CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 26-02-04-41

AN ORDINANCE AUTHORIZING THE CITY OF LE ROY, MCLEAN COUNTY, ILLINOIS TO BORROW FUNDS FROM THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S WATER POLLUTION CONTROL PROGRAM

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS
23rd Day of February 2026

PRESENTED: **February 26, 2026**

PASSED: **February 23, 2026**

APPROVED: **February 23, 2026**

RECORDED: **February 23, 2026**

PUBLISHED: **February 23, 2026**

In Pamphlet Form

Voting "Aye" 7
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: February 23, 2026

(SEAL)



ORDINANCE NUMBER # 26-02-04-41

AN ORDINANCE AUTHORIZING THE CITY OF LE ROY, MCLEAN COUNTY, ILLINOIS TO BORROW FUNDS FROM THE WATER POLLUTION CONTROL LOAN PROGRAM

WHEREAS, the City of Le Roy, McLean County, Illinois, (hereinafter the "City") operates its sewerage system (the "System") and in accordance with the provisions of 65 ILCS 5/111291 and the Local Government Debt Reform Act of the State of Illinois, 30 ILCS 350/1 (collectively, the "Act"), and

WHEREAS, the Mayor and the 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 construction of the Wastewater Treatment Plant improvements 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 of Le Roy; which Project has a useful life of 30 years; and

WHEREAS, the estimated cost of construction and installation of the Project, including engineering, legal, financial and other related expenses is $16,710,000, 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 365, 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 semiannually, and the loan shall mature in 30 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 Water Pollution Control Loan Program through the Illinois Environmental Protection Agency (the "Agency"), the loan to be repaid from (i) net revenues of the System, and (ii) all collections distributed by the State to the City from Retailer's Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes

(collectively, the "Pledged Revenues"), 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 Water Pollution Control Loan Program in the aggregate principal amount of $16,710,000 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 Agency;

NOW THEREFORE, Be It Ordained by the Mayor and the City Council of the City of 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 $16,710,000.

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 *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 (259) 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 30day 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 Agency, prescribing all the details of the Loan Agreement, and providing for the collection, segregation and distribution of the Pledged Revenues, 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 Water Pollution Control Loan Program without the written consent of the Agency.

SECTION 5. INDEBTEDNESS OF THE CITY

Repayment of the loan to the Agency by the City pursuant to this Ordinance shall be payable from the Pledged Revenues. The loan shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory limitation to the extent payable from the Pledged Revenues.

SECTION 6. APPLICATION FOR LOAN

The Mayor is hereby authorized to make application to the Agency for a loan through the Water Pollution Control Loan Program, in accordance with the loan requirements set out in 35 Ill. Adm. Code 365.

SECTION 7. ACCEPTANCE OF LOAN AGREEMENT

The Corporate Authorities hereby authorize acceptance of the offer of a loan through the Water Pollution Control 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 Agency in accordance with the terms and conditions of the Loan Agreement.

SECTION 8. OUTSTANDING BONDS

The City has outstanding bonds that are payable from the Pledged Revenues but the outstanding bonds are not senior to, but on parity with, the loan authorized by this Ordinance.

SECTION 9. AUTHORIZATION FOR MAYOR TO EXECUTE LOAN AGREEMENT

The Mayor is hereby authorized and directed to execute the Loan Agreement with the 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 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 which conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

THE REST OF THIS PAGE IS INTENTIONALLY LEFT BLANK

PASSED by the Corporate Authorities

on February 23, 2026.
Approved February 23, 2026.

_____
President
City of Le Roy
McLean County, Illinois

AYES: _____

NAYS: _____

ABSENT:

_____

RECORDED in the City Records on February 23, 2026.

ATTEST:

_____
City Clerk
City of Le Roy
McLean County, Illinois

NOTICE OF INTENT TO BORROW FUNDS
AND RIGHT TO FILE PETITION

NOTICE IS HEREBY GIVEN that, pursuant to Ordinance Number 26-02-04-41, adopted on February 23, 2026, the City of Le Roy, McLean 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 $16,710,000 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 improvements to the sewerage system of the City. A complete copy of the Ordinance accompanies this notice.

