

ORDINANCE NO. 3075

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$4,850,000 SEWERAGE REVENUE BONDS OF THE CITY OF GREENVILLE, BOND COUNTY, ILLINOIS, FOR THE PURPOSE OF DEFRAYING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EXTENDING SEWERAGE FACILITIES, AND RELATED MATTERS.**

**PREAMBLES**

**WHEREAS**, the City of Greenville, Bond County, Illinois (the “**Municipality**”), owns and operates a separate sewerage system (the “**System**”) in accordance with the provisions of applicable law concerning municipal sewerage systems [Section 5/11-141-1 *et seq.* of Chapter 65 of the Illinois Compiled Statutes, as supplemented and amended, including by the Local Government Debt Reform Act (collectively, the “**Act**”)]; and

**WHEREAS**, the City Council of the Municipality (the “**Corporate Authorities**”) has determined that it is advisable, necessary and in the best interests of the Municipality’s public health, safety and welfare to undertake a project for the acquisition, installation and construction of sanitary sewer improvements in un-served areas, together with required structures, equipment, appurtenances and fixtures, all electrical, mechanical or other work and the acquisition of land or rights in land necessary, useful or advisable in connection with such work, and as such work may progress in one or more phases, and other related costs (the “**Project**”), substantially in accordance with the preliminary plans, specifications and cost estimate therefor prepared by Heneghan and Associates, PC, in Jerseyville, Illinois, the consulting engineers therefor; and

**WHEREAS**, the estimated cost of the Project, including necessary interest during acquisition, construction and installation, engineering, legal, financial, bond discount, printing and publication costs and other expenses preliminary to and in connection with the Project, is anticipated to be \$4,900,000, of which \$4,850,000 is to be paid from proceeds of the hereinafter described Bonds and the balance from grants and funds on hand; and

**WHEREAS**, costs of the Project are expected to be paid from funds on hand or already advanced therefor, from connection/tap fees (presently \$48,800) and funds contributed by the Municipality (presently \$1,200) and from proceeds of Bonds payable from the revenues of the System and issued pursuant to the Act, this ordinance and ordinances supplemental to or amending this ordinance authorizing and providing for the issuance of the Bonds, prescribing the details of such Bonds and providing for the collection, segregation and distribution of the revenues of the Municipality’s Sewerage System; and

**WHEREAS**, the Municipality has insufficient funds to pay costs of the Project and, therefore, must borrow money and issue sewerage revenue bonds in evidence thereof, at one time or from time to time and in one or more series, up to the aggregate principal amount of \$4,850,000 for such purpose, pursuant to and in accordance with the provisions of the Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE, BOND COUNTY, ILLINOIS, as follows:**

**Section 1. Incorporation of Preambles and Determination to Issue Bonds.** The Corporate Authorities hereby find that all of the recitals contained in the preambles to this ordinance are true, complete and correct and hereby incorporate them into this Section 1 of this ordinance by this reference thereto. It is necessary and in the best interests of the Municipality to acquire, construct and install the Project for the public health, safety and welfare, in accordance with the plans and specifications, as described above, that the System be operated as a separate sewerage system in accordance with the provisions of the Act, and that for the purpose of acquiring, constructing and installing the Project there are hereby authorized to be issued and sold sewerage revenue bonds of the Municipality in an aggregate principal amount up to but in any event not to exceed \$4,850,000 (howsoever styled, the “**Bonds**”).

**Section 2. Publication and Notice.** *The Greenville Advocate* is a newspaper published in the Municipality, and its population is 7,000 under the most recent federal census figures. Within 10 days after the adoption of this ordinance, this ordinance shall be published in a newspaper published and of general circulation within the municipality; and if no petition, signed by not less than registered voters of the Municipality being equal to ten percent (10%) of the registered voters of the Municipality, asking that the question of undertaking the Project and of issuing the Bonds to pay the cost thereof be submitted to the electors of the Municipality, is filed with the City Clerk of the Municipality within thirty (30) days after the date of the publication of this ordinance and such notice, then this ordinance shall be in full force and effect. If such petition is filed, an election on the question shall be held as set forth in the form of notice set forth below. The City Clerk shall have available and provide a form of petition to any person requesting one. The City Clerk shall give notice of the foregoing provisions substantially as set forth in the form of the notice presented at the meeting of the Corporate Authorities at which this ordinance is adopted, completed and modified as may be required to comply with the Act together with a publication of this ordinance.

