

Yes 291
No 325

ORDINANCE

No. 301

The Town of Stayton ordains as follows:

WHEREAS, the Town of Stayton, Oregon, at the present time has no provisions made for the disposal of sewage within and without the city limits of said city: and

WHEREAS, it has come to the attention of said City that the installation of a sewage disposal system with adequate sewers is of paramount importance to the people of the Town of Stayton in order to protect the public health and welfare: and

WHEREAS, the Town of Stayton, Oregon has made preliminary surveys and prepared prospective plans for a sewage disposal plant and sewage system and has adopted a tentative plan for the location of a sewage treatment plant and of a sewer system for the Town of Stayton, Oregon: and

WHEREAS, it is deemed expedient, necessary and proper to finance the cost and expense of constructing a sewage disposal plant and sewer system and for the maintenance thereof by the issuance and sale of negotiable general obligation and revenue bonds of said City in an amount of not more than \$481,000.00 pursuant to and substantially in compliance with the hereinafter proposed charter amendment to the Charter of the Town of Stayton, Marion County, Oregon, providing for such bond issue and for the levying and collecting of monthly sewer charges within and without said City:

NOW, THEREFORE, BE IT RESOLVED that the following proposed Charter Amendment to the Charter of the Town of Stayton, Oregon be submitted to the people of the Town of Stayton for their approval or rejection:

CHARTER AMENDMENT

An Act

To amend the Charter of the Town of Stayton, Marion County, Oregon, by adding a new Chapter thereto, authorizing and empowering the said Town of Stayton, acting by and through its city council, to construct, install and maintain a municipal sewage disposal plant together with sewer mains and laterals within and without said city by the purchase, construction and installation of such machinery,

equipment, units, transmission facilities, structures, pipe, and the construction of sewer mains and laterals as shall, in the judgment of said City Council, be deemed expedient, convenient and necessary for the Town of Stayton: to secure by purchase, condemnation, or otherwise, within and without said City, all real estate, rights of way, property, easements and licenses necessary or convenient to said improvement, and to purchase, construct and install any and all machinery, equipment, structures, appliances and pipe reasonable and necessary therefor, to contract for engineering and legal services reasonable and necessary therefor, and further authorizing and empowering said Town of Stayton, through its Common Council, to issue and sell general obligation revenue bonds of said Town of Stayton, Oregon, in the sum of \$481,000.00 or so much thereof as shall be necessary for the purposes aforesaid: and authorizing and empowering the Town of Stayton to levy and collect sewer service charges; and authorizing said Town of Stayton through its Common Council to expend the proceeds from said bond issue together with any and all other available funds in payment for the installation, construction and maintenance of said sewage disposal plant, sewer mains and laterals. The payment of said bonds shall be additionally secured by the pledging of the net revenues of the sewer system available through the levy of sewer user charges.

Be it enacted by the legal voters of the Town of Stayton, Oregon, that the Charter of said City be amended by adding thereto Chapter X to read as follows:

Section 1. The Town of Stayton, Marion County, Oregon acting by and through its City Council, is hereby authorized and empowered to install and maintain a municipal sewage disposal plant and sewer system within and without said City by the purchase, construction and installation of such units, machinery, equipment, transmission facilities and structures as shall in the judgment of said City Council be deemed expedient, convenient and necessary; to secure by purchase, condemnation, or otherwise, within and without said City, all real estate, rights of way, property, easements and licenses necessary or convenient to the installation and maintenance of said sewage disposal plant and sewer mains, and to purchase, construct, install and maintain any and every unit, machinery, equipment, structure and appliance reasonable and necessary therefor; to use any portion or part of said funds to finance the cost of constructing lateral sewers and mains.

The Stayton City Council is further authorized and empowered to contract for and engage engineers to draw plans and specifications for such sewage plant and sewer system and to oversee the installation and construction of said plant and sewers and such other engineer's services as may be required in the construction and installation of said sewer; to retain attorneys for the purpose of instituting and preparing the necessary papers incidental to the amendment of the City Charter: providing for a \$481,000.00 bond issue, and for any and all special work in connection with the construction and building of the sewage plant and sewer system.

Section 2. For the purpose of providing sufficient funds for the payment of the construction of said sewage plant and sewer system within and without said City and for the purposes set out in Section 1 hereof, the Common Council of the Town of Stayton, Oregon, is hereby authorized, empowered and directed to issue and sell as shall be deemed expedient, convenient and necessary, negotiable revenue bonds of the

Town of Stayton, Marion County, Oregon, in the amount of \$481,000.00 , or so much thereof as shall be deemed necessary to be used with other available funds for the purposes set out herein.

Section 3. The bonds hereby authorized shall be general obligation revenue bonds of said City, and to mature within 25 years from the date of issue thereof, and may be in such form and of such denomination, due date, interest payment date, place of payment, and bear such callable features and provisions as the Common Council of the Town of Stayton may deem most likely to enhance their value and insure their salability. Said bonds shall bear a rate of interest not greater than 6 per cent per annum, and shall be sold for not less than 98 percent of their par value and accrued interest.

Section 4. As additional security for the payment of the bonds hereby authorized, the Common Council of the Town of Stayton is authorized and directed to levy and collect from each and every user of the sewage plant and facilities to be constructed within and without the city limits of the Town of Stayton, Oregon, a monthly sewer user charge to be set and determined by the Common Council. The Common Council of the Town of Stayton is further authorized to levy and collect such sewer user charges and to fix rates for households, business and commercial properties and all other types of users of said sewage system in such amounts as it shall deem best for the Town of Stayton in order to pay the interest and principal due on the after-mentioned bonds as they become due and to defray operating costs, but in no event shall the monthly sewer user charge be less than a minimum amount of \$3.25 per month for any one user during the period that any of the bonds provided for by this Charter Amendment shall be outstanding and unpaid. The provisions for the collections of minimum sewer charge shall become discretionary with the City Council when and after all interest and principal on the bonds hereby authorized are paid and the bonds redeemed.

