

RESOLUTION NO. 169

A RESOLUTION PROPOSING AN AMENDMENT TO THE  
CHARTER OF THE CITY OF STAYTON TO AUTHORIZE  
THE ISSUANCE OF GENERAL OBLIGATION SANITARY  
SEWER REVENUE BONDS IN THE AMOUNT OF \$370,000  
CALLING AN ELECTION THEREON.

WHEREAS, The City of Stayton at the present time is in need of funds to expand the sanitary sewer system and treatment plant of the City, and,

WHEREAS, The City of Stayton has made preliminary surveys and prepared prospective plans for such expansion and improvement of the sanitary sewer system, which will cost the City an estimated total sum of \$370,000, and

WHEREAS, It is deemed expedient, necessary, and proper to finance the cost and expense of constructing such sanitary sewer system facilities by issuance and sale of negotiable general obligation revenue bonds of said City in an amount of not more than \$370,000, and by levying and collecting of monthly sewer user charges within and without said City; now, therefore,

BE IT RESOLVED That the following proposed Charter amendment to the Charter of the City of Stayton, Oregon be submitted to the people of the City of Stayton for their approval or rejection:

CHARTER AMENDMENT SUBMITTED TO THE VOTERS BY THE CITY COUNCIL  
AN ACT

To amend the Charter of the City of Stayton, Marion County, Oregon, by adding a new chapter thereto authorizing said City to construct and install improvements and additions to the City of Stayton's sanitary sewer system and sewage treatment plant, and to issue and sell general obligation revenue bonds of said City in the sum of not to exceed \$370,000 to finance the costs of such construction.

BE IT ENACTED By the people of the City of Stayton, Oregon,

that the Charter of said City be amended by adding a chapter thereto which will read as follows:

Section 1. The City of Stayton, Marion County, Oregon, acting by and through its City Council, is hereby authorized and empowered to construct, install and improve the sanitary sewer system and appurtenances thereof within and without the City by the purchase, construction, and installation of such sewage treatment equipment and transmission facilities and such other structures or facilities as shall in the judgment of the Council be deemed expedient, convenient or necessary, and to secure by purchase, condemnation, or otherwise, within and without said City, all real estate, rights of way, easements, or licenses, and to purchase, construct, or otherwise secure and maintain such machinery, supplies, equipment, structures, or appliances reasonable or necessary therefor.

The City Council is further authorized and empowered to contract for and engage engineers to prepare plans and specifications for such sanitary sewer system improvements and to oversee the installation and construction thereof; to retain attorneys for the purpose of instituting and preparing the necessary papers incident to the bond issue; and to contract for any and all special work in connection with the construction of the sanitary sewer system improvements.

The City Council is further authorized and empowered to negotiate and contract with the City of Sublimity, a municipal corporation, to transport to the City of Stayton's sewage treatment plant and to treat thereat such sewage of the City of Sublimity on such terms and conditions as may be agreed upon.

Section 2. For the purpose of providing sufficient funds for the payment of the construction of said sanitary sewer system improvements and for the purposes set out in Section 1 hereof, the City Council of the City of Stayton, Oregon, is hereby authorized and empowered to issue and sell, as may be convenient and necessary,

negotiable general obligation revenue bonds of the City of Stayton . in the amount of \$370,000, 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 bonds of said City, and may be in such form, denomination, maturity, due date, interest payment date, place of payment, and bear such callable features and provisions as the City Council of the City of Stayton may deem most likely to enhance their value and insure their salability.

Section 4. For further funds, and as additional security for the payment of the bonds herein authorized, the City Council of the City of Stayton is hereby authorized and directed to levy and collect from each and every user of the sanitary sewer system now existing and to be constructed within and without the city limits of the City of Stayton, Oregon, a monthly sanitary sewer system charge to be set out and determined by the City Council, including such charges as may hereinafter be negotiated with the City of Sublimity. The City Council of the City of Stayton is further authorized to levy and collect such sanitary sewer system user charges and to fix such rates for households, business and commercial properties, and for such other persons, businesses, or municipal corporations within and without the City of Stayton, and all other types of users of said sanitary sewer system in such amounts as it shall deem best for the City of Stayton in order to pay the interest and principal due on said bonds as they become due, and to defray operating costs.