**Section 3. Additional Ordinances.** If no petition meeting the requirements of applicable law is filed as provided above in Section 2 and there is no material change in the Project and otherwise as herein described, then the Corporate Authorities in accordance with and pursuant to the Act may adopt additional ordinances or other proceedings supplemental to or amending this ordinance, providing for the issuance and sale of up to but in any event not to exceed \$4,850,000 of its waterworks and sewerage revenue Bonds, prescribing the details of such Bonds, and providing for the collection, segregation and distribution of the revenues of the System and the acquisition, construction and installation of the Project. Such additional or supplemental ordinances or other proceedings shall in all instances become effective in accordance with otherwise applicable law; and this ordinance, together with such supplemental and additional ordinances or other proceedings, shall constitute complete authority for the issuance of the Bonds under applicable law.

This shall also constitute reimbursement action under Section 1.150-2 of the Income Tax Regulations.

**Section 4. Severability and Repealer.** If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Upon motion by Alderman Gillard, seconded by Alderman Heath, adopted (and recorded in the Municipality's records) this 10th day of November, 2015, by roll call vote, as follows:

AYES (names): Gillard, Heath, Adam, Sanders, Gaffner

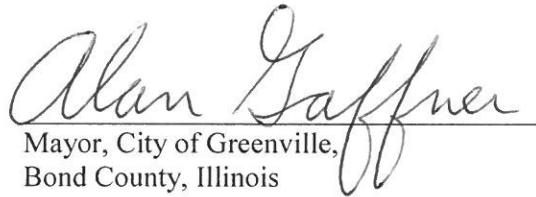
NAYS (names): None

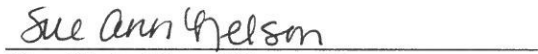
ABSENT, Etc. None

(names):

Approved November 10, 2015

Attest:

  
\_\_\_\_\_  
Mayor, City of Greenville,  
Bond County, Illinois

  
\_\_\_\_\_  
City Clerk, City of Greenville,  
Bond County, Illinois

**NOTICE OF INTENT OT ISSUE BONDS AND RIGHT TO FILE PETITION**

Notice is hereby given that pursuant to Ordinance 3075, adopted November 10, 2015, the City Council of the City of Greenville, Bond County, Illinois (the "Municipality"), intends to issue its sewerage system revenue bonds (howsoever styled, the "Bonds") at one time or from time to time as funds are needed up to but in any event not to exceed \$4,850,000 in aggregate principal amount for the purpose of paying the costs for the acquisition, installation and construction of sanitary sewer improvements in un-served areas, and related facilities, improvements and costs (the "Project"), to constitute a part of the Municipality's sewerage system (the "System").

In addition, notice is hereby given that if a petition signed by not less than 391 electors of the Municipality requesting that the question of so acquiring, constructing, and improving the System facilities constituting the Project, and the issuance of sewerage system revenue bonds therefor be submitted to the City Clerk within thirty (30) days of the date of publication hereof and of the above ordinance, the question of so acquiring, constructing, improving such facilities and the issuance of Bonds therefor shall be submitted to the electors of the Municipality at the general primary election to be held on March 15, 2016, if such election is held and such question can be and is submitted, and otherwise at the next or prior election at which such question could be so submitted. A form of petition is available in the City Clerk's office.

