

AN ORDINANCE OF THE CITY OF ASSUMPTION, ILLINOIS, TO AMEND PRIOR ORDINANCE NUMBER 769

WHEREAS, the City of Assumption , Christian County, Illinois, operates a public water system (“the system”) and in accordance with the provisions of 65 ILCS 5/11-129-1 *et. seq* and the Local Government Debt Reform Act, 30 ILCS 350/1 (collectively, the Act); and

WHEREAS, the Mayor and the City Council of the City of Assumption (the “Corporate Authorities”) have determined that it is advisable, necessary and in the best interests of public health, safety and welfare to improve the System, including the following:

Make improvements to the city’s water system which entails construction of new water treatment plant, replace about 10,000 feet of watermains and approximately 140 lead service lines.

together with any land or rights in land and all electrical, mechanical or other services necessary, useful or advisable to the construction and installation (“the Project”), all in accordance with the plans and specifications prepared by consulting engineers of the City, which Project has a useful life of 50 years; and

WHEREAS, the estimated cost of construction and installation of the Project, including engineering, legal, financial and other related expenses is **\$6,500,000.00**, and there are insufficient funds on hand and lawfully available to pay these costs; and

WHEREAS, the Mayor and the City Council of the City of Assumption passed Ordinance Number 769 on October 6, 2021, authorizing the City of Assumption to borrow up to \$4,000,000.00 for costs associated with the Project upon the terms and with the requirements and restrictions set forth in Ordinance Number 769; and

WHEREAS, the estimated costs associated with the Project are higher than expected and more than the amount previously authorized by Ordinance Number 769; and

WHEREAS, in accordance with the provisions of the Act, the City is authorized to borrow additional funds from the Public Water Supply Loan Program in the aggregate principal amount of **\$6,500,000.00** to cover the increased costs of the Project, subject to the same requirements and restrictions set forth in Ordinance Number 769 through an amendment to Ordinance Number 769.

NOW THEREFORE, be it ordained by the Corporate Authorities of the City of Assumption, Christian County, Illinois, as follows:

SECTION 1. INCORPORATION OF PREAMBLES

The Corporate Authorities hereby find that the recitals contained in the preambles are true and correct, and incorporate them into this Ordinance by this reference.

SECTION 2. AMENDMENTS TO PRIOR ORDINANCE

Ordinance Number 769 is hereby amended as follows: All references in Ordinance Number 769 to the estimated Project costs and authorized loan amount of \$4,000,000.00 are amended to **\$6,500,000.00**.

SECTION 3. REAFFIRMATION OF UNAMENDED PROVISIONS OF ORDINANCE NUMBER 769

Except only as provided in Section 2 above, and in any previous amendments to Ordinance Number 769, all other provisions, recitals, commitments, and agreements set forth in Ordinance Number 769 are hereby reaffirmed, and remain unchanged by this amendatory Ordinance.

SECTION 4. PUBLICATION

This ordinance, together with a Notice in the statutory form (attached hereto as Exhibit A), shall be published once within ten days after passage in the Breeze Courier, a newspaper of general circulation in the City, and if no petition, signed by electors numbering 10% or more of the registered voters in the City (77),


asking that the question of improving the System and entering into the Loan Agreement therefore as provided by this amendatory Ordinance be submitted to the electors of the City, is filed with the City Clerk within 30 days after the date of publication of this Ordinance and notice, then this Ordinance shall be in full force and effect. A petition form shall be provided by the City Clerk to any individual requesting one.

SECTION 5. REPEALER

All ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

PASSED by the Corporate Authorities on December 6, 2023.

Approved December 6, 2023.

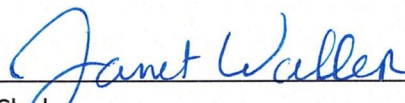


Mayor
City of Assumption
Christian County, Illinois

AYES: 6
NAYS: 0
ABSENT: 0

RECORDED in the City Records on December 7, 2023.

ATTEST:

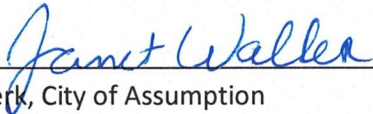


Clerk
City of Assumption
Christian County, Illinois

EXHIBIT A
NOTICE OF INTENT TO BORROW FUNDS
AND RIGHT TO FILE PETITION

NOTICE IS HEREBY GIVEN that, pursuant to Ordinance Number 806, adopted on December 6, 2023, the City of Assumption, Christian County, Illinois (the "CITY"), intends to enter into a Loan Agreement with the Illinois Environmental Protection Agency in an aggregate principal amount not to exceed **\$6,500,000.00** and bearing annual interest at an amount not to exceed the maximum rate authorized by law at the time of execution of the Loan Agreement, for the purpose of paying the cost of certain improvement to the public water supply system of the CITY. A complete copy of the Ordinance accompanies this notice.

NOTICE IS HEREBY FURTHER GIVEN that if a petition signed by 77 or more electors of the CITY (being equal to 10% of the registered voters in the CITY), asking that the question of improving the water system and entering into the Loan Agreement as provided in this amendatory Ordinance is submitted to the CITY Clerk within 30 days after the publication of this Notice, the question of improving the public water supply system of the CITY as provided in the Ordinance and Loan Agreement shall be submitted to the electors of the CITY at the next election to be held under general election law on March 19, 2024. A petition form is available from the office of the CITY Clerk.



Clerk, City of Assumption
Christian County, Illinois

CERTIFICATION

I, Janet Waller, do hereby certify that I am the duly elected, qualified and acting Clerk of the City of Assumption. I do further certify that the above and foregoing, identified as Ordinance Number 806, is a true, complete and correct copy of an ordinance otherwise identified as **AN ORDINANCE OF THE CITY OF ASSUMPTION , ILLINOIS, TO AMEND PRIOR ORDINANCE NUMBER 769**, passed by the City Council of the City of Assumption on the 6 day of December 2023, and approved by the Mayor of the City of Assumption on the same said date, the original of which is part of the books and records within my control as Clerk of the City of Assumption .

Dated this 7 day of December, 2023.



Clerk, City of Assumption
Christian County, Illinois