

Resolution 08-92

WHEREAS, the Village of Loami, Illinois, has over the last decade suffered chronic water shortage problems and is looking for alternative sources of supply;

WHEREAS, the Village of Chatham has access to sufficient water to supply Loami's needs with a foreseeable future;

WHEREAS, the Village of Loami has expressed an interest in running a water main from the Village of Loami to the Village of Chatham.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

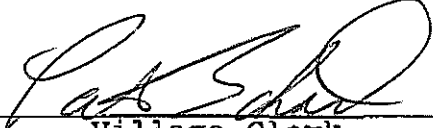
SECTION 1: The Village of Chatham hereby commits to supplying all water requirements to the Village of Loami if within four years of the date of this resolution, the Village of Loami builds at its expense a water main from the Village of Loami to the nearest 10-inch water main located within the Village of Chatham. Thereafter, for a period of 25 years, the Village of Chatham will supply Loami's water requirements through said main.

SECTION 2: This resolution is effective immediately.

PASSED this 9 day of JUNE, 1992.

Carl Oblinger
CARL OBLINGER, VILLAGE PRESIDENT

ATTEST:



Village Clerk

AYES: 6
NAYS: 0

PASSED: 6-9-92
APPROVED: 6-9-92

ABSENT: 0

PFEIFER & KELTY, P. C.

ATTORNEYS AND COUNSELORS AT LAW

301 NORTH SIXTH STREET, SUITE 120

P.O. BOX 760

SPRINGFIELD, ILLINOIS 62705-0760

**SUSAN D. HOFFEE-HUNT
THOMAS W. KELTY***

*ALSO LICENSED IN MISSOURI

AREA CODE: 217
TELEPHONE: 528-7000
FAX: 528-9801

June 22, 1992

Mr. Pat Schad
Village Clerk
Village Hall
Village of Chatham
116 East Mulberry Street
Chatham, Illinois 62629-1357

Re: Village of Chatham, Illinois
Our File: 2644-72003

Dear Mr. Schad:

I represent the Village of Loami. The Mayor received the enclosed June 10 letter from John Myers which makes reference to a limitation requirement of 100,000 gallons per day and makes reference of obtaining permission from the City of Springfield. However, the resolution itself (08-92) does not contain the limiting language referred to in Myers' letter. Is there perhaps a different resolution and if there is would you please send me a copy?

Sincerely yours,

PFEIFER & KELTY, P.C.

By: 

Thomas W. Kelty

TWK:nd
Enclosure

LONG, MORRIS, MYERS & RABIN p.c.

ATTORNEYS AT LAW

1300 SOUTH EIGHTH STREET • P.O. BOX 1858 • SPRINGFIELD, ILLINOIS 62705-1858
PHONE: 217-544-5000 • FAX: 217-544-5017

JOHN H. LONG
STANLEY L. MORRIS*
JOHN M. MYERS
MARK RABIN
W. SCOTT HANKEN
LEO J. ZAPPA, JR.

June 10, 1992

JOSEPH E. McMENAMIN
OF COUNSEL

* ALSO LICENSED IN MISSOURI

The Honorable Richard Mowery
Village President
Village of Loami
Loami Village Hall
Loami, IL 62661

Re: Village of Loami/Village of Chatham Water Negotiations

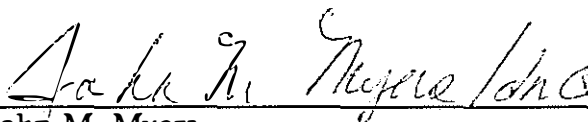
Dear Rick:

Enclosed is the letter from Mayor Oblinger and a copy of the Resolution of the Village Board of Chatham. There are two changes from what you and I discussed last Saturday, which were inserted per discussions with the trustees. One change is addition of language that recognizes that the permission of the City of Springfield must be obtained in order to supply water to Loami. The second change is a limitation on our requirements of 100,000 gallons per day. We are informed that your current usage is 60,000 per day, so there should be plenty of room for growth.

If you have any questions give me a call.

Sincerely yours,

LONG, MORRIS, MYERS & RABIN, P.C.

