

PROPOSED AMENDMENT TO CHARTER, TO BE ADOPTED BY THE CITY OF SHERWOOD

ORDINANCE NO. 401
CITY OF SHERWOOD

AN ORDINANCE authorizing and approving an amendment to the City Charter of the City of Sherwood by adding a new Section authorizing the construction, maintenance and operation of a sewage disposal plant and system, both within and without the City, authorizing a bond issue to finance the construction of the same, declaring an emergency and requiring a special election at which the proposed charter amendment shall be submitted to the voters.

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1. There shall be and there ~~is~~ hereby is adopted, approved and authorized an amendment to the City Charter of the City of Sherwood, by adding a new Section to be numbered 256 (a) and reading as follows:

"Section 256 (a). The City of Sherwood shall be and it hereby is empowered and authorized to finance, construct, maintain and operate a sewage disposal plant and system, both within and without the city limits, together with all necessary pipes, drains, lagoons and other equipment, machinery, structures and accessories necessary or desirable in connection therewith. The City of Sherwood and the City Council shall be and are authorized to perform any and all acts necessary or desirable in order to accomplish and carry out the foregoing, but without limiting the foregoing general authority the City of Sherwood is hereby specifically authorized and empowered to do and perform the following acts:

- A. To enter into an engineering contract for the designing, planning, supervision of construction and other engineering services in connection with such a sewage disposal plant and system.
- B. To construct, itself, in its own behalf, or to contract for the construction of and to own, maintain and operate a complete sewage disposal plant, both within and without the city limits, and to include any pipes, drains, lagoons and any other equipment, accessories or structures incidental thereto.
- C. In order to pay for the construction of said plant and system the City is authorized to approve, issue and sell bonds in the total amount of \$85000.00 having a maturity of not to exceed twenty years, and bearing such rates of interest and with such other terms and conditions as may be approved by the City Council.
- D. To finance the payment for the construction, operation and maintenance of this sewage disposal system and any bonds that may be issued therefor, thru necessary annual payments either by agreement with users of the system or by levying or assessing special charges or general taxes, or to adopt any other proper means whereby the City may receive sufficient income to operate and maintain the plant and to pay for its construction and financing.

- E. The City of Sherwood shall be authorized without limitation to pledge the net income from the operation of the plant and system and to pledge its general credit and taxing power for the repayment of such bond issue.
- F. Any and all matters that may require action or approval by the City Council in connection with any activities authorized hereby are to be authorized or approved either by ordinance or by resolution of the City Council.

Section 2. A special election is hereby fixed and called and shall be held on the 12 day of August 1949 in the Council Room of the Sherwood City Hall for the purpose of approving or rejecting the foregoing charter amendment, and said charter amendment shall be submitted to the voters and the election held in accordance with the requirements and provisions of the Charter of the City of Sherwood. The City Recorder is hereby directed and authorized to post and publish notice of said election in the manner provided for by law.

Section 3. The notice of election shall be published in the

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and the following are designated to serve as judges and clerks of the election:

- Mrs. M. (Anna) Springer*
- Mrs. A. (Clara) Kiehl*
- Mrs. Henry (O'Helena) Albert*
- Mrs. Clara Hager*
- Mrs. Emil (Minnie) Lawrence*

Section 4. The official ballot title for the foregoing measure as it will appear upon the official ballot used at the special election on August 12 1949 is hereby authorized and approved and shall be as follows:

CITY OF SHERWOOD
CHARTER AMENDMENT SUBMITTED TO THE VOTERS BY THE COUNCIL.

AN AMENDMENT TO THE CITY CHARTER OF THE CITY OF SHERWOOD, ADDING A NEW SECTION NUMBERED 256 (a), AUTHORIZING THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A SEWAGE DISPOSAL PLANT AND SYSTEM, BOTH WITHIN AND WITHOUT THE CITY, AUTHORIZING A BOND ISSUE TO FINANCE THE CONSTRUCTION OF THE SAME, AND AUTHORIZING THE PLEDGING OF THE NET REVENUE AND THE CITY'S GENERAL CREDIT AND TAXING POWER FOR THE REPAYMENT OF THE BONDS, AND THE IMPOSITION OF SUITABLE CHARGES FOR THE MAINTENANCE AND OPERATION OF THE SYSTEM AND THE PAYMENT OF PRINCIPAL AND INTEREST ON THE BONDS.

Vote for only one: YES or NO.

100 YES

101 NO

Section 5. WHEREAS the City of Sherwood has at the present time inadequate sewage disposal facilities and has been required by the State Sanitary Authority to provide additional and adequate facilities immediately, and whereas it is necessary that this charter amendment authorizing the construction, maintenance, operation and financing of an adequate sewage disposal system be submitted to the voters of the City of Sherwood at as early a date as possible, and that the submission of such charter amendment affects the peace, health and safety of the City, and in order to do so it is necessary to enact this ordinance, now, therefore, AN EMERGENCY is hereby declared to exist and this ordinance shall immediately go into force and effect upon its adoption and approval.

Passed by the Council this 27 day of July 1949 by the following vote:

Yeas 4

Nays 0

Submitted to the Mayor this 27 day of July 1949.

Approved by the Mayor this 27 day of July 1949.

E. H. Sanders Mayor

ATTEST

Floyd C. Shoop Recorder