

ORDINANCE NO. 142

AN ORDINANCE ADOPTING AND APPROVING A WATER RATE SCHEDULE; AUTHORIZING AND APPROVING THE EXECUTION OF AN AMENDMENT TO LEASE AGREEMENT; AND DECLARING AN EMERGENCY.

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

SECTION 1. The Stilwell Area Development Authority has been authorized to incur and indebtedness from the United States of America, Farmers Home Administration, in the amount of \$309,800 to construct extensions to the City's water system leased to said Authority.

SECTION 2. The \$309,800 FmHA Loan is secured by an Indenture of Mortgage and Pledge of Revenue by and between the Authority, as Mortgagor, and the Farmers Home Administration, whereby the leasehold interest of the Authority in the water and sanitary sewer systems of the City and the revenues derived therefrom are mortgaged and pledged to secure the Loan and wherein the Authority agrees to adopt and maintain a schedule of rates, fees and charges which shall be sufficient to pay for all costs of the operation and maintenance, repairs and replacements, adequate reserves, and for the payment of principal and interest on the indebtedness, when due. The following water rate schedule is hereby adopted and approved:

RESIDENTIAL/COMMERCIAL RATES

First 3,000 gallons	\$3.50 (minimum)
Next 4,000 - 10,000 gallons60 per 1,000 gallons
Next 11,000 - 20,000 gallons50 per 1,000 gallons
All over 20,000 gallons45 per 1,000 gallons

INDUSTRIAL RATES

45 cents per 1,000 gallons

SECTION 3. The Lease Agreement, dated as of November 12, 1962, by and between the City of Stilwell, Oklahoma, as lessor, and the Stilwell Area Development Authority, as lessee, pursuant to which the City's water and sanitary sewer systems were leased to the Authority for a term of forty years, or to such date as all indebtedness of the Authority is retired, is hereby amended by an Amendment to Lease Agreement, dated as of January 1, 1981, between the parties thereto, whereby the term of said Lease has been extended an additional twenty (20) years, and the Mayor and City Clerk are hereby authorized to execute said Amendment to Lease Agreement for and on behalf of the City of Stilwell for the uses and purposes therein set forth.

SECTION 4. That by reason of its being extremely advantageous to the City to cause said water rate schedule to be adopted and by reason of the City's need of the facilities to be acquired, constructed and equipped by the Stilwell Area Development Authority, it is deemed and hereby declared necessary for the preservation of the public health, peace and safety that said actions of the Authority be taken, and, to that end, this Ordinance shall become operative immediately; wherefore, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED and APPROVED this 12th day of January, 1981.

HAROLD MOTEN
Mayor

(Seal)

ATTEST: NANCY JOHNSON
City Clerk

(Published in the Stilwell Democrat-Journal, January 22, 1981)

[Related Ordinances, No. 1962-1 (43-A), No. 46, No. 47, No. 49, No. 64, No. 65, and in particular, No. 138]