Of The Clerk In Correcting A Scrivener's Error And Filing A Referendum Ordinance And Further Ratifying The Corrected Ordinance Itself

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Village Board approved Ordinance 14-12-27 on December 1, 2014 to file a referendum question on the ballot for the April 7, 2015 consolidated election. The Village Clerk filed the ordinance with Lake County on December 23, 2014. Upon review by the Lake County Clerk's office, it was observed that the year stated on the ordinance in section 3 under the PTELL language requirements reflected the tax levy year 2013. The appropriate tax levy year for the referendum question when placed on the April 7, 2015 consolidated election is 2015.

Corrections were made to the ordinance and it was re-filed on January 13, 2015 with the Lake County Clerk's office. The attached ordinance ratifies those actions.

DOCUMENTS ATTACHED:

1. Ordinance
2. Receipt of amended ordinance filed with the Lake County Clerk

RECOMMENDED MOTIONS:

Move to Approve an Ordinance Ratifying The Acts Of The Clerk In Correcting A Scrivener's Error And Filing A Referendum Ordinance And Further Ratifying The Corrected Ordinance Itself, waiving the second reading.

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ORDINANCE 15 - _____

AN ORDINANCE RATIFYING THE ACTS OF THE CLERK IN CORRECTING A SCRIVENER'S ERROR AND FILING A REFERENDUM ORDINANCE AND FURTHER RATIFYING THE CORRECTED ORDINANCE ITSELF

WHEREAS, on December 1, 2014, the Village Board adopted Ordinance No. 14-12-27, placing a referendum question on the April 7, 2015 consolidated municipal election ballot involving a proposed ambulance tax, and

WHEREAS, the Village Board's intent at all times was to adopt an ordinance which conformed in all aspects of the State's election code, the property tax code and the municipal code, and

WHEREAS, the ordinance so adopted inadvertently contained a scrivener's error in that it referenced the year 2013 in the supplemental language required to be incorporated into the question by the Property Tax Extension Limitation Law, and

WHEREAS, the Clerk corrected this scrivener's error prior to filing the same with the County Clerk, and

WHEREAS, attached hereto and incorporated herein as Exhibit A is a true copy of the said Ordinance No. 14-12-27 as revised by the Clerk aforesaid, and

WHEREAS, the Village Board finds and declares that the original referendum ordinance should have recited the year 2015 in the supplemental language referenced in Section three thereof, and the acts of the Clerk in correcting that date and filing the otherwise unaltered ordinance are in keeping with the intent of the Village Board in adopting the said ordinance, and in forwarding the same to the County Clerk for inclusion on the April 7, 2015 ballot, and

NOW THEREFORE, BE IT ORDAINED by the Village of Antioch, Lake County, Illinois, as follows:

SECTION ONE: The acts of the Clerk in correcting the scrivener's error, changing the date from 2013 to 2015 in the supplemental language set forth in section three of Ordinance No. 14-12-27 are hereby ratified in all respects.

SECTION TWO: The revised Ordinance No. 14-12-27, attached hereto as Exhibit A is ratified in all respects.

SECTION THREE: The Clerk is further directed to contact the County Clerk and take any and all necessary steps to ensure that the said revised ordinance is correctly filed according to law and that the referendum question contained therein is properly placed upon the April 7, 2015 ballot.

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

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, ILLINOIS,
ON THIS ____ DAY OF _____, 2015.

ATTEST:

LAWRENCE M. HANSON, MAYOR

LORI K. FOLBRICK, VILLAGE CLERK



LakeCounty

RECEIVED
January 13, 2015

Carla N. Wyckoff
Lake County Clerk
18 N County Street Rm 101A
Waukegan, IL 60085
Phone (847)377-2400
Fax (847) 984-5824
<http://www.co.lake.il.us/cntyclk>

This certifies that:

Name of Person Filing: **Ms. Lori K. Folbrick**
Title / Firm: **Village Clerk**
Address: **874 Main St**
Antioch, IL 60002
Phone: **(847)395-1000x12**
Unit of Government: **Village of Antioch**

has filed, **In Person**, a Referendum Question for the **April 07, 2015 Consolidated** in the office of the Lake County Clerk on **January 13, 2015**,

Public Question On Property Tax To Provide Ambulance Service

Proofs of the legal notice and ballot page will be emailed to: **Lori K. Folbrick**

Legal Notice will be published in: **News Sun**

A Ballot Text Proof and Legal Notice Text Proof will be emailed to the unit of government for review and approval. Any change in the actual text as certified must be adopted by Board action and re-certified with the Lake County Clerk by the legal filing deadline.

