

ORDINANCE NO. 90-51

**AN ORDINANCE APPROVING AN AGREEMENT WITH
SPRINGFIELD METROPOLITAN SANITARY DISTRICT**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, ILLINOIS, AS FOLLOWS:

SECTION 1. The amendment to a contract between the Springfield Metropolitan Sanitary District and the Village of Chatham, Illinois, a copy of which is attached hereto as Exhibit A, is hereby approved.

SECTION 2. The President of the Village is authorized and directed to sign, and the Clerk is authorized and directed to attest, said amendment on behalf of the Village.

SECTION 3. The proper officers of the Village are authorized and directed to implement the terms and conditions of the contract amendment.

SECTION 4. This Ordinance is effective immediately.

Passed this 27th day of November, 1990.

Carl D. Oblinger
CARL OBLINGER, VILLAGE PRESIDENT

ATTEST:

Rose Miller
Village Clerk

AYES: 4

NAYES: 0

PASSED: 11/27/90

APPROVED: 11/27/90

AMENDMENT TO A CONTRACT BETWEEN
THE SPRINGFIELD METRO SANITARY DISTRICT
AND THE VILLAGE OF CHATHAM, ILLINOIS

IT IS HEREBY AGREED on this 1ST day of MAY,
1990, by and between the Springfield Metro Sanitary District,
hereinafter called "District" and the Village of Chatham,
Illinois, hereinafter called "Chatham", that paragraph 4 of the
original Contract dated April 13, 1976 and paragraph 5 of the
Amendment to said Contract dated September 1, 1980, and
paragraph 6 of the Amendment to said Contract dated January 8,
1985 between said District and Chatham to be amended to read as
follows:

4. This Contract is entered into under the Statutes of
Illinois, including the provisions of Section 11 of "AN ACT
authorizing sanitary districts having a population of less than
500,000 to construct or acquire, improve and extend a sewerage
system, impose and collect charges and rates for the use
thereof, issue revenue bonds payable solely from the revenue
derived from the operation of such system or improvement or
extension in payment thereof, to provide for the operation of
such sewerage systems, and contract in relation thereto",
approved August 15, 1941, as amended (Ill.Rev.Stat. 1987, Chap.
42, Par. 319.11a) to establish a charge to be collected by
Chatham and paid to the District, for the use and service of the
sewerage system of said District.

5. The District will maintain and keep in effect a sewer user charge equivalent to charges paid by users in the City of Springfield based upon the quantity of water used as measured by the water meters on each lot, parcel of land, building or premises having any sewer connection, which schedule has heretofore been adopted by said District and contained in the Ordinance dated July 31, 1990 and entitled, "An Ordinance of the Springfield Metro Sanitary District Establishing Rates for the User Charge System". Each meter shall be considered a separate billing unit in applying the charges and rates.

6. The District Sewer User Charge may at the option of Chatham be combined with Chatham's Sewer Charge for billing purposes. Notwithstanding the foregoing, the District Sewer User Charge shall be collected by Chatham at the level set forth in the Springfield Metro Sanitary District Rate Ordinance. The rates shall be imposed on sewer users of Chatham in addition to any amounts imposed as the Chatham Sewer Charge, except, Chatham shall be entitled to retain as a credit monthly the collecting charge as stated in the Rate Ordinance for each sewer user from and out of the service charge set forth and shall at the end of each month make payment to the District of that amount that should have been collected by Chatham. In addition to making payment each month, Chatham shall also provide monthly information on the number of sewer users and the amount of billable flow.

IT IS FURTHER AGREED, that paragraph 8 of the original

Contract dated April 13, 1976, and paragraph 9 of the Amendment to said Contract dated September 1, 1980, and paragraph 15 of the Amendment to said Contract dated January 8, 1985, are hereby deleted from the said Contract as amended, and are of no further effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective officers, thereunto duly authorized and their corporate seals to be hereunto affixed, the day and year first above written.

THE SPRINGFIELD METRO SANITARY DISTRICT

William G. Telford, President

ATTEST: Neil F. Flynn, Acting Clerk

VILLAGE OF CHATHAM, ILLINOIS

Carl D. Oblinger
MAYOR

ATTEST: Rose M. Miller
Village Clerk