Sue Ann Nelson  
City Clerk, City of Greenville  
Bond County, Illinois

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**ORDINANCE NO. 3075**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$4,850,000 SEWERAGE REVENUE BONDS OF THE CITY OF GREENVILLE, BOND COUNTY, ILLINOIS, FOR THE PURPOSE OF DEFRAYING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EXTENDING SEWERAGE FACILITIES, AND RELATED MATTERS.**

**PREAMBLES**

**WHEREAS**, the City of Greenville, Bond County, Illinois (the "**Municipality**"), owns and operates a separate sewerage system (the "**System**") in accordance with the provisions of applicable law concerning municipal sewerage systems [Section 5/11-141-1 *et seq.* of Chapter 65 of the Illinois Compiled Statutes, as supplemented and amended, including by the Local Government Debt Reform Act (collectively, the "**Act**")]; and

**WHEREAS**, the City Council of the Municipality (the "**Corporate Authorities**") has determined that it is advisable, necessary and in the best interests of the Municipality's public health, safety and welfare to undertake a project for the acquisition, installation and construction of sanitary sewer improvements in un-served areas, together with required structures, equipment, appurtenances and fixtures, all electrical, mechanical or other work and the acquisition of land or rights in land necessary, useful or advisable in connection with such work, and as such work may progress in one or more phases, and other related costs (the "**Project**"), substantially in accordance with the preliminary plans, specifications and cost estimate therefor prepared by Heneghan and Associates, PC, in Jerseyville, Illinois, the consulting engineers therefor; and

**WHEREAS**, the estimated cost of the Project, including necessary interest during acquisition, construction and installation, engineering, legal, financial, bond discount, printing and publication costs and other expenses preliminary to and in connection with the Project, is anticipated to be \$4,900,000, of which \$4,850,000 is to be paid from proceeds of the hereinafter described Bonds and the balance from grants and funds on hand; and

WHEREAS, costs of the Project are expected to be paid from funds on hand or already advanced therefor, from connection/tap fees (presently \$48,800) and funds contributed by the Municipality (presently \$1,200) and from proceeds of Bonds payable from the revenues of the System and issued pursuant to the Act, this ordinance and ordinances supplemental to or amending this ordinance authorizing and providing for the issuance of the Bonds, prescribing the details of such Bonds and providing for the collection, segregation and distribution of the revenues of the Municipality's Sewerage System; and

WHEREAS, the Municipality has insufficient funds to pay costs of the Project and, therefore, must borrow money and issue sewerage revenue bonds in evidence thereof, at one time or from time to time and in one or more series, up to the aggregate principal amount of \$4,850,000 for such purpose, pursuant to and in accordance with the provisions of the Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE, BOND COUNTY, ILLINOIS, as follows:**

**Section 1. Incorporation of Preambles and Determination to Issue Bonds.** The Corporate Authorities hereby find that all of the recitals contained in the preambles to this ordinance are true, complete and correct and hereby incorporate them into this Section 1 of this ordinance by this reference thereto. It is necessary and in the best interests of the Municipality to acquire, construct and install the Project for the public health, safety and welfare, in accordance with the plans and specifications, as described above, that the System be operated as a separate sewerage system in accordance with the provisions of the Act, and that for the purpose of acquiring, constructing and installing the Project there are hereby authorized to be issued and sold sewerage revenue bonds of the Municipality in an aggregate principal amount up to but in any event not to exceed \$4,850,000 (howsoever styled, the "Bonds").

**Section 2. Publication and Notice.** *The Greenville Advocate* is a newspaper published in the Municipality, and its population is 7,000 under the most recent federal census figures. Within 10 days after the adoption of this ordinance, this ordinance shall be published in a newspaper published and of general circulation within the municipality; and if no petition, signed by not less than registered voters of the Municipality being equal to ten percent (10%) of the registered voters of the Municipality, asking that the question of undertaking the Project and of issuing the Bonds to pay the cost thereof be submitted to the electors of the Municipality, is filed with the City Clerk of the Municipality within thirty (30) days after the date of the publication of this ordinance and such notice, then this ordinance shall be in full force and effect. If such petition is filed, an election on the question shall be held as set forth in the form of notice set forth below. The City Clerk shall have available and provide a form of petition to any person requesting one. The City Clerk shall give notice of the foregoing provisions substantially as set forth in the form of the notice presented at the meeting of the Corporate Authorities at which this ordinance is adopted, completed and modified as may be required to comply with the Act together with a publication of this ordinance.

