

**CITY OF COLUMBIA, ILLINOIS**

**ORDINANCE NO. 2744**

**AN ORDINANCE TO AMEND THE CITY OF COLUMBIA, ILLINOIS BUDGET FOR ITS 2009 FISCAL YEAR, WHICH BEGAN ON MAY 1, 2009 AND ENDS ON APRIL 30, 2010, TO PROVIDE FOR PAYMENT OF FUNDS DUE THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE CITY'S LOCAL INTEREST PARTICIPATION IN THE COST FOR RECONSTRUCTION OF BOTTOM AVENUE IN THE CITY OF COLUMBIA, ILLINOIS**

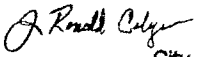
**Adopted by the  
City Council  
of the  
City of Columbia, Illinois  
this 21<sup>st</sup> day of September, 2009**

**Published in pamphlet form by  
authority of the City Council  
of the City of Columbia,  
Illinois, this 21st day of  
September, 2009.**

**ORDINANCE NO. 2744**

SEP 21 2009

**AN ORDINANCE TO AMEND THE CITY OF COLUMBIA, ILLINOIS BUDGET FOR ITS 2009 FISCAL YEAR, WHICH BEGAN ON MAY 1, 2009 AND ENDS ON APRIL 30, 2010, TO PROVIDE FOR PAYMENT OF FUNDS DUE THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE CITY'S LOCAL INTEREST PARTICIPATION IN THE COST FOR RECONSTRUCTION OF BOTTOM AVENUE IN THE CITY OF COLUMBIA, ILLINOIS**

  
City Clerk

WHEREAS, in the City of Columbia, Illinois (the "City") the City Administrator, Albert G. Hudzik, is the City's Budget Officer, and by State law it is the responsibility of the Budget Officer to complete the City's annual Budget and have it approved and adopted by the City's City Council and thereafter, among other things, it is the responsibility of the City's Budget Officer to establish and maintain procedures to insure that no expenditures are made by the City, or the City's departments, commissions or boards, which are not authorized by the City's Budget approved and adopted by the City's City Council (65 ILCS 5/8-2-9.1 & 8-2-9.2);

WHEREAS, on April 20, 2009 the City enacted its Budget Ordinance No. 2718, which approved and adopted its Budget for the City's 2009 fiscal year, which began on May 1, 2009 and ends on April 30, 2010, (the "Budget");

WHEREAS, since the adoption of the City's Budget the City has received an invoice from the Illinois Department of Transportation ("IDOT") in the sum of \$37,307.09 for the balance of the City's share (\$106,150.01) of the total cost for the reconstruction of Bottom Avenue in the City (\$421,150.01), the balance in the sum of \$68,842.92 of the City's local interest participation in said project having been heretofore paid; notwithstanding the Bottom Avenue reconstruction project construction was completed, approved, accepted and Bottom Avenue was open to the public for use approximately three (3) years ago;

WHEREAS, said amount due IDOT on this project was unknown to the City's City Council at the time the City's 2009 Budget was approved and adopted by the City's City Council and therefore was not included in the Budget;

WHEREAS, the City has ample funds in its Capital Development Fund, which is utility tax supported, to pay IDOT the amount due on said invoice the City received from IDOT for the balance due on this "Bottom Avenue Reconstruction" project;

WHEREAS, the Illinois Municipal Code allows and provides that by two-thirds (2/3) vote of the members of the City Council holding office the annual Budget of the City may be revised by adding thereto, provided the City has adequate funds to pay for the Budget revision (65 ILCS 5/8-2-9.6); and,

WHEREAS, the City Council of the City has found and determined and does hereby declare that it is necessary and appropriate that the 2009 Budget of the City be changed and amended to add thereto the sum of \$ 37,307.09 to be paid to IDOT for the

balance of the City's local interest participation in the Bottom Avenue Reconstruction project from funds on hand in the City's Capital Development Fund.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

**Section 1.** The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

**Section 2.** The annual Budget of the City of Columbia, Illinois for its fiscal year commencing on May 1, 2009 and ending on April 30, 2010, which was approved and authorized by its City Ordinance No. 2718, enacted April 20, 2009, is hereby changed and amended to add thereto the sum of \$37,307.09 to be paid to the Illinois Department of Transportation for the balance due for the City's local interest participation in the Bottom Avenue Reconstruction project, the same to be paid out of funds on hand in the City's Capital Development Fund.

**Section 3.** This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form, as provided by law.

Alderman Roessler moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Ebersohl, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Row, Hejna, Oberkfell, Stumpf, Roessler  
and Mayor Hutchinson.

NAYS: None.

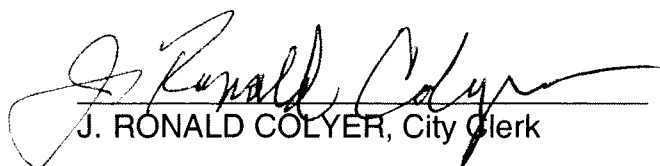
ABSENT: None.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 21<sup>st</sup> day of September, 2009.

  
\_\_\_\_\_  
KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
\_\_\_\_\_  
J. RONALD COLYER, City Clerk

(SEAL)

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF MONROE    )

**CERTIFICATE OF PUBLICATION**

I, J. Ronald Colyer, certify that I am the duly elected and acting Municipal Clerk of the City of Columbia, Illinois.

I further certify that on the 21<sup>st</sup> day of September, 2009, the Corporate Authorities of the City of Columbia, Illinois passed and approved Ordinance No. 2744, entitled:

**"AN ORDINANCE TO AMEND THE CITY OF COLUMBIA, ILLINOIS BUDGET FOR ITS 2009 FISCAL YEAR, WHICH BEGAN ON MAY 1, 2009 AND ENDS ON APRIL 30, 2010, TO PROVIDE FOR PAYMENT OF FUNDS DUE THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE CITY'S LOCAL INTEREST PARTICIPATION IN THE COST FOR RECONSTRUCTION OF BOTTOM AVENUE IN THE CITY OF COLUMBIA, ILLINOIS"**

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

The pamphlet form of Ordinance No. 2744, including the ordinance and a cover sheet thereof, was prepared and a copy of such ordinance will be posted in the Columbia City Hall, commencing on the 22nd day of September, 2009 and continuing for at least ten (10) days thereafter. Copies of such ordinance were also available for public inspection upon request at the office of the City Clerk.

DATED at Columbia, Illinois this 21st day of September, 2009.

  
\_\_\_\_\_  
J. RONALD COLYER, City Clerk

(SEAL)