Text Proofs for bond issues must be reviewed and approved by bond counsel. It is always recommended that legal counsel review and approve all referenda prior to certification to this office.

Referendum Packet includes:
 Copy of statute: 10ILCS 5/28-1 -- 5/28-13
 Pollwatcher Information including deadline
 Notice of Obligation Form
 Information for obtaining Voters on Disks

Special Instructions:



Signature -- Person Filing Referendum



Signature -- Isorelia Hernandez, Deputy Clerk

VILLAGE OF ANTIOCH

14-12-27

**AN ORDINANCE INITIATING THE SUBMISSION OF A PUBLIC QUESTION TO
AUTHORIZE THE VILLAGE TO IMPOSE A SPECIAL PROPERTY TAX TO
PROVIDE AMBULANCE SERVICE**

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

DECEMBER 1, 2014

RECEIVED
RACIH
NOV 3 3 2015
LAKE COUNTY CLERK
CARLA N. WYCKOFF

Published in pamphlet form by authority of the Village Board
of the Village of Antioch, Lake County, Illinois,
this 3rd day of December, 2014.

LAWRENCE M. HANSON	President	DENNIS B. CROSBY	Trustee
LORI K. FOLBRICK	Clerk	MARY C. DOMINIAK	Trustee
ROBERT J. LONG	Attorney	JERRY T. JOHNSON	Trustee
		JAY JOZWIAK	Trustee
		SCOTT A. PIERCE	Trustee
		TED P. POULOS	Trustee

AN ORDINANCE INITIATING THE SUBMISSION OF A PUBLIC QUESTION TO AUTHORIZE THE VILLAGE TO IMPOSE A SPECIAL PROPERTY TAX TO PROVIDE AMBULANCE SERVICE

Whereas, the Village Board finds that it is in the Village citizen’s best interests that the Village provide emergency ambulance service to or from points within or without the Village; and

Whereas, the Village Board finds that it will require additional revenue from a dedicated, consistent source to provide such ambulance service; and

Whereas, pursuant to 65 ILCS 5/11-5-7 the Village Board may seek voter approval to raise sufficient revenue to provide ambulance service; and

Whereas, pursuant to the requirements of Illinois Law, the Village of Antioch seeks to place on the April 7, 2015 ballot a public question to be considered by voters in the said Village regarding the authorization of such property tax; and

Whereas, the Village Board wishes to comply fully with all applicable provisions of the Illinois statutes, including the PTELL law previously cited, and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, LAKE COUNTY, ILLINOIS, as follows:

SECTION ONE. **RECITALS.** The foregoing recitals are incorporated as if fully set forth in this ordinance.

SECTION TWO. **PUBLIC QUESTION ON PROPERTY TAX TO PROVIDE AMBULANCE SERVICE.** A public question shall be submitted to the voters of the Village of Antioch, County of Lake, State of Illinois, at the April 7, 2015 election (or at the next available election permitted by general election law), as follows:

Shall the Village of Antioch, Lake County, Illinois, be authorized to levy a new tax for the purposes of providing ambulance services, having the additional tax of .25% of the equalized assessed value of the taxable property therein extended on all taxable property within the Village for such purposes?	<u>YES</u>	<u>NO</u>
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SECTION THREE. **SUPPLEMENTAL BALLOT LANGUAGE.** Since section 18-190 of PTELL further requires that a taxing body submitting a new tax levy to the electorate supply the election authority with additional information to be printed on the ballot, the following language is proffered to the County Clerk for inclusion on the ballot along with the public question described above:

(1) *The approximate amount of taxes extendable at the most recently extended limiting rate is \$3,407,968, and the approximate amount of the taxes extendable if the proposition is approved is \$4,199,047.55.*

(2) *For the 2015 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of referendum of \$100,000 is estimated to be \$ 83.34.*

SECTION FOUR. **FILING.** The Village Clerk is hereby authorized and directed to file the authorizing Ordinance and other related matters with the appropriate election officials in accordance with applicable law.

SECTION FIVE. **EFFECTIVE DATE.** This ordinance shall become effective following its passage, approval and publication in the manner provided by law.