**Section 3. Additional Ordinances.** If no petition meeting the requirements of applicable law is filed as provided above in Section 2 and there is no material change in the Project and otherwise as herein described, then the Corporate Authorities in accordance with and pursuant to the Act may adopt additional ordinances or other proceedings supplemental to or amending this ordinance, providing for the issuance and sale of up to but in any event not to exceed \$4,850,000 of its waterworks and sewerage revenue Bonds, prescribing the details of such Bonds, and providing for the collection, segregation and distribution of the revenues of the System and the acquisition, construction and installation of the Project. Such additional or supplemental ordinances or other proceedings shall in all instances become effective in accordance with otherwise applicable law; and this ordinance, together with such supplemental and additional ordinances or other proceedings, shall constitute complete authority for the issuance of the Bonds under applicable law.

This shall also constitute reimbursement action under Section 1.150-2 of the Income Tax Regulations.

**Section 4. Severability and Repealer.** If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Upon motion by Councilman Gillard, seconded by Councilman Heath, adopted (and recorded in the Municipality's records) this 10<sup>th</sup> day of November, 2015 by roll call vote as follow:

AYES (names): Gillard, Heath, Adam, Sanders, Gaffner  
NAYS (names): None

Approved November 10, 2015.  
Alan Gaffner  
Mayor, City of Greenville  
Bond County, Illinois

Attest:  
Sue Ann Nelson  
City Clerk, City of Greenville  
Bond County, Illinois

To: City Clerk, City of Greenville, Illinois.

**PETITION**

In accordance with and pursuant to Section 2 of Ordinance No. 3075 of the City of Greenville, Bond County, Illinois (the "Municipality"), adopted November 10, 2015, and entitled:

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$4,850,000 SEWERAGE REVENUE BONDS OF THE CITY OF GREENVILLE, BOND COUNTY, ILLINOIS, FOR THE PURPOSE OF DEFRAYING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EXTENDING SEWERAGE FACILITIES, AND RELATED MATTERS,**

each of the undersigned hereby certifies, as applicable to each, that each is an elector (a registered voter) of the Municipality, and hereby petitions and asks that the question of undertaking the acquisition, installation and construction of sanitary sewer improvements in un-served areas, and related facilities, improvements and costs) and of issuing up to \$4,850,000 sewerage system revenue bonds to pay all or a part of the costs thereof, and related costs, as set forth in the above ordinance, be submitted to the electors of the Municipality at the general primary election to be held on March 15, 2016, if such election is held and such question can be and is then submitted, and otherwise at the next or prior election at which such question could be submitted.

<u>Print Name</u>	<u>Address</u>	<u>City of Greenville</u>	<u>Signature</u>
1. _____	_____	Greenville, IL	_____
2. _____	_____	Greenville, IL	_____
3. _____	_____	Greenville, IL	_____
4. _____	_____	Greenville, IL	_____
5. _____	_____	Greenville, IL	_____
6. _____	_____	Greenville, IL	_____
7. _____	_____	Greenville, IL	_____
8. _____	_____	Greenville, IL	_____
9. _____	_____	Greenville, IL	_____
10. _____	_____	Greenville, IL	_____

**Statement:** I, \_\_\_\_\_ [Name], of \_\_\_\_\_ [Address], \_\_\_\_\_, Illinois, hereby state that I am now and was at all times I circulated this petition a U. S. citizen over 18 years of age and a registered voter of Greenville, Illinois, that the above signatures on this sheet were signed in my presence in Greenville, Illinois, and are genuine, and to the best of my knowledge and belief each of the persons so signing were at the time of signing registered voters of the City of Greenville, Bond County, Illinois, and their addresses are correctly stated.

