

ORDINANCE NO. 57

AN ORDINANCE CREATING THE STILWELL MUNICIPAL AIRPORT COMMISSION; PRESCRIBING THE METHOD OF THEIR APPOINTMENT, THEIR TERMS OF OFFICE, THEIR POWERS AND DUTIES; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF STILWELL, OKLAHOMA:

SECTION 1. There is hereby created a Commission to be know as the Stilwell Municipal Airport Commission, to be composed of five (5) citizens who are qualified electors of the municipality, at least one (1) of the members of which shall be fully experienced in aviation and shall hold a current license as a private pilot or commercial pilot.

SECTION 2. Said Commissioners shall be appointed by the Mayor and confirmed by a three-fourths (3/4) vote of the duly elected and qualified members of the City Council, and shall hold office for a term of five (5) years; provided, however, that the Commissioners first appointed shall serve for terms of 1, 2, 3, 4 and 5 years each, to be designated by the Mayor, and, thereafter, upon the expiration of their respective terms, their successors shall be appointed for a term of five (5) years.

SECTION 3. The members of the Commission shall receive no compensation for their services but shall be entitled to reimbursement for all expenses reasonable incurred by them in the performance of their duties as members of the Commission. Each Commissioner shall take and file the oath required by law in the State of Oklahoma. No member of such commission shall hold any elective office under the municipal government while a member of said Commission, nor shall any such member be a candidate for any such elective office while a member of said Commission. Further, no member of said Commission shall engage financially in an aeronautical enterprise other than minority ownership of stock of a certificated air carrier not operating on or from the Stilwell Municipal Airport, not shall any member have any financial interest in any concession, right or privilege to conduce business or render any service for compensation upon the premises of said municipal airport.

SECTION 4. Any Commissioner appointed by the provisions of this Ordinance may be removed only by a three-fourths (3/4) vote of the duly elected and qualified members of the City Council.

SECTION 5. The Commissioners hereinunder appointed shall have full and complete authority to manage, operate, improve, extend and maintain the municipal airport known as Stilwell Airport, its related properties and facilities; and shall have full and complete charge of said Airport, its related properties and facilities, including the right to employ or remove any and all assistants and employees of whatever nature, kind or character, and to fix, regulate and pay their salaries; it being the intention of this Ordinance to vest in said Commissioners unlimited authority to operate, manage, maintain, improve and extend said municipally owned airport, its related properties and facilities, and to have full and complete charge thereof. The Commission is further empowered to represent the City of Stilwell before any state or Federal authority having jurisdiction over the operation of public or private aircraft or airports.

SECTION 6. All revenues derived from the operation of such airport or flying fields or related property, after paying the operating expenses and maintenance, shall be set aside and used for additional improvements of such

airport or flying field or for the retirement of any debt and interest incurred for the purchase or improvement of such airport or flying field.

SECTION 7. The Commission shall, in addition to the above enumerated powers, have such other and further powers as are now by law given to the City Council of any first class city, and they shall be governed by all existing statutes pertaining to the duties of City Councils of first class cities.

SECTION 8. The said Commissioners shall adopt such rules and regulations as are necessary and expedient for the proper operation and management of said municipal airport, its related properties and facilities, and shall have authority to alter, change or amend such rules and regulations at their discretion. Said Commissioners shall comply or cause to be completed with, all civil air regulations of the Federal and State governments as to air-worthiness of aircraft, certification of aircraft and operation of aircraft. They shall protect all aerial approaches to the airport insofar as same come within their jurisdiction and as they adjudge necessary for the safe operation of said airport.

SECTION 9. Said Commissioners shall keep a record of all revenues and expenditures of the airport, its related properties and facilities, and it shall be their duty to prepare and file an annual verified audit of the financial affairs and conditions of said airport, its related properties and facilities. Said annual audit shall be filed in the office of the City Clerk and with the District Airport Engineer of FFA, not later than the 15th day of March, and shall be subject to the inspection of any citizen of the State. Said report shall set out a full, detailed, complete and correct statement of all receipts of every kind since the last preceding audit, showing the source thereof, and of all disbursements of every kind, showing date, amount, number and purpose of each voucher, to whom issued and the date cancelled, if cancelled. Said audit report shall show the full financial condition of the airport, its related properties and facilities, and the status of its bonded debt, if any be incurred following the passage of this Ordinance, and of every other detail necessary to a full and thorough understanding from such audit report of the actual financial condition of such municipal airport. In addition, it shall be the duty of said Commissioners to furnish such other and further reports, dates and information as may be requested by the Mayor or the City Council.

SECTION 10. The Commission shall meet at least monthly, but other meetings may be held at any time by said Commission or upon the call of the Mayor or the City Council.

SECTION 11. The Commission shall elect annually from its members a Chairman and Vice-Chairman and shall also appoint a Secretary, who may, but need not be, a member of said Commission.

SECTION 12. The City Attorney of the City of Stilwell shall serve as ex-officio legal counsel for said Commission, and said Commission shall have authority to employ other legal counsel as it may deem necessary.

SECTION 13. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 14. If any section or provision of this Ordinance shall be held to be unconstitutional or invalid, such holding shall not render the remaining sections or provisions of this Ordinance unconstitutional or affect the validity of same.

SECTION 15. It is hereby ascertained and declared that, in order to protect the health, safety and well-being of the citizens of Stilwell and in order to provide a more safe and efficient administration of the Stilwell Municipal Airport, an emergency is declared to exist, and this Ordinance shall take effect and be in force without delay from and after its passage and approval.

PASSED, June 5, 1967.

(Seal)

ATTEST: JERRY HEWIN
City Clerk

APPROVED:
H. E. WILLIAMS
Mayor

(Published in the Stilwell Democrat-Journal, June 15, 1967)