

**AN ORDINANCE AUTHORIZING
THE RENT AND USAGE OF THE MUNICIPAL
UTILITY COMPLEX**

Ordinance No. 6 of 2019

WHEREAS, the Town Council of the Town of Winamac, Indiana (the “**Town Council**”), is responsible for the performance of various functions for the Town of Winamac (the “**Town**”); and

WHEREAS, the Town currently owns, operates, and maintains the Winamac Municipal Utilities Complex (the “**Complex**”), formerly Braun Plant #2; and

WHEREAS, the Town has determined that the Complex should be utilized by the Town Water, Electric, and Street Departments, and by the Town for general usage on an annual basis; and

WHEREAS, the Town has determined that a fair annual usage fee for the Water Department should be the annual sum of Six Thousand Dollars (\$6,000.00), and the fair annual usage fee for the Street Department shall be Three Thousand Dollars (\$3,000.00).

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Winamac, Indiana, that this Ordinance Authorizing the Rent and Usage of the Municipal Utility Complex, is hereby adopted as follows:

SECTION I.
Utilization and Rent

1. **Annual Rent.**

- (A) The Town Water Department shall be permitted to utilize the Complex, for day-to-day operations and storage, and for all permitted activities incidental thereto, for the sum of Six Thousand Dollars (\$6,000.00) per year (the “**Water Department Rent**”). The Water Department Rent shall be made in two (2) bi-annual installment payments of Three Thousand Dollars (\$3,000.00) payable on the 2nd day of January, and the 1st day of July each year hereafter, unless otherwise modified.
- (B) The Town Street Department shall be permitted to utilize the Complex, for day-to-day operations and storage, and for all permitted activities incidental thereto, for the sum of Three Thousand Dollars (\$3,000.00) per year (the “**Street Department Rent**”), payable out of the Town’s General Fund. The Street Department Rent shall be made in two (2) bi-annual installment payments of One Thousand Five Hundred Dollars (\$1,500.00) payable on the 2nd day of January and the 1st day of July each year hereafter, unless otherwise modified.
- (C) The Town Electric Department shall be permitted to utilize the Complex, for day-to-day operations and storage, and for all permitted activities incidental thereto, for and in consideration of the Town Electric Department paying all

utilities, telephone charges, insurance requirements, and maintenance and repair costs associated with the Complex.

2. **Term.** This Rental Term shall continue into perpetuity, unless this Ordinance is hereafter modified by the Town Council, at a meeting open to the general public.


SECTION III.
Effective Date

This Ordinance shall become effective immediately upon its passage, in a meeting that has been properly advertised, and open to the general public. Upon passage of this Ordinance, Resolution Number 3 of 1995 is hereby repealed, in its entirety.

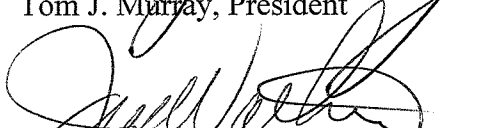
PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF WINAMAC, INDIANA, THIS 13th DAY OF MAY, 2019.

THE WINAMAC, INDIANA TOWN COUNCIL

APPROVED:



Tom J. Murray, President



James Watkins, Vice-President



Alvin R. Parish, Council Member

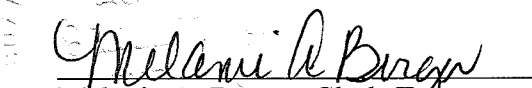


David Chambers, Council Member



Judy Heater, Council Member

ATTEST:



Melanie A. Berger, Clerk-Treasurer

OPPOSED:

Tom J. Murray, President

James Watkins, Vice-President

Alvin R. Parish, Council Member

David Chambers, Council Member

Judy Heater, Council Member