

ORDINANCE NO. 22-1

ORDINANCE AUTHORIZING THE ISSUANCE OF  
WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS  
OF THE CITY OF SULLIVAN, ILLINOIS

**WHEREAS**, the City of Sullivan, Illinois (the "City") is a duly organized and existing non-home rule unit of government and municipality of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, as amended (the "Code"), and operates a municipally owned waterworks and sewerage system pursuant to Division 139 of Article 11 of the Code; and

**WHEREAS**, the City Council of the City (the "City Council") has determined that it is advisable, necessary and in the best interests of the City to acquire, construct, extend and improve a waterworks and sewerage system within the City (the "Project"), all in accordance with the preliminary plans and estimates on file in the office of the City Clerk, and there are insufficient funds on hand and lawfully available to pay such costs; and

**WHEREAS**, the estimated costs of the Project, including legal fees and all other costs of issuance related to the issuance of bonds, is \$10,500,000; and

**WHEREAS**, the City is authorized under the provisions of the Code and the Local Government Debt Reform Act, as amended, to incur indebtedness and issue and sell its Waterworks and Sewerage System Revenue Bonds (the "Revenue Bonds") in an aggregate principal amount not to exceed \$10,500,000; and

**WHEREAS**, the Revenue Bonds will be payable solely from a pledge of the net revenues of the operation of the City's waterworks and sewerage system (the "Net Revenues");

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULLIVAN, ILLINOIS, AS FOLLOWS:**

**Section 1. Incorporation of Recitals.** The City Council hereby finds that the recitals to this Ordinance are true, complete and correct and hereby incorporates them in to this Ordinance.

**Section 2. Determination to Issue Bonds.** It is necessary and in the best interests of the City to undertake the Project in accordance with the preliminary plans and estimates described above and the Revenue Bonds are hereby authorized to be issued for such purpose and sold from time to time in an aggregate principal amount not to exceed \$10,500,000.

**Section 3. Publications.** Within ten (10) days after the adoption of this Ordinance by the City Council, this Ordinance preceded by the notice in substantially the form attached hereto as **Exhibit A** shall be published in a newspaper of general circulation in the City. If no petition asking that the issuance of the Revenue Bonds be submitted to referendum, signed by 10% or more of the number of registered voters in the City is filed with the City Clerk within thirty (30) days after the date of the publication of this Ordinance and said notice, then the Revenue Bonds shall be authorized to be issued.

**Section 4. Additional Ordinances.** If no petition meeting the requirements of applicable law is filed during the petition period referred to above, then the City Council may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Revenue Bonds and prescribing all the details of the Revenue Bonds so long as the maximum

amount of the Revenue Bonds as set forth in this Ordinance is not exceeded and there is no material change in the Project or the purposes described herein. Such additional ordinances or proceedings shall in all instances become effective immediately without publication or posting or any further act or requirement. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the issuance of the Revenue Bonds under applicable law.

**Section 5. Severability.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

**Section 6. Repealer.** 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.

**ADOPTED** by the City Council of the City of Sullivan, Illinois on the 24<sup>th</sup> day of January, 2022.


Aye: Woodworth, Booker, Sherwood, Fowler, Glazebrook

Nay: \_\_\_\_\_

Absent: \_\_\_\_\_

[Remainder of page intentionally blank.]

**APPROVED** by me, as Mayor of the City of Sullivan, Illinois, the 24<sup>th</sup> day of January, 2022.

  
\_\_\_\_\_  
Mayor

**PASSED** by the City Council of the City of Sullivan, Illinois, the 24<sup>th</sup> day of January, 2022.

Attest:   
\_\_\_\_\_  
City Clerk

**EXHIBIT A**

**FORM OF NOTICE**

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

Notice is hereby given that pursuant to an ordinance (the "Ordinance") adopted by the City Council of the City of Sullivan, Illinois (the "City"), on January 24, 2022, the City intends to issue its Waterworks and Sewerage System Revenue Bonds in an aggregate principal amount not to exceed \$10,500,000 (the "Revenue Bonds") for the purpose of providing funds to acquire, construct, extend and improve a waterworks and sewerage system within the City (the "Project"). The principal of and interest on the Revenue Bonds will be payable solely from the net revenues of the operation of the City's waterworks and sewerage system. A complete copy of the Ordinance follows this notice.

Notice is hereby further given that a petition signed by 27 or more electors of the City (said number of electors being equal to 10% or more of the number of registered voters in the City) may be submitted to the City Clerk within thirty (30) days after the date of publication of this notice and the Ordinance asking that the question of the issuance of the Revenue Bonds be submitted to referendum. If such petition is filed with the City Clerk within thirty (30) days of the publication of this notice and the Ordinance, the question of the issuance of the Revenue Bonds shall be submitted to the electors of the City at the general primary election to be held on June 28, 2022, if such question can be and is presented at such election, and otherwise at the next election at which such question could be presented under the general election laws. The Circuit Court may declare that an emergency referendum should be held prior to said election date pursuant to the provisions of Section 2A-1.4 of the Election Code of the State of Illinois, as amended. If no such petition is filed with the City Clerk within said 30-day period, the Revenue Bonds shall be authorized to be issued.

By order of the City Council of the City of Sullivan, Illinois.

Dated this 24th day of January, 2022.



\_\_\_\_\_  
City Clerk  
City of Sullivan, Illinois

STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF MOULTRIE        )

**CERTIFICATION OF ORDINANCE**

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Sullivan, Illinois (the "City"), and as such officer I am the keeper of the books, records, files, and journal of proceedings of the City and of the City Council (the "Corporate Authorities") thereof.

I do further certify that the foregoing constitutes a full, true and complete copy of an ordinance adopted by the Corporate Authorities at a meeting held on January 24, 2022 entitled:

**ORDINANCE AUTHORIZING THE ISSUANCE OF  
WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS  
OF THE CITY OF SULLIVAN, ILLINOIS**

I do further certify that the deliberations of the Corporate Authorities on the adoption of said ordinance were taken openly; that the vote on the adoption of said ordinance was taken openly; that said meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all of the news media requesting such notice of said meeting was duly given to all of the news media requesting such notice; that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Corporate Authorities at least 48 hours in advance of the holding of said meeting, that said meeting was called and held in strict accordance with the provisions of the Open Meetings Act of the State of Illinois, as amended; and that the Corporate Authorities have complied with all of the applicable provisions of said Act and their procedural rules in the adoption of said ordinance.

**IN WITNESS WHEREOF**, I have hereunto affixed my official signature and the seal of the City on January 24, 2022.

Carrie Creen  
City Clerk

