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VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS

ORDINANCE NO. 1002

AN ORDINANCE AUTHORIZING THE SHORT TERM
BORROWING OF FUNDS FOR THE VILLAGE OF MELROSE
PARK, COUNTY OF COOK, STATE OF ILLINOIS.

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF MELROSE PARK

THIS 10TH DAY OF OCTOBER 2006

RONALD M. SERPICO, Village President
MARY ANN PAOLANTONIO SALEMI, Village Clerk

Board Of Trustees

JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
THOMAS KLEIN
RUBEN LOMELI
ARTURO J. MOTA
ANTHONY J. PRIGNANO

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Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 11TH day of OCTOBER 2006

ORDINANCE NO. 1002

**AN ORDINANCE AUTHORIZING THE SHORT TERM
BORROWING OF FUNDS FOR THE VILLAGE OF MELROSE
PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

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WHEREAS, the Village of Melrose Park, Cook County, State of Illinois (“the Village”) is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the Village; and

WHEREAS, the Village President, the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005 and the Village Board of Trustees, the Honorable John S. Conteduca, Cathleen Cossident Italia, Tom "T.K." Klein, Ruben Lomeli, Trustee Arturo J. Mota and Anthony J. Prignano, having taken office on May 2, 2005, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, on or about October 14, 2005, pursuant to Ordinance No. 942, the Village executed a promissory note with International Bank of Chicago in the amount of Seven Million Five Hundred Thousand Dollars and 00/100 (7,500,000.00), for a one (1) year term. Said note shall expire on October 13, 2006; and

WHEREAS, the October 14, 2005 Promissory Note shall expire on October 13, 2006 and the Village will not have finalized its negotiation of the terms and conditions of a new promissory note with International Bank of Chicago prior to the expiration of said note; and

WHEREAS, it is necessary to secure short term financing while the terms and conditions of a new promissory note are negotiated with International Bank of Chicago; and

WHEREAS, the short term borrowing of funds shall be in the form of a promissory note, with substantially the same terms and conditions as the October 14, 2005 Promissory Note, for a period not to exceed sixty (60) days (hereinafter the "Short Term Promissory Note"). A copy of the Short Term Promissory Note is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, on October 10, 2006, after a presentation by the Village Comptroller and thoughtful consideration, the President and Board of Trustees of the Village of Melrose Park, County of Cook, State of Illinois, determined that it is advisable, necessary and in the best interest of the Village and its residents to authorize the short term borrowing of funds to satisfy the October 14, 2005 Promissory Note; and

WHEREAS, the Board of Trustees of the Village of Melrose Park, County of Cook, State of Illinois, have heretofore determined and do determine that it is advisable, necessary and in the best interest of the Village and its residents to authorize the short term borrowing of funds in order to retire the October 14, 2005 Promissory Note; and

NOW THEREFORE, BE IT ORDAINED by the Village President and the Board of Trustees of the Village of Melrose Park, Cook County, Illinois, as follows:

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

The President and Board of Trustees of the Village (the "Village Board") hereby find that all of the recitals hereinbefore stated as contained in the preambles to this

Ordinance are full, true and correct and does hereby, by reference, incorporate and make them part of this Ordinance.

Section 02. Purpose.

The purpose of this Ordinance is to authorize the short term borrowing of funds in order to retire the October 14, 2005 Promissory Note.

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to this Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Sections 05-09. Reserved.

**ARTICLE II.
AUTHORIZATION TO BORROW FUNDS**

Section 10.00 Authorization to Borrow.

That the President and the Board of Trustees of the Village of Melrose Park do hereby authorize the Village to borrow funds, as empowered by Illinois Statute 65 ILCS 5/8-1-3.1, upon substantially the same terms and conditions as set out in the October 14, 2005 Promissory Note (hereinafter the "Promissory Note") attached hereto and made a part hereof as "Exhibit B."

Section 11.00 Method of Borrowing.

That the President and Board of Trustees hereby authorize the Village to borrow said funds by the execution of a promissory note, under substantially the same terms and conditions as the October 14, 2005 Promissory Note, for a term not to exceed sixty (60) days or by any means authorized by law.

Section 12.00 Amount and Term of Note.

That the President and Board of Trustees hereby authorize the Village to borrow a sum of not more than Seven Million Five Hundred Thousand Dollars and 00/100 (7,500,000.00), for a term not to exceed sixty (60) days.

Section 12.01 Interest on Note.

That the President and Board of Trustees hereby authorize the Village to borrow said sum at a rate of interest not to exceed the Prime Rate in effect at International Bank of Chicago from time to time.

Section 13.00 Lending Institution.

That the President and Board of Trustees hereby authorize the Village to borrow said sum, at said rate of interest, from a "financial institution" as that term is defined by Illinois Statute, 65 ILCS 5/8-1-3.1. For the purpose of this Ordinance, "financial institution" shall be defined as any bank subject to the Illinois Banking Act, 205 ILCS 5/1, et. seq., any savings and loan association subject to the Illinois Savings and Loan Act, 205 ILCS 105/1-1, et. seq., and any federally chartered bank or savings and loan association organized and operated in the State of Illinois pursuant to the laws, rules and regulations of the United States.

Section 14.00 Approval and Execution of Documents.

The form, terms and provisions of the Note are hereby approved in substantially the same form as attached hereto as Exhibit A, with such insertions, omissions and changes as shall be approved by the Village President, Village Comptroller, Village Attorney or other members of the governing body of the Village executing the same, the execution of such documents being conclusive evidence of such approval. The Village President is further authorized and directed to execute said Note and any related exhibits attached thereto and the Village Clerk is authorized and directed to attest, countersign and affix the seal of the Village of Melrose Park to said Note and any and all other documents necessary to carry out and give effect to the purpose and intent of this Ordinance.

Section 15.00 Other Actions Authorized.

That the Village President, Village Comptroller and Village Attorney are hereby authorized to do all things necessary, essential, or convenient to carry out and give effect to the purpose and intent of this Ordinance.

Section 16.00 Acts of Village Officials.

That all acts and doings of the officials of the Village, past, present, and future, which are in conformity with the purposes and intent of this Ordinance, are hereby, in all respects, ratified, approved, authorized and confirmed.

**ARTICLE III.
SAVINGS CLAUSES,
PUBLICATION, EFFECTIVE DATE**

Section 17.00 Headings.

The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

Section 18.00 Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Board of Trustees that this ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof had not been included.

Section 19.00 Superseder.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded.

Section 21.00 Effective date

This Ordinance shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.

On The Individual Poll and Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Conteduca, Trustee Italia, Trustee Klein,
Trustee Lomeli, Trustee Mota

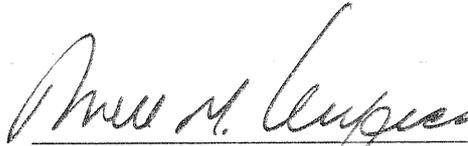
NAY VOTES:

ABSTAIN:

ABSENT: Trustee Prignano

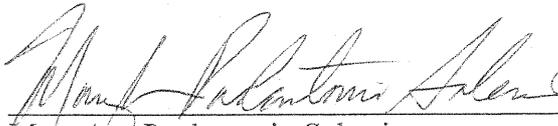
SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS
TENTH DAY OF OCTOBER, 2006 A.D.

APPROVED:



RONALD M. SERPICO,
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)