

ORDINANCE NO. 8

An Ordinance of the City of Bloomington concerning the construction of additions, extensions and improvements to the City's sewage works, and other matters connected therewith

WHEREAS, the City of Bloomington owns and operates sewage works established, financed and constructed pursuant to the provisions of Chapter 61 of the Acts of the Indiana General Assembly for the year 1932 (Special Session), and the acts amendatory thereof and supplemental thereto, and under the provisions of Ordinance No. 11, 1934 adopted by the Common Council of said City on March 20, 1934; and

WHEREAS, the Stream Pollution Control Board of the State of Indiana, acting pursuant to the provisions of Chapter 214 of the Acts of the Indiana General Assembly for the year 1943, on February 18, 1955 issued a final order to the City of Bloomington to cease and desist the pollution of Clear Creek and tributaries thereof by discharging into said stream inadequately treated sanitary and domestic sewage and industrial wastes, and the Board of Public Works and Safety has heretofore found that it will be necessary for the City to enlarge and improve its existing sewage works in order to comply with said order; and

WHEREAS, the Board of Public Works and Safety of the City, acting pursuant to the provisions of Chapter 61 of the Acts of 1932, and the acts amendatory thereof and supplemental thereto, has heretofore caused to be prepared and has approved plans, specifications and estimates for the construction of the required additions, extensions and improvements to the City's existing sewage works, and has requested the Council to approve the construction of the project and authorize said Board to advertise for and receive bids for the construction of said project; and

WHEREAS, the estimated cost of said project, as "cost" is defined in the governing statutes, is Two Million Dollars (\$2,000,000), and the Council finds that said project should be financed by the issuance of revenue bonds payable solely out of the revenues of the City's sewage works; that it would be expedient and for the best interests of the City to determine the construction cost by taking of bids prior to authorizing the issuance of revenue bonds in any given amount and fixing the terms and conditions of such bonds; now therefore,

BE IT ORDAINED by the Common Council of the City of Bloomington, Indiana:

Section 1. That additions, extensions and improvements to the City's sewage works, consisting of the enlargement and improvement of the existing sewage treatment plant, intercepting, trunk, relief, connecting and lateral sewers, pumping stations, and lands and easements required in connection with the construction of said project, shall be acquired and constructed in accordance with the plans, specifications and estimates heretofore prepared by Consoer, Townsend & Associates, consulting engineers of Chicago, Illinois, which are now on file in the office of the Board of Public Works and Safety and are hereby approved, the cost of said project, as estimated by said engineers, being in the amount of Two Million Dollars (\$2,000,000).

Sec. 2. The funds required for the payment of the cost of said additions, extensions and improvements shall be provided by the issuance of sewage works revenue bonds in such amount and subject to such terms and conditions as shall hereafter be determined and authorized by an ordinance adopted by the Common Council. Said bonds shall be junior and subordinate to the outstanding bonds payable from the revenues of the City's sewage works, shall be issued pursuant to the provisions of said act, shall be payable

solely out of the revenues derived from the operation of said works, and shall not constitute an obligation of the City within the provisions and limitations of the constitution of the State of Indiana.

Sec. 3. The estimated rates for the several classes of users or property served by the City's sewage works after the completion of said additions, extensions and improvements are the rates set out in Ordinance No. 18-1954 adopted on December 21, 1954, and effective as of January 1, 1955, the rates set out in said ordinance having been established in anticipation of the financing and construction of said additions, extensions and improvements.

Sec. 4. The Board of Public Works and Safety is hereby authorized to advertise for and receive bids on the construction of said additions, extensions and improvements in accordance with the provisions of Chapter 61 of the Acts of 1932 (Special Session), as amended, but no contracts for the construction of said works shall be entered into unless or until approved by ordinance of the Common Council. All the contracts entered into for the construction of said project shall be subject to the authorization, issuance and sale of revenue bonds in such amount and subject to such terms and conditions as shall hereafter be determined and authorized by ordinance of the Common Council.

Sec. 5. The Board of Public Works and Safety is hereby authorized to acquire by purchase or condemnation such real estate and easements as are deemed necessary for use in connection with the construction of such additions, extensions and improvements, provided no obligation shall be created to make payment therefor except from funds derived from the sale of the revenue bonds hereinabove referred to.

Sec. 6. This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Passed and adopted by the Common Council of the City of Bloomington on the 7th day of June, 1955.

S/Emmett Kelly, Presiding Officer

Attest:

S/Esther F. Leavitt, Clerk-Treasurer

Presented by me to the Mayor of the City of Bloomington on the 7th day of June, 1955, at the hour of 9:45 P.M. (CST).

S/Esther F. Leavitt, Clerk-Treasurer

This ordinance approved and signed by me on the 7th day of June, 1955, at the hour of 9:45, P.M. (CST).

S/Emmett Kelly, Mayor

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