

VILLAGE OF WARRENSBURG, ILLINOIS

ORDINANCE NO. 738

**AN ORDINANCE AUTHORIZING AND APPROVING THE
INTERGOVERNMENTAL COOPERATION AGREEMENT
BETWEEN THE VILLAGE OF WARRENSBURG, ILLINOIS
AND THE WARRENSBURG FIRE PROTECTION DISTRICT,
OF WARRENSBURG, ILLINOIS**

**ADOPTED BY THE
BOARD OF TRUSTEES
OF THE VILLAGE OF WARRENSBURG**

this 19th DAY OF AUGUST, 2019

**Published in pamphlet form by authority of the Board of Trustees of
the Village of Warrensburg, Macon County, Illinois,
this 19th day of August, 2019**

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AND THE WARRENSBURG FIRE PROTECTION DISTRICT,
OF WARRENSBURG, ILLINOIS**

WHEREAS, the public interest requires and it is to the mutual interest of the parties hereto to join together to establish and operate a cooperative program of mutual assistance and water and sewer rates between the Village of Warrensburg, Illinois (VOW) and the Warrensburg Fire Protection District (WFPD); and

WHEREAS, the operation of such a cooperative program is of such magnitude that it is necessary for the parties to this Agreement to join together to accomplish the purposes hereinafter set forth; and

WHEREAS, both public entities which are parties to this Agreement have the power to establish and operate a cooperative program; and

WHEREAS, both parties to the Agreement desire to join together with the other party for the purpose of establishing mutual assistance; and

WHEREAS, it is beneficial to the parties and each party's desire to utilize the adjustment of water and sewer rates in lieu of other financial and non-financial compensation by and between the parties.

BE IT ORDAINED by the President and Board of Trustees of the Village of Warrensburg, Illinois:

- Section 1.** That the Intergovernmental Cooperation Agreement between Village of Warrensburg and the Warrensburg Fire Protection District of Warrensburg, Illinois, a copy of which is attached hereto, be and hereby is approved.
- Section 2.** That the President of the Board of Trustees, or his designee, and the Village Administrative Clerk, be and are hereby authorized and approved to execute the Intergovernmental Cooperation Agreement.
- Section 3.** That this Ordinance shall take effect upon its passage as provided by the laws of the State of Illinois, and in addition shall be published in

pamphlet form and posted in not less than three prominent places within the municipality.


TRUSTEES:

Ray Ewing	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
Douglas Fisher	Aye - <u> </u>	Nay - <u>X</u>	Absent - <u> </u>
Leland Hackl	Aye - <u> </u>	Nay - <u> </u>	Absent - <u>X</u>
Kerry Hood	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
Ed Lock	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
John Oakley	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
Corey Maloney	Aye - <u> </u>	Nay - <u> </u>	Absent - <u> </u>

PRESENTED, PASSED and APPROVED this 19th day of August, 2019.

RECORDED this 19th day of August, 2019.

APPROVED:



President of the Board of Trustees
of the Village of Warrensburg, IL

ATTEST:

Village Administrative Clerk
of Warrensburg, Illinois

**INTERGOVERNMENTAL COOPERATION AGREEMENT
BETWEEN THE VILLAGE OF WARRENSBURG, ILLINOIS
AND THE WARRENSBURG FIRE PROTECTION DISTRICT,
OF WARRENSBURG, ILLINOIS**

AUTHORITY TO EXECUTE AGREEMENT

THIS AGREEMENT is entered into, pursuant to the provisions of the 1970 Illinois Constitution Article VII, Section 10, entitled "Intergovernmental Cooperation" and the powers contained in Chapter 5, Act 220 of the Illinois Compiled Statutes, entitled "Intergovernmental Cooperation Act."

WITNESSETH

WHEREAS, the public interest requires and it is to the mutual interest of the parties hereto to join together to establish and operate a cooperative program of mutual assistance and water and sewer rates between the Village of Warrensburg, Illinois (VOW) and the Warrensburg Fire Protection District (WFPD); and

WHEREAS, the operation of such a cooperative program is of such magnitude that it is necessary for the parties to this Agreement to join together to accomplish the purposes hereinafter set forth; and

WHEREAS, both public entities which are parties to this Agreement have the power to establish and operate a cooperative program; and

WHEREAS, both parties to the Agreement desire to join together with the other party for the purpose of establishing mutual assistance; and

WHEREAS, it is beneficial to the parties and each party's desire to utilize the adjustment of water and sewer rates in lieu of other financial and non-financial compensation by and between the parties.

