

CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 25-10-02-42

**AN ORDINANCE AUTHORIZING PUBLIC WATER SUPPLY LOAN
AGREEMENT – NON-HOME RULE CITY**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS
6th Day of October, 2025

PRESENTED: **October 6, 2025**

PASSED: **October 6, 2025**

APPROVED: **October 6, 2025**

RECORDED: **October 6, 2025**

PUBLISHED: **October 6, 2025**

In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

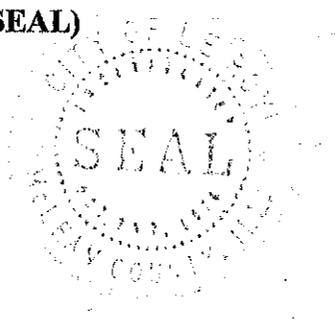
The undersigned being the duly qualified and acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.



Anita Corso, City Clerk of the City
of Le Roy, McLean County, Illinois

Dated: October 6, 2025

(SEAL)



**AN ORDINANCE AUTHORIZING PUBLIC WATER SUPPLY
LOAN AGREEMENT - NON-HOME RULE CITY**

ORDINANCE NUMBER 25-10-02-42

AN ORDINANCE authorizing the City of Le Roy, McLean County, Illinois, to borrow funds from the Public Water Supply Loan Program.

WHEREAS, the City of Le Roy, McLean County, Illinois, (“the CITY”) operates its public water supply system (“the System”) and in accordance with the provisions of 65 ILCS 5/1 *et. seq* and 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 City Council of the CITY (“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:

Remove and replace approximately 57 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 40 years; and

WHEREAS, the estimated cost of construction and installation of the Project, including engineering, legal, financial and other related expenses is **\$1,800,000.00**, and there are insufficient funds on hand and lawfully available to pay these costs; and

WHEREAS, the loan shall bear an interest rate as defined by 35 Ill. Adm. Code 663, which does not exceed the maximum rate authorized by the Bond Authorization Act, as amended, 30 ILCS 305/0.01 et seq., at the time of the issuance of the loan; and

WHEREAS, the principal and interest payment shall be payable semi-annually, and the loan term shall mature in either 30 years or 40 years, which is within the period of useful life of the Project; and

WHEREAS, the costs are expected to be paid for with a loan to the CITY from the Public Water Supply Loan Program through the Illinois Environmental Protection Agency, the loan to be repaid from revenues of the System and the loan is authorized to be accepted at this time pursuant to the Act; and

WHEREAS, in accordance with the provisions of the Act, the CITY is authorized to borrow funds from the Public Water Supply Loan Program in the aggregate principal amount of **\$1,800,000.00** to provide funds to pay the costs of the Project;

WHEREAS, the loan to the CITY shall be made pursuant to a Loan Agreement, including certain terms and conditions, between the CITY and the Illinois Environmental Protection Agency;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY LE ROY, MCLEAN 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. Determination to Borrow Funds. It is necessary and in the best interests of the CITY to construct the Project for the public health, safety and welfare, in accordance with the plans and specifications, as described; that the System continues to be operated in

accordance with the provision of the Act; and that for the purpose of constructing the Project, it is hereby authorized that funds be borrowed by the CITY in an aggregate principal amount (which can include construction period interest financed over the term of the loan) not to exceed **\$1,800,000.00**.

Section 3. 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 Normalite/Le Roy Leader, a newspaper published and of general circulation in the CITY, and if no petition, signed by electors numbering 10% or more of the registered voters in the CITY (258) asking that the question of improving the System as provided in this Ordinance and entering into the Loan Agreement therefore 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 4. Additional Ordinances. If no petition meeting the requirements of the Act and other applicable laws is filed during the 30-day petition period, then the Corporate Authorities may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for entering into the Loan Agreement with the Illinois Environmental Protection Agency, prescribing all the details of the Loan Agreement, and providing for the collection, segregation and distribution of the revenues of the System, so long as the maximum amount of the Loan Agreement as set forth in this Ordinance is not exceeded and there is no material change in the Project or purposes described herein. Any additional ordinances or proceedings shall in all instances become effective in accordance with the Act or other

applicable law. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for entering into the Loan Agreement under applicable law.

However, notwithstanding the above, the CITY may not adopt additional ordinances or amendments which provide for any substantive or material change in the scope and intent of this Ordinance, including but not limited to interest rate, preference, or priority of any other ordinance with this Ordinance, parity of any other ordinance with this Ordinance, or otherwise alter or impair the obligation of the CITY to pay the principal and interest due to the Public Water Supply Loan Program without the written consent of the Illinois Environmental Protection Agency.

Section 5. Loan Not Indebtedness of City. Repayment of the loan to the Illinois Environmental Protection Agency by the CITY pursuant to this Ordinance is to be solely from the revenue derived from revenues of the System, and the loan does not constitute an indebtedness of the CITY within the meaning of any constitutional or statutory limitation.

Section 6. Application for Loan. The Mayor is hereby authorized to make application to the Illinois Environmental Protection Agency for a loan through the Public Water Supply Loan Program, in accordance with the loan requirements set out in 35 Ill. Adm. Code 663.

Section 7. Acceptance of Loan Agreement. The Corporate Authorities hereby authorize acceptance of the offer of a loan through the Public Water Supply Loan Program, including all terms and conditions of the Loan Agreement as well as all special conditions contained therein and made a part thereof by reference. The Corporate Authorities further agree that the loan funds awarded shall be used solely for the purposes of the project as approved by the Illinois Environmental Protection Agency in accordance with the terms and conditions of the Loan Agreement.

