

**ORDINANCE NO. 17-20  
CITY OF BERE, KENTUCKY**

**AN ORDINANCE OF THE CITY OF BERE, KENTUCKY, ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF BERE, KENTUCKY, THE MADISON COUNTY AIRPORT BOARD, INC., THE CITY OF RICHMOND, AND THE MADISON COUNTY FISCAL COURT, TO ASSIST IN THE PROCUREMENT OF FUNDING FOR THE EXTENSION OF WATER AND SEWER LINES TO THE MADISON COUNTY AIRPORT (CENTRAL KENTUCKY REGIONAL AIRPORT)**

**WHEREAS**, the City of Bere has determined that the extension of water lines from Southern Madison Water District, and the extension of sewer lines from the Bere Municipal Utilities, would be beneficial to the Airport, Madison County, and the Cities of Richmond and Bere (the Project); and

**WHEREAS**, the City along with the City of Richmond and Madison County Fiscal Court are each willing to participate with the Madison County Airport Board in the procurement of funds through a grant from the Appalachian Regional Commission and local lending; and

**WHEREAS**, the Madison County Airport Board (hereafter Airport Board), has determined that the Project will involve an estimated expenditure of \$1,281,000.00, and that it anticipates it will be awarded a grant in the approximate amount of \$1,024,800.00, and will require an additional \$256,200.00 to complete the project; and

**WHEREAS**, the City of Bere has agreed to apply to the Appalachian Regional Commission as sponsor for the grant for the Project in the amount of \$1,024,800.00 to be utilized in the construction of the Project; and

**WHEREAS**, it will be necessary for the Airport Board to secure the balance of the funds necessary for the construction of the Project in the sum of \$256,200.00; and

**WHEREAS**, Madison County, Richmond, and Bere have agreed to lend the Airport Board the sum of \$256,200.00 for the construction of the project with a commitment of the Airport Board to repay the Loan over a fifteen (15) year period in annual installment payments, and Madison County, Richmond, and Bere have agreed that Bere will obtain a loan in the amount of \$256,200.00 from the Kentucky Infrastructure Authority (KIA), State Revolving Fund (SRF) referenced above to the Airport Board (the Agreement); and

**WHEREAS**, the Airport Board does in good faith believe, and has represented to these three entities, that the anticipated income from the board's rental revenues and/or the annual allocations by the three entities will be sufficient to make the annual payments on the Loan to the Airport Board contemplated herein;

**NOW, THEREFORE**, be it ordained by the City Council of the City of Berea, Kentucky, as follows:

SECTION 1. That the City of Berea does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Agreement and does hereby agree to (a) apply to the Appalachian Regional Commission as sponsor for the grant for the Project in the amount of \$1,024,800.00, and (2) seek to obtain a loan in the amount of \$256,200.00 from the Kentucky Infrastructure Authority (KIA), State Revolving Fund (SRF), all as referenced in the Agreement.

SECTION 2. That the Mayor of the City of Berea, Kentucky, is hereby authorized, directed, and empowered to execute the Agreement and all other necessary documents or agreements, and to otherwise act on behalf of the City of Berea to implement the Agreement.

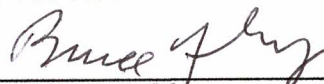
SECTION 3. The City of Berea agrees to and does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Agreement.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are repealed. This ordinance shall be published according to law.

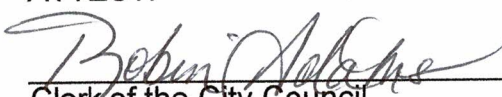
FIRST READING: September 15, 2020.

SECOND READING AND ENACTMENT: October 6, 2020.

APPROVED BY:

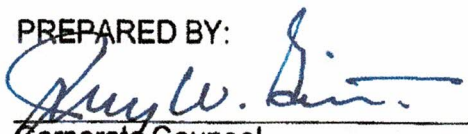
  
\_\_\_\_\_  
Bruce Fraley, Mayor

ATTEST:

  
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Clerk of the City Council

Published this 7th day of October, 2020.

PREPARED BY:

  
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Corporate Counsel