The City Council is authorized and directed to place such portion of the sanitary sewer system user charges as collected within and without the City remaining after deducting the expenses of maintenance and operation of such sanitary sewer system facilities and extensions and betterments thereto and sufficient funds as may be

necessary for the annual payments for the retirement of bonded indebtedness hereby created, both principal and interest, subject to the prior pledge of such sewage system revenues on the \$690,000 sewage system bonds of the City of Stayton, Oregon, dated September 1, 1962, 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 municipal sanitary sewer system be insufficient therefore, the City Council of the City 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 municipal sanitary sewer system as foresaid, and any other available funds, in amount sufficient to pay the interest on the bonds and to pay the principal of such bonds as they annually mature, without regard to any tax limitation provided otherwise by this Charter, and over and above any tax limitation provided by the Constitution of the State of Oregon.

Section 6. The City 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, said sales to be made after advertisement as provided by law.

Section 7. The funds derived from the sale of said bonds or any portion thereof shall constitute a special fund for the use and benefit of the municipal sanitary sewer system of said City, and shall be used for no other purpose or purposes than herein specified.

Section 8. The debt authorized by this amendment to the Charter of the City of Stayton shall be in addition to all other debts authorized by the Charter of said City, and

BE IT FURTHER RESOLVED, That an election shall be held in the

City of Stayton, Marion County, Oregon, on the 27th day of August, 1971, 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 and ballot title to be used at said election shall be as follows:

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No. \_\_\_\_\_

S T U B

To Be Torn Off By Clerk  
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B A L L O T

Special Election of the City of Stayton, Oregon

August 27, 1971

VOTE YES OR NO. Make an (X) or a check mark (✓) below between the number and the answer voted for.

MEASURE NO. 1:

CHARTER AMENDMENT AUTHORIZING ADDITIONAL SEWER BONDS.

Charter amendment submitted to the voters by the Council:

Shall the Charter of the City of Stayton be amended to authorize the City Council to issue and sell negotiable general obligation revenue bonds in an amount not to exceed \$370,000 for the construction and installation of improvements and additions to the city sanitary sewer system, and to the extent net sanitary sewer system revenues are not sufficient therefore, to levy a property tax sufficient to pay the bond principal and interest payments?

51 \_\_\_\_\_ YES, I vote for the amendment.

51 \_\_\_\_\_ NO, I vote against the amendment.

The City Recorder shall provide the necessary poll books, ballot boxes, tally sheets, and other supplies for the election, which supplies shall be delivered to the election board. The polling place for Precinct No. 176, (The City of Stayton), shall be the City Hall, 362 N. 3rd Avenue, Stayton, Oregon.

The chairman and clerks for said election shall be as follows:

Rose Bell, Chairman

Angeline Gorman, Clerk

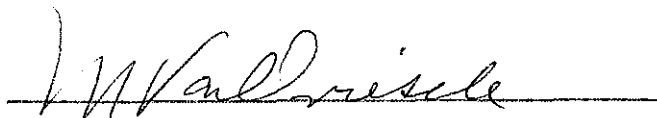
Mary B. Kerber, Clerk

Bertha L. Hughes Clerk

The polls shall open at the hour of 8:00 a.m., and shall be kept open until 8:00 p.m. on said 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 Ordinances and Charter of the City of Stayton, Oregon. The ballots so cast in said election shall be counted, tabulated, and returned to the City Recorder of said City.

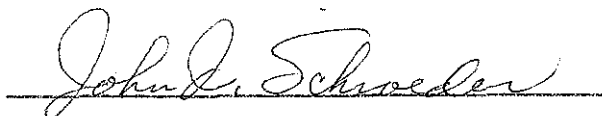
The City Recorder shall and he is hereby directed to give not less than 10 days notice of said election by posting notice thereof in not less than five public places within the City of Stayton, one of said notices being posted on the bulletin board of the City of Stayton City Hall, and shall further give notice by publication thereof in at least two consecutive issues of the Stayton Mail, a legal newspaper of general circulation in the City of Stayton, Oregon, the first publication being not less than 10 days preceeding the election. Said notice shall contain notice of the date and hours of the election, the number and title of the measure to be voted upon, and the polling place designated for holding the election.

PASSED by the City Council and signed by the Mayor this 2nd .  
day of August, 1971.

A handwritten signature in cursive script, appearing to read "W. Vallese", is written over a horizontal line.

M A Y O R

ATTEST:

A handwritten signature in cursive script, appearing to read "John D. Schroeder", is written over a horizontal line.

CITY RECORDER