Passed This 1st Day of December, 2014

AYES: 4: Pierce, Poulos, Dominiak and Johnson.

NAYS: 2: Jozwiak and Crosby.

ABSENT: 0.

Approved this 1st Day of December, 2014



Lawrence M. Hanson, Mayor

ATTEST:



Lori K. Folbrick, Clerk



STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

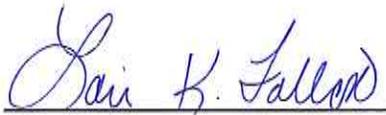
CERTIFICATE

I, Lori K. Folbrick, certify that I am the duly appointed Municipal Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on December 1, 2014, the Corporate Authorities of such municipality passed and approved Ordinance No. 14-12-27, entitled "***AN ORDINANCE INITIATING THE SUBMISSION OF A PUBLIC QUESTION TO AUTHORIZE THE VILLAGE TO IMPOSE A SPECIAL PROPERTY TAX TO PROVIDE AMBULANCE SERVICE***" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 14-12-27, including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on December 3, 2014 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this 3rd day of December, 2014



Lori K. Folbrick, RMC/CMC
Village Clerk



Pursuant to Section 12-5 of the Illinois Election Code (10 ILCS 5/12-5), the Village of Antioch hereby requests that the Lake County Clerk provide legal notice proof of the following:

NOTICE OF ELECTION

The Village of Antioch
Lake County, Illinois

NOTICE IS HEREBY GIVEN that at the Consolidated Election to be held on Tuesday, April 7, 2015, the following proposition will be submitted to the votes of the Village of Antioch, Lake County, Illinois:

PUBLIC QUESTION ON PROPERTY TAX TO PROVIDE AMBULANCE SERVICE

Shall the Village of Antioch, Lake County, Illinois, be authorized to levy a new tax for the purposes of providing ambulance services, having the additional tax of .25% of the equalized assessed value of the taxable property therein extended on all taxable property within the Village for such purposes?	<u>YES</u>	<u>NO</u>
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SUPPLEMENTAL BALLOT LANGUAGE The following language is proffered to the County Clerk for inclusion on the ballot along with the public question described above:

- (1) *The approximate amount of taxes extendable at the most recently extended limiting rate is \$3,407,968, and the approximate amount of the taxes extendable if the proposition is approved is \$4,199,047.55.*
- (2) *For the 2015 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of referendum of \$100,000 is estimated to be \$83.34.*

The polls at the election will be open at 6:00 am and will continue to be open until 7:00 pm of that day

By order of the County Clerk of Lake County, State of Illinois

Carla N. Wyckoff
Lake County Clerk

Dated this _____

PUBLIC QUESTION ON PROPERTY TAX TO PROVIDE AMBULANCE SERVICE.

Shall the Village of Antioch, Lake County, Illinois, be authorized to levy a new tax for the purposes of providing ambulance services, having the additional tax of .25% of the equalized assessed value of the taxable property therein extended on all taxable property within the Village for such purposes?	<u>YES</u>	<u>NO</u>
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- (1) *The approximate amount of taxes extendable at the most recently extended limiting rate is \$3,407,968, and the approximate amount of the taxes extendable if the proposition is approved is \$4,199,047.55.*
- (2) *For the 2015 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of referendum of \$100,000 is estimated to be \$83.34.*

Referendum Ballot Question – Spanish Translation

PREGUNTA PÚBLICA SOBRE IMPUESTOS A LA PROPIEDAD PARA PROPORCIONAR SERVICIO DE AMBULANCIA

¿Debería la Aldea de Antioch, Condado de Lake, Illinois, ser autorizada a imponer un nuevo impuesto para fines de proveer servicios de ambulancia e imponer un impuesto adicional de .25% sobre el valor de tasación igualado de las propiedades tributables y ser extendido a todas las propiedades tributables dentro de la aldea para tales propósitos?

SÍ NO

- (1) *La cantidad aproximada de los impuestos extensibles a la más reciente tasa limitante es \$3,407,968, y la cantidad aproximada de impuestos extensibles si la proposición es aprobada es de \$4,199,047.55.*
- (2) *Para el año tributable del 2015 la cantidad aproximada del impuesto extensible adicional contra una propiedad conteniendo una residencia de familia individual, y que tenga un valor justo de mercado de \$100,000 al momento del referéndum se estima a ser de \$83.34.*