NOTICE IS HEREBY FURTHER GIVEN that if a petition signed by 259 or more electors of the City (being equal to 10% of the registered voters in the City), requesting that the question of improving the sewerage 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 sewerage system of the City as provided in the Ordinance and Loan Agreement shall be submitted to the electors of the City at the general election to be held on the 3rd day of November, 2026. A petition form is available from the office of the City Clerk.

_____
City Clerk
City of Le Roy
McLean County, Illinois

CERTIFICATION

I, Anita Corso, do hereby certify that I am the duly appointed, qualified and acting Clerk of the City of Le Roy. McLean County, Illinois, I do further certify that the above and foregoing, identified as Ordinance Number #26-02-04-41, is a true, complete and correct copy of an ordinance otherwise identified as "An Ordinance Authorizing the City of Le Roy, McLean County, Illinois to Borrow Funds From the Water Pollution Control Loan Program", passed by the City Council of the City of Le Roy on the 23rd day of February, 2026, 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 23rd day of February, 2026.

NO REFERENDUM CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, 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 Mayor and City Council of the City.

I do further certify that Ordinance Number #26-02-04-41, being the Ordinance entitled: An Ordinance Authorizing the City of Le Roy, McLean County, Illinois to Borrow Funds From the Water Pollution Control Loan Program (the "Ordinance") was presented to and passed by the Mayor and City Council of the City at its legally convened meeting held on the 23rd day of February, 2026, and signed by the Mayor of the City on said day.

I do further certify that the Ordinance was duly and properly published in the *Le Roy Leader*, a newspaper published and of general circulation within the City, on the 26th day of February, 2026, being a date within ten (10) days from the date of passage of the Ordinance.

I do further certify that publication of the Ordinance was accompanied by a separate publication of notice of (1) the specific number of voters required to sign the petition requesting the question of constructing improvements to the sewerage system of the City as provided in the Ordinance; (2) the time in which such petition must have been filed; and (3) the date of the prospective referendum.

I do further certify that I did make available and provide to any individual so requesting a petition form, which petition form provided for submission to the electors of the City of the question as set forth therein. Such petition forms were available from me continuously from February 26, 2026, up to and including March 30, 2026.

I do further certify that no Petition has been filed in my office within 30 days after publication of the Ordinance or as of the time of the signing hereof as provided by statute asking that the question of improving the sewerage system as provided in the Ordinance and the Loan Agreement therefore be submitted to the electors of the City.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the corporate seal of the City of Le Roy, McLean County, Illinois this 31st day of March, 2026.

_____

City Clerk
City of Le Roy
McLean County, Illinois

(SEAL)

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Matt Steffen and seconded by Kelly Lay by roll call vote on the 23rd day of February 2026 as follows.

Aldermen elected 8 Aldermen Present 7

Voting Aye:

Dawn Hanafin, Curt Dunafin, Scott Tucker, Kelly Lay, Ron Legner, Matt Steffen, Sarah Welte

.

Voting Nay:
None

Absent:
Kyle Merkle

Abstain:
None

Other:
None

And deposited and filed in the office of the City Clerk in said municipality on the 23rd day of February 2026.

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 23rd day of February 2026

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 **February 23, 2026,** the Corporate Authorities of such municipality passed and approved **Ordinance No. 26-02-04-41 entitled:**

AN ORDINANCE AUTHORIZING THE CITY OF LE ROY, MCLEAN COUNTY, ILLINOIS TO BORROW FUNDS FROM THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S WATER POLLUTION CONTROL PROGRAM

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

The pamphlet form of Ordinance No. **26-02-04-41**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **February 23, 2026,** 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 23rd day of February 2026.

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 THE CITY OF LE ROY, MCLEAN COUNTY, ILLINOIS TO BORROW FUNDS FROM THE ILLINOIS ENVIRONMRNTAL PROTECTION AGENCY'S WATER POLLUTION CONTROL PROGRAM

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 23rd day of February, 2026 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 23rd day of February 2026

(SEAL)

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