The City Council is authorized and directed to place all of the sewer users charges as collected within and without the City remaining after deducting the expenses of maintenance and operation of said plant, for the retirement of the bonded indebtedness of said sewage system, both principal and interest, and to further provide for creation and maintenance of reserve and sinking funds deemed advisable by the City Council for such purposes, notwithstanding any other present provisions in the Charter of said City.

Section 5. Should the said pledged net revenues of the sewage system be insufficient therefor, the Common Council of the Town of Stayton, Oregon, is hereby authorized and directed to include in its general municipal tax levy each year such sufficient special levy as shall aggregate, together with the net revenues of said sewage system as aforesaid, and any other available funds, an amount sufficient to pay the interest on the bonds and to pay the principal of said bonds upon the maturities thereof as issued, without regard to any tax limitation provided by the Charter and over and above any tax limitation provided by the Constitution of the State of Oregon.

Section 6. The Common Council is hereby authorized and directed to issue and sell the bonds from time to time as they may be needed for the purposes herein specified, but before any of said bonds shall be sold, they shall be advertised for sale in the manner provided by law.

Section 7. The money derived from the sale of said bonds or any portion thereof shall constitute a special fund for the use and

benefit of the sewage disposal plant and sewer system within and without the Town of Stayton, Oregon, and shall be used for no other purpose or purposes than herein specified.

Section 8. The indebtedness authorized by this amendment to the Charter of the Town of Stayton is in addition to all other indebtedness authorized by the Charter of said City.

BE IT FURTHER RESOLVED, That a special election shall be held in the Town of Stayton, Marion County, Oregon, on Friday the 3rd day of April 1959, at which time the above proposed Charter Amendment shall be submitted to the legal voters of said City for their approval or rejection.

The form of ballot to be used at said special election shall be as follows:

Stub to be torn:
off by chairman:

:Stub to be torn
:off by clerk _ _

SAMPLE BALLOT FOR THE SPECIAL ELECTION
TO BE HELD IN THE TOWN OF STAYTON, OREGON
Friday, April 3rd, 1959.

Mark a cross (x) between the number and the answer voted for.

CHARTER AMENDMENT

Charter amendment submitted to the voters by the Council:

TO CONSTRUCT, INSTALL AND MAINTAIN A MUNICIPAL SEWAGE DISPOSAL PLANT AND SEWER SYSTEM WITHIN AND WITHOUT THE TOWN OF STAYTON, OREGON, TO PROVIDE FOR THE LEVYING OF SEWER USER CHARGES: CREATING A SINKING FUND: AND TO ISSUE \$481,000.00 NEGOTIABLE GENERAL OBLIGATION REVENUE BONDS.

An act to amend the Charter of the Town of Stayton, by adding Chapter X thereto authorizing and empowering said City through its Common Council to construct, install and maintain a municipal sewage disposal plant and sewer system within and without the City; to create a sinking fund; to issue and sell negotiable general obligation revenue bonds in an amount not to exceed \$481,000.00, and to expend the proceeds therefrom for said purposes.

VOTE YES OR NO

50 _____ YES, I vote for the Amendment.

50 _____ NO, I vote against the Amendment.

The City Recorder shall provide the necessary poll bonds, ballot boxes, tally sheets and such other supplies for each polling

place as are necessary for the carrying on of said election, which supplies shall be delivered to the election board. The following place is hereby designated as polling place for said special election in the Town of Stayton:

2nd Floor City Hall
398 3rd Street
Stayton, County of Marion, Oregon

The following list for the polling place shall comprise the chairman, judge, and clerks for said special election. The first named shall be a judge and chairman of the election board, the remaining shall be clerks.

1. Joseph Pieser
2. Rose Bell
3. Vida E. James
4. Flora M. Shuck

The polls shall be open in said voting polling place at 8 o'clock a.m. and shall be kept open until 8 o'clock p.m. on said special election date, and said election shall be conducted in accordance with the election laws and statutes of the State of Oregon and in accordance with the terms and provisions of the Charter of the Town of Stayton, Oregon. The ballots so cast in said special election shall be counted, tabulated and returned to the City Recorder of said City.

The City Recorder shall and be hereby is directed to give not less than fifteen (15) days' notice of said special election by posting notice thereof in not less than ten (10) public places within and without the city limits of the Town of Stayton, Oregon, and one (1) of said notice shall be posted on the Town and Marshall's Bulletin Board at the City Hall, and shall further give notice by publication thereof in the Stayton Mail, a legal newspaper of general circulation in the Town of Stayton, Oregon, which is hereby designated as the official newspaper, which shall be not less than ten (10) days preceding the special election. Said notice shall contain notice of the date of election, the measure to be voted upon and the polling place designated for holding said special election.

WHEREAS, that installation of a sewage disposal plant and sewer system are eminently necessary for the immediate preservation of the peace, health and safety of the citizens of the Town of Stayton.

THEREFORE, an emergency is hereby declared to exist, and it is hereby declared to be necessary for the immediate preservation of the peace, health and safety of the Town of Stayton that this Ordinance shall take effect immediately upon its passage by the Common Council and approval by the Mayor.

Passed by the Common Council this 2 day of March 1959

Approved by the Mayor this 2nd day of March 1959

ATTEST:

Geo Hartman
City Recorder

Elvin Thomas
Mayor