



**NOTICE OF SPECIAL MEETING
OF THE CITY COUNCIL OF THE CITY OF GENEVA**

AGENDA

Meeting Link:

<https://attendee.gotowebinar.com/register/9219362546528413272>

NOTICE IS HEREBY GIVEN that the City Council of the City of Geneva shall conduct a special meeting on Monday, January 23, 2023 at 7pm. The special meeting will be held at City Hall Council Chamber, 109 James Street, Geneva, Illinois for the purpose of the following items:

1. Consider Approval of Ordinance No. 2023-02 Requesting Transfer of Property from the Geneva Public Library District to the City of Geneva, IL pursuant to the Local Government Property Transfer Act

All interested persons are invited to attend the City Council special meeting.

A handwritten signature in black ink that reads "Wicki Kellick".

City Clerk

This notice has been posted at City Hall City of Geneva, 22 South First Street, Geneva, Illinois on January 20, 2023 and has been tendered to members of the media requesting notices of public meetings.



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item:	Ordinance Requesting Transfer of Geneva Public Library Property		
Presenter & Title:	Stephanie K. Dawkins, City Administrator		
Date:	January 23, 2023		
Please Check Appropriate Box:			
<input type="checkbox"/>	Committee of the Whole Meeting	<input type="checkbox"/>	Special Committee of the Whole Meeting
<input type="checkbox"/>	City Council Meeting	<input checked="" type="checkbox"/>	Special City Council Meeting
<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	Other -
Associated Strategic Plan Goal/Objective: N/A			
Estimated Cost: \$450,000	Budgeted?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Other Funding? <input type="checkbox"/> Yes <input type="checkbox"/> No
<i>If "Other Funding," please explain how the item will be funded: General Fund Fund Balance</i>			
Executive Summary:			
<p>The City and the Geneva Library District have had discussions regarding the status of the former Geneva Library Building. The City now desires, subject to appropriate due diligence, to acquire the property for \$450,000.</p> <p>The Ordinance for the Council's consideration is required by state statute and serves to request from the Library District the transfer of property. If passed and accepted, the Library will consider and approve a similar ordinance authorizing the transfer. The parties will then enter into a purchase and sale agreement, execute a deed, and take all other necessary and appropriate actions to transfer all of the library's rights and title in the Property to the City of Geneva.</p> <p>Please note, the ordinance attached is a draft and is subject to final review and approval by the City Attorney.</p>			
Attachments: <i>(please list)</i>			
<ul style="list-style-type: none"> • Draft Ordinance No. 2023-02 			
Voting Requirements:			
<p><i>This motion requires 6 affirmative votes of the Corporate Authorities (includes Mayor).</i></p> <p><i>The Mayor may vote on three occasions: (a) when the vote of the aldermen or trustees has resulted in a tie; (b) when one half of the aldermen or trustees elected have voted in favor of an ordinance, resolution, or motion even though there is no tie vote; or (c) when a vote greater than a majority of the corporate authorities is required by state statute or local ordinance to adopt an ordinance, resolution, or motion.</i></p>			
Recommendation / Suggested Action: <i>(how the item should be listed on agenda)</i>			
<p>Recommend Approval of Ordinance No. 2023-02 Requesting the Transfer of Property from the Geneva Public Library District to the City of Geneva, IL Pursuant to the Local Government Property Transfer Act.</p>			

ORDINANCE NO. 2023-02

**AN ORDINANCE REQUESTING THE TRANSFER OF PROPERTY
FROM THE GENEVA PUBLIC LIBRARY DISTRICT
TO THE CITY OF GENEVA, ILLINOIS PURSUANT TO
THE LOCAL GOVERNMENT PROPERTY TRANSFER ACT**

WHEREAS, the Geneva Public Library District (“Library”) holds legal title to contiguous parcels of property commonly known as 127 James Street and 21-27 South Second Street, Geneva, Illinois 60134 as surplus property within the City of Geneva, which parcels are depicted and legally described in Exhibit “A” attached to and by this reference incorporated into this Ordinance (“Property”); and

WHEREAS, territory of the Library lies within the corporate limits of the Library and the City of Geneva; and

WHEREAS, the corporate authorities of the City of Geneva have determined, and hereby declare, that it is necessary and convenient for the City of Geneva to use of the Property for its corporate governance and/or other public purposes (“Public Purposes”); and

WHEREAS, the City of Geneva desires that the Library transfer the Library’s rights and title in the Property to the City of Geneva, pursuant to the authority conferred by the Illinois Local Government Property Transfer Act, 50 ILCS 605/0.01, et seq. (“Property Transfer Act”); and

WHEREAS, the City of Geneva desires, subject to appropriate to due diligence and acceptance of the conditions of title to the Property, to acquire the Library’s rights and title to the Property for the Public Purposes; and

WHEREAS, the corporate authorities of the City of Geneva have determined that it is necessary, appropriate, and in the best interests of the City to acquire the Property by transfer from the Library for the Public Purposes; and

NOW, THEREFORE, BE IT ORDAINED by the corporate authorities of the City of Geneva, County of Kane and the State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are hereby incorporated into this Ordinance by this reference as findings of the corporate authorities.

Section 2. Request To Acquire Property. The corporate authorities of the City of Geneva request that the Geneva Public Library District pass and approve ordinances authorizing the transfer of the Property to the City of Geneva, enter into a mutually agreed upon purchase and sale agreement with the City and execute a deed and take all other necessary and appropriate actions, in conjunction with the necessary and appropriate actions of the City, to transfer all of the Library’s rights and title in the Property to the City of Geneva, all in accordance with the Property Transfer Act.

Section 3. Authorization To Acquire. Subject to the Library adopting ordinances authorizing the transfer of the Property to the City of Geneva, Illinois, the City Administrator of the City of Geneva is hereby authorized to take all steps necessary and appropriate to acquire the Property, including but not limited to the execution of a purchase and sale agreement for the transfer of the property and to causing the deed for the property to be recorded in the Office of the Kane County Recorder.

Section 4. Effective Date. This Ordinance will be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this ____ day of _____ 2023.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2023.

By: _____
Mayor

ATTEST:

City Clerk

Exhibit "A"

LOTS 6 AND 7 (EXCEPT THE NORTHERLY 15 FEET OF LOTS 6 AND 7) AND LOT 8 (EXCEPT THE EASTERLY 22 FEET THEREOF OF LOT 8) OF BLOCK 52 OF THE ORIGINAL TOWN OF GENEVA, IN THE CITY OF GENEVA, KANE COUNTY, ILLINOIS.