ORIGINAL

RESOLUTION NO. R-2016-22

A RESOLUTION PROVIDING FOR AND REQUIRING THE SUBMISSION OF A NON-BINDING ADVISORY PUBLIC QUESTION CONCERNING WHETHER THE VILLAGE OF MAYWOOD SHOULD ADOPT AN ORDINANCE PROHIBITING THE ISSUANCE OF ANY NEW CLASS M (VIDEO GAMING CAFÉ/BISTRO) LIQUOR LICENSES IN THE VILLAGE OF MAYWOOD, TO APPEAR ON THE BALLOT OF THE ELECTORS OF SUCH VILLAGE AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2016

WHEREAS, pursuant to the authority set forth in Section 28-5 of the Illinois Election Code (10 ILCS 5/28-5), Section 3.1-40-60 of the Illinois Municipal Code (65 ILCS 5/3.1-40-60) and the home rule powers as provided by Article VII, Section 11 of the Illinois Constitution of 1970, the President and Board of Trustees of the Village of Maywood are authorized to adopt a resolution to allow a non-binding advisory public question to appear on the ballot for the November 8, 2016 General Election; and

WHEREAS, Section 28-5 of the Illinois Election Code (10 ILCS 5/28-5) and Section 3.1-40-60 of the Illinois Municipal Code (65 ILCS 5/3.1-40-60) authorize the President and Board of Trustees of the Village of Maywood to certify a question of public policy to the election authority having jurisdiction over the Village of Maywood; and

WHEREAS, Section 117.23(M) of the Maywood Village Code provides for a Class M (Video Gaming Café/Bistro) Liquor License and its related regulations. Given numerous complaints from residents about allowing video gaming within the corporate boundaries of the Village and the potential negative financial effects that video gaming may have on Village residents and the public at large, the President and Board of Trustees of the Village of Maywood are considering whether to adopt an ordinance prohibiting the issuance of any new Class M (Video Gaming Café/Bistro) Liquor Licenses. Such an ordinance would not affect the existing license holder(s) who currently and legally qualify to hold a Class M (Video Gaming Café/Bistro) Liquor License issued by the Village of Maywood; and

WHEREAS, the President and Board of Trustees of the Village of Maywood find that is in the best interests of the residents, property owners and taxpayers of the Village to approve this Resolution so that the non-binding advisory public question set forth below in Section 2 shall appear on the ballot for the November 8, 2016 General Election.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, ILLINOIS, PURSUANT TO 10 ILCS 5/28-5, 65 ILCS 5/3.1-40-60 AND ITS HOME RULE POWERS AS PROVIDED BY ARTICLE VII, SECTION 11 OF THE ILLINOIS CONSTITUTION OF 1970 AS FOLLOWS:

SECTION 1: The President and Board of Trustees of the Village of Maywood find and determine that all of the recitals contained in the whereas paragraphs of this Resolution are full, true and correct and are incorporated by reference into Section 1 of this Resolution.

SECTION 2: The following proposition shall be submitted to the voters of this Village at the General Election to be held on Tuesday, the 8th day of November, 2016:

> "Shall the Village of Maywood adopt an ordinance prohibiting the issuance of any new Class M (Video Gaming Café/Bistro) Liquor Licenses in the Village of Maywood?"

SECTION 3: The Village Clerk shall, **not less sixty-eight (68) days** before the regularly scheduled General Election to be held on November 8, 2016, certify and deliver to the County Clerk of Cook County, the proposition as hereinabove set forth to be submitted to the voters of this Village at said Election. Such certification shall include the form of the public question to be placed on the ballot, the date on which the public question was initiated by the adoption of this Resolution, and a certified copy of this Resolution.

SECTION 4: Notice of said Election (the "Notice") and the referendum shall be given in accordance with the Election Code of the State of Illinois, 10 ILCS 5/1-1 et seq., (the "Election Code") by the County Clerk and by the Election Commission by (i) **publishing a Notice not more than 30 nor less than 10 days** prior to the date of the Election in a local, community newspaper, having general circulation in the Village, and (ii) **posting a copy of the Notice at least 10 days before the date of the Election** at the principal office of the County Clerk and the Election Commission, all in accordance with Article 12 of the Election Code (10 ILCS 5/12).

SECTION 5: The Village shall also post a copy of the Notice at the principal office of the Village prior to the date of the Election in a timely manner in accordance with Section 12-5 of the Election Code (10 ILCS 5/12-5).

SECTION 6: Where an electronic, mechanical, or electric voting system ("Electronic Voting System") is used at the Election, a true and legible copy of the specimen ballot label to be used at the Election shall be published and made available for public distribution and shall be supplied to the judges of said Election for posting in the polling places on the date of the Election, as required by Section 24A-18 of the Election Code (10 ILCS 5/24A-18).

SECTION 7: The President and Board of Trustees of the Village find and determine that the Chicago Sun Times is a local, community newspaper having general circulation in the Village as required by Sections 12-4 and 12-5 of the Election Code (10 ILCS 5/12-4 and 12-5).

SECTION 8: Said Election shall be held and conducted and the returns thereof duly canvassed, all in the manner and the time provided by state law.

SECTION 9: All resolutions and parts thereof, in conflict herewith be and the same are repealed, and this Resolution shall be in full force and effect from and upon its adoption.

ADOPTED this 26th day of July, 2016, pursuant to a roll call vote as follows:

AYES: Trustee(s) A. Dorris, M. Lightford and R. Rivers
NAYS: Mayor Edwenna Perkins, Trustee(s) I. Brandon
ABSTAINS: Trustee M. Rogers
ABSENT: Trustee H. Yarbrough, Sr.

APPROVED by me as Village President, and attested by the Village Clerk, on this 28th day of July, 2016.

Edwenna Perkins
Village President

ATTEST:

Village Clerk

Date: 8/3/2016

VILLAGE OF MAYWOOD CORPORATE SEAL COOK COUNTY, ILLINOIS

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Viola Mims, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, certify that the annexed and foregoing is a true and correct copy of that certain Resolution now on file in my Office, entitled:

RESOLUTION NO. R-2016-22

A RESOLUTION PROVIDING FOR AND REQUIRING THE SUBMISSION OF A NON-BINDING ADVISORY PUBLIC QUESTION CONCERNING WHETHER THE VILLAGE OF MAYWOOD SHOULD ADOPT AN ORDINANCE PROHIBITING THE ISSUANCE OF ANY NEW CLASS M (VIDEO GAMING CAFÉ/BISTRO) LIQUOR LICENSES IN THE VILLAGE OF MAYWOOD, TO APPEAR ON THE BALLOT OF THE ELECTORS OF SUCH VILLAGE AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2016

which Resolution was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 26th day of July, 2016, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 28th day of July, 2016.

I further certify that the vote on the question of the passage of said Resolution by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Trustee(s) A. Dorris, M. Lightford and R. Rivers
NAYS: Mayor Edwenna Perkins, Trustee(s) I. Brandon
ABSTAINS: Trustee M. Rogers
ABSENT: Trustee H. Yarbrough, Sr.

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 28th day of July, 2016.

[SEAL]

VILLAGE OF MAYWOOD CORPORATE SEAL COOK COUNTY, ILLINOIS

Village Clerk