NOW, THEREFORE, in consideration of the mutual advantages to be derived from and in consideration of the execution of this Agreement by the governmental bodies, which are parties hereto, each of the parties hereto does hereby agree as follows:

1. WFPD Services and Assistance. WFPD agrees to provide services and assistance, including, but not limited to flushing services of dead-end mains and culverts within the VOW; usage of the WFPD meeting room for VOW training and other VOW uses and public classes, meetings, or other sessions; provision of ice for laboratory samples for necessary VOW testing; provision of meals during emergencies and storms; donation of surplus or expired hoses and other equipment; and storm shelter usage.

2. VOW Assistance and Services. VOW shall allow, without charge, WFPD use of water from VOW fire hydrants for WFPD training purposes.

3. Water and Sewer Charges.

A. VOW agrees to charge the WFPD the following water and sewer charges:

<u>CHARGE</u>	<u>RATE</u>
Variable Water	\$.40/100 gal/mo.
Meter Fee	\$ 5.00/mo.
Plant Maintenance	\$ 4.24/mo.
Adjustable Base Rate (ABR)	\$ 4.41/mo.
Variable Sewer	\$.375/100 gal/mo.
NPDES Fee	\$ 1.65/mo.

B. The Variable Water, ABR and the Plant Maintenance Charges shall be increased annually for inflation, on May 1 of each year, by the percentage increase in the Consumer Price Index (CPI) or two percent (2%), whichever is greater.

C. The Variable Sewer Charge shall be increased on May 1 of each year by four percent (4%).

4. Agreement Complete. The foregoing constitutes the full and complete Agreement between VOW and WFPD. There are no oral understandings or agreements not set forth in writing herein. This Agreement is binding on both parties.

5. Invalidity. Should any portion, term, condition or provision of this Agreement be determined by a Court of competent jurisdiction to be invalid by any law of the State of Illinois or be otherwise rendered unenforceable or ineffectual, the validity of the remaining portions, terms, conditions and provisions shall not be affected thereby.

6. Date Agreement Effective. This Agreement shall become effective on September 1, 2019.

7. Term of Agreement. This Agreement shall continue in effect until it is rescinded by mutual consent of the parties hereto or pursuant to paragraph 8 below.

8. Termination. This Agreement may be terminated at any time after one year from its effective date upon notice by one party to the other, with sixty (60) days advance written notice.

9. Amendment. This Agreement may be amended in writing by mutual consent of the parties.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement by the execution of a signature page by both parties below.

Dated at Warrensburg, Illinois this 19 day of August, 2019.

VILLAGE OF WARRENSBURG,
ILLINOIS

By: Cory A. Maloney
Its: President of the Board of Trustees

Attest:

By: Cynthia A. Hendley
Its: Village Administrative Clerk

WARRENSBURG FIRE
PROTECTION DISTRICT

By: Ken Phily
Its: President of the Board of Trustees

Attest:

By: Carl W. [Signature]
Its: _____

STATE OF ILLINOIS)
) SS
COUNTY OF MACON)

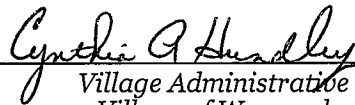
CERTIFICATE

I, CYNTHIA E. HUNDLEY, certify that I am the duly appointed Village Administrative Clerk of the Village of Warrensburg, Macon County, Illinois.

I further certify that on the 19th day of August, 2019 the President and Board of Trustees of the Village of Warrensburg passed and approved Ordinance No. 738, entitled an Ordinance Authorizing and Approving The Intergovernmental Cooperation Agreement between the Village of Warrensburg, Illinois and the Warrensburg Fire Protection District of Warrensburg, Illinois, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 738, including Ordinance and cover sheet thereof was prepared, a copy of such Ordinance was posted in the Warrensburg Village Hall, the Warrensburg Public Library, and Casey's, commencing August 20th, 2019, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Administrative Clerk.

DATED at Warrensburg, Illinois this 20th day of August, 2019.



Village Administrative Clerk of the
Village of Warrensburg, Illinois