\_\_\_\_\_  
Signature

State of Illinois ) The above Statement was subscribed and sworn to  
) before me this \_\_\_\_ day of \_\_\_\_\_, 2015.  
The County of Bond )

(SEAL) \_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

Will certify 30 days after published in Advocate to determine if any petitions are filed.

STATE OF ILLINOIS )  
 )  
THE COUNTY OF BOND ) SS  
 )  
CITY OF GREENVILLE )

**CERTIFICATION OF ORDINANCE**

I, the undersigned, do hereby certify that I am the duly selected, qualified and acting City Clerk of the City of Greenville, Bond County, Illinois (the "Municipality"), and as such official I am the keeper of the records and files of the Municipality and of its City Council (the "Corporate Authorities").

I do further certify that the foregoing constitutes a full, true and complete excerpt from the proceedings of the meeting of the Corporate Authorities held on the 10th day of November, 2015, insofar as same relates to the adoption of Ordinance No. 3075, entitled:

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$4,850,000 SEWERAGE REVENUE BONDS OF THE CITY OF GREENVILLE, BOND COUNTY, ILLINOIS, FOR THE PURPOSE OF DEFRAYING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EXTENDING SEWERAGE FACILITIES, AND RELATED MATTERS,**

a true, correct and complete copy of which ordinance (the "Preliminary Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting and is hereto attached. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify that the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted; that the agenda for the meeting was duly posted (and continuously visible) at the City Hall at least 48 hours before the meeting and in a building window with all pages conveniently readable by the public 24/7; that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Open Meetings Act and such Illinois Municipal Code and their procedural rules in the adoption of such Preliminary Ordinance. [ ] petition(s) have been received as mentioned in Section 2 of such Preliminary Ordinance, a form thereof being at all relevant times available therefor in the City Clerk's office.

**IN WITNESS WHEREOF**, I hereunto affix my official signature and the seal of the City of Greenville, Bond County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

(SEAL)

\_\_\_\_\_  
City Clerk



STATE OF ILLINOIS )  
 )  
THE COUNTY OF BOND ) SS  
 )  
CITY OF GREENVILLE )

**CERTIFICATION OF ORDINANCE**

I, the undersigned, do hereby certify that I am the duly selected, qualified and acting City Clerk of the City of Greenville, Bond County, Illinois (the “**Municipality**”), and as such official I am the keeper of the records and files of the Municipality and of its City Council (the “**Corporate Authorities**”).

I do further certify that the foregoing constitutes a full, true and complete excerpt from the proceedings of the meeting of the Corporate Authorities held on the 10th day of November, 2015, insofar as same relates to the adoption of Ordinance No. 3075, entitled:

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$4,850,000 SEWERAGE REVENUE BONDS OF THE CITY OF GREENVILLE, BOND COUNTY, ILLINOIS, FOR THE PURPOSE OF DEFRAYING THE COST OF ACQUIRING, CONSTRUCTING, IMPROVING AND EXTENDING SEWERAGE FACILITIES, AND RELATED MATTERS,**

a true, correct and complete copy of which ordinance (the “**Preliminary Ordinance**”) as adopted at such meeting appears in the transcript of the minutes of such meeting and is hereto attached. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify that the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted; that the agenda for the meeting was duly posted (and continuously visible) at the City Hall at least 48 hours before the meeting and in a building window with all pages conveniently readable by the public 24/7; that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Open Meetings Act and such Illinois Municipal Code and their procedural rules in the adoption of such Preliminary Ordinance. [No] petition(s) have been received as mentioned in Section 2 of such Preliminary Ordinance, a form thereof being at all relevant times available therefor in the City Clerk’s office.

**IN WITNESS WHEREOF**, I hereunto affix my official signature and the seal of the City of Greenville, Bond County, Illinois, this 18th day of December, 2015.

(SEAL)

See Ann Nelson  
City Clerk