By: 
John M. Myers

JMM:dnc
Enclosures

xc: The Honorable Carl Oblinger, Village President, Village of Chatham
Mr. Pat Schad, Village Clerk, Village of Chatham

Resolution 08-92

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NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:


SECTION 1: The Village of Chatham hereby commits to supplying all water requirements to the Village of Loami if within four years of the date of this resolution, the Village of Loami builds at its expense a water main from the Village of Loami to the nearest 10-inch water main located within the Village of Chatham. Thereafter, for a period of 25 years, the Village of Chatham will supply Loami's water requirements through said main.

SECTION 2: This resolution is effective immediately.

PASSED this 9 day of June, 1992.

Carl Oblinger
CARL OBLINGER, VILLAGE PRESIDENT

ATTEST:



Village Clerk

AYES: 6
NAYS: 0

PASSED: 6/9/92
APPROVED: 6/9/92

ABSENT: 0

09-92

BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The President of the Village is authorized and directed to execute and send to the Village of Loami a letter is substantially the form attached hereto as Exhibit A.

SECTION 2: This resolution is effective immediately.

PASSED this ____ day of _____, 1992.

CARL OBLINGER, VILLAGE PRESIDENT

ATTEST:

Village Clerk

AYES: _____
NAYS: _____

PASSED: _____
APPROVED: _____

ABSENT: _____

VILLAGE OF CHATHAM

116 East Mulberry • Phone (217)483-2451
Chatham, Illinois 62629

VILLAGE PRESIDENT
Carl Oblinger

VILLAGE CLERK
Pat Schad

VILLAGE ADMINISTRATOR
Del McCord

TRUSTEES
David Hill
Dave Joswiak
Linda Koester
Bob Krueger
Rose Miller
Mike Williamsen

June 9, 1992

The Honorable Richard Mowery
Village President
Loami Village Hall
Loami, IL 62661

Re: Village of Loami, Illinois

Dear Mayor Mowery:

Enclosed is a resolution passed by the Village of Chatham on June 9, 1992, which commits the Village of Chatham to supplying the Village of Loami with water should the Village of Loami fund and construct a water main from the Village of Loami to the Village of Chatham. The commitment is good for four years from the date of the resolution; upon completion of the water main, the Village of Chatham will commit to supplying your requirement for 25 year

As you may be aware, the Village of Chatham obtains its water from the City of Springfield under a long term supply agreement which expires in the year 2010; the agreement can be terminated by either party prior to that time under certain conditions and provides that Chatham must secure Springfield's written permission to serve customers outside of Chatham. While the Village of Chatham will use best efforts to provide the Village of Loami's requirements, there is no guarantee that this supply arrangement with the City of Springfield will last indefinitely or even until 2010. Hence, the enclosed resolution is tendered to you with the understand that chatham is committed only to using best efforts to obtaining an adequate supply of water for Loami, up to 100,000 gallons per day, and that if the Springfield water supply should become unavailable or should Springfield refuse to give the necessary permission, Loami may have to look to other sources of supply.

VILLAGE TREASURER
Donald C. Fuener

PUBLIC WORKS DIRECTOR
Meredith Branham

PUBLIC WORKS SUPT.
Harold Bell

OFFICE MANAGER
Jill Butler

CHIEF OF POLICE
Roy Barnett

ELECTRIC FOREMAN
Kelly Pugh

Incorporated March 24, 1874

The Honorable Richard Mowery
June 9, 1992
Page 2

In addition, this resolution is tendered to you with the understanding that it will be subject to the negotiation and execution of a written water supply agreement which will provide for the ownership by Chatham of portions of the water line to be constructed by Loami, with a boundary line between the line at a point to be determined. The agreement will provide that Chatham will supply water at its cost.

We would appreciate it if you would approve the understanding expressed in this letter by Board action and sign and return a copy of this letter for our files.

We are most delighted to have this opportunity to work with a sister unit of government in solving a pressing problem. We look forward to a long and happy relationship with the Village of Loami.

VILLAGE OF CHATHAM, ILLINOIS

By: Carl Oblinger
Carl Oblinger, Village President

Accepted by the Village of Loami by motion duly made, seconded and passed on June 2, 1992.

VILLAGE OF LOAMI, ILLINOIS

By: Richard L. Mowery
Richard Mowery, Village President

ATTEST:

Mary Ellen Dougherty
Village Clerk