Section 8. Outstanding Bonds. The CITY has outstanding bonds, payable from revenues of the system, that are senior to the loan authorized by this Ordinance, and the CITY establishes an account, coverage, and reserves equivalent to the account(s), coverage(s) and reserve(s) as the senior lien holders in accordance with 35 Ill. Adm. Code 662.350(a)(9)(C) [or 35 Ill. Adm. Code 663.350(a)(9)(C) if a lead service line replacement project]. Such senior obligations are as follows: Series 2016B (Alternate Revenue Source) \$2,510,000 - \$1,095,000 General Obligation Bonds (Alternate Revenue Source) Series 2020 and \$3,440,000 General Obligation Bonds (Alternate Revenue Source), Series 2021

Section 9. Authorization of Mayor to Execute Loan Agreement. The Mayor is hereby authorized and directed to execute the Loan Agreement with the Illinois Environmental Protection Agency. The Corporate Authorities may authorize by resolution a person other than the Mayor for the sole purpose of authorizing or executing any documents associated with payment requests or reimbursements from the Illinois Environmental Protection Agency in connection with this loan.

Section 10. Severability. If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 11. Repealer. All ordinances, resolutions or orders, or parts thereof conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 12. Publication. The City Clerk, be and he is hereby authorized and directed to publish this ordinance in pamphlet form as provided by law.

Section 13. Effective Date. This ordinance shall be effective from and after its passage, approval and publication.

CERTIFICATION

I, Anita Corso, do hereby certify that I am the duly ^{appointed} ~~elected~~, qualified and acting Clerk of the City of Le Roy. I do further certify that the above and foregoing, identified as Ordinance No. **25-10-02-42**, is a true, complete and correct copy of an ordinance otherwise identified as **An Ordinance Authorizing Public Water Supply Loan Agreement – Non-Home Rule City**, passed by the City Council of the City of Le Roy on the 6th day of October, 2025, and approved by the Mayor of the City of Le Roy 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 Le Roy.

Dated this 6th day of October, 2025.

EXHIBIT A

**NOTICE OF INTENT TO BORROW FUNDS
AND RIGHT TO FILE PETITION**

NOTICE IS HEREBY GIVEN that, pursuant to Ordinance Number _____, adopted on _____, 2025, the City of Le Roy, McLean County, Illinois (the "ENTITY"), intends to enter into a Loan Agreement with the Illinois Environmental Protection Agency in an aggregate principal amount not to exceed **\$1,800,000.00** 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 258 or more electors of the CITY (being equal to 10% of the registered voters in the CITY), requesting that the question of improving the public water supply system and entering into the Loan Agreement 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 17, 2026. A petition form is available from the office of the City Clerk.



Clerk, City of Le Roy
McLean County, Illinois

CERTIFICATION

I, Anita Corso, do hereby certify that I am the ^{APPOINTED BY} ~~duly elected~~, qualified and acting Clerk of the City of Le Roy. I do further certify that the above and foregoing, identified as Ordinance Number 25-10-02-42, is a true, complete and correct copy of an ordinance otherwise identified as ORDINANCE AUTHORIZING LOAN AGREEMENT passed by the City Council of the City of Le Roy on the 6th day of October, 2025, and approved by the Mayor of the City of Le Roy 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 Le Roy.

Dated this 6th day of October, 2025.

Anita Corso
City Clerk

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Kyle Merkle, and seconded by Kelly Lay by roll call vote on the 6th day of October, 2025 as follows

Aldermen elected 8

Aldermen Present 6

Voting Aye: Kyle Merkle, Scott Tucker, Kelly Lay, Ron Legner, Matt Steffen,
Sarah Welte..

Voting Nay:
None

Absent:
Dawn Hanafin

Abstain:
None

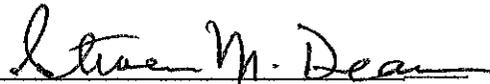
Other: Resignation – Open Seat

And deposited and filed in the office of the City Clerk in said municipality on the 6th day of October, 2025.



Anita Corso, City Clerk of the City of Le Roy,
McLean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 6th day of May 2025



Steve Dean Mayor of the City of Le Roy,
Mc Lean County, Illinois

ATTEST:



Anita Corso, City Clerk of the City of
Le Roy, Mc Lean County, Illinois

(SEAL)



CERTIFICATE

I, Anita Corso, certify that I am the duly appointed and acting Municipal Clerk of the City of Le Roy, McLean County, Illinois.

I further certify that on **October 6, 2025** the Corporate Authorities of such municipality passed and approved **Ordinance No. 25-10-02-42** entitled:

**AN ORDINANCE AUTHORIZING PUBLIC WATER SUPPLY LOAN
AGREEMENT – NON-HOME RULE CITY**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **25-10-02-42**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **October 10, 2025** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 6th day of October, 2025.

(SEAL)



Anita Corso, City Clerk of the City
of Le Roy, McLean County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

I, Anita Corso do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE AUTHORIZING PUBLIC WATER SUPPLY LOAN AGREEMENT – NON-HOME RULE CITY

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 6th day of October, 2025 and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 6th day of October, 2025



Anita Corso, City Clerk of
the City of Le Roy, McLean
County, Illinois

(SEAL)

