

ORDINANCE No. 04-07

AN ORDINANCE OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, OBLIGATING THE VILLAGE FOR ITS PROPORTIONATE SHARE OF DEVELOPMENT COSTS OF THE CHATHAM-ROCHESTER WATER COMMISSION

WHEREAS, the Village of Chatham, Sangamon County, Illinois, has heretofore adopted Ordinance Number 01-12 entitled "An Ordinance Determining and Electing the Acquisition and Operation of a Common Source of Supply of Water" pursuant to which formation of the Chatham-Rochester Water Commission (the "Commission") has occurred; and,

WHEREAS, the Commissioners of the Chatham-Rochester Water Commission have considered a proposal for the development of such a supply of water to provide water service to the Villages of Chatham and Rochester; and,

WHEREAS, pursuant to previous enactments by the Commission and the Villages of Chatham and Rochester, the Commission has undertaken the analysis and location of tests and observation wells, drilling of tests and observation wells, pump tests, closure of wells and completion of well analysis necessary to make an initial determination regarding future development activities of the Commission; and,

WHEREAS, the Commissioners have reported to the corporate authorities of Chatham and Rochester that the results of prior activities warrant the continuation of necessary analysis and design activities for the further development of such a supply of water; and,

WHEREAS, the Commissioners have informed the Village that the Phase II development costs to be undertaken by the Commission for further analysis and design of the necessary facilities, appliances and appurtenances for the production of potable water (“Development Activities”) will require the expenditure of approximately \$400,000.00 to complete; and,

WHEREAS, the completion of the Development Activities will provide the Commission with sufficient information upon which to make a decision whether to proceed with further development and construction of the necessary water works, distribution lines, supply wells, and appurtenances thereto for providing water service to the Villages of Chatham and Rochester; and,

WHEREAS, it will be necessary for the Commission to borrow funds for the payment of the cost of Development Activities and pay interest on such borrowed funds; and,

WHEREAS, the Board of Trustees of the Village of Chatham believes it is in the best interest of the residents and citizens of the Village of Chatham to obligate itself to pay not more than \$200,000.00 of the aforementioned costs for the Development Activities, plus interest on funds borrowed by the Commission;

WHEREAS, pursuant to Section 11-135-1 *et seq.* of the Illinois Municipal Code, the Village may so obligate itself without having made a prior appropriation;

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

Section 1: That the preambles hereto are true and correct and are incorporated

herein by reference as if fully set forth at this point.

Section 2: That pursuant to the authority granted by 65 ILCS 5/11-135-1, the Village of Chatham hereby obligates itself to the Chatham-Rochester Water Commission in an amount not to exceed \$200,000.00 for expenditure of development costs necessary to undertake the development activities, plus interest on funds borrowed by the Commission from a financial institution, at a rate not to exceed 5.25%.

Section 3: That the Village shall pay such obligation in equal annual principal installments of \$40,000.00, plus interest payable to the Commission, such payments to commence not later than September 1, 2004 and on the same date annually thereafter with the final payment made not later than March 1, 2008. If directed by the Commission, the Village shall make payments directly to such financial institution selected by the Commission. The Commission and the Village anticipate that the loan will be repaid from the proceeds of a revenue bond issue if the project goes forward; and in such event, the Village shall have no further obligation to make payments.

Section 4: That any and all elected and appointed officers and officials of the Village of Chatham are hereby authorized, empowered and directed to take any and all necessary additional action to carry out the purposes and intent of this Ordinance

Section 5: That all Resolutions, Ordinances and other enactments of the Board of Trustees of the Village of Chatham in conflict herewith are hereby expressly repealed to the extent of said conflict.

Section 6: That this Ordinance shall be effective upon its passage, signing, and publication as required by law.

ADOPTED by the Village Board, Village of Chatham, this 24 day of FEB, 2004.

VILLAGE OF CHATHAM
SANGAMON COUNTY, ILLINOIS

By: Thomas S Gray
VILLAGE PRESIDENT

ATTEST:

[Signature]
VILLAGE CLERK



PASSED: 2-24-04

APPROVED: 2-24-04

AYES: 6 HERR M'ADAMS BOYLE M'CARNEY M'CARNEY KAUNAGH

NAYS: 0

ABSENT: 0

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

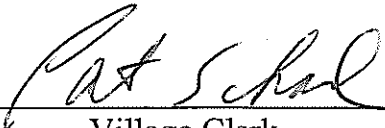
I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 04-07, adopted by the President and Board of Trustees of said Village on the 24 day of FEB, 2004, said Ordinance being entitled:

AN ORDINANCE OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, OBLIGATING THE VILLAGE FOR ITS PROPORTIONATE SHARE OF DEVELOPMENT COSTS OF THE CHATHAM-ROCHESTER WATER COMMISSION

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 24 day of FEB, 2004.





Village Clerk