

Councilman Keith Westphal introduced the following Resolution No. 75.3 entitled "RESOLUTION APPROVING STREET CONSTRUCTION FOR JULY 1, 1975 to JUNE 30, 1976" and moved its adoption.

Leo Armstrong seconded the motion to adopt. The roll was called and the vote was Ayes: Leo Armstrong, Art Baudler, Randall Bond, Deane A. Darrow and Keith Westphal.

WHEREUPON THE MAYOR DECLARED RESOLUTION NO. 75.3 to be passed and approved on this the 3rd day of March.

RESOLUTION APPROVING STREET CONSTRUCTION FOR
JULY 1, 1975 to JUNE 30, 1976.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FONTANELLE IOWA:

That the Street Construction Report read at this meeting which has no mayor construction plans for the coming year was approved as the official report for the City of Fontanelle.

Betty W. Burcham
Betty W. Burcham, Mayor

Attest: Lorraine E. Homan
Municipal Clerk

Low rent housing was discussed.

It was decided to consult an engineer concerning the lagoon. Kirckham, Michael & Assoc. will be contacted.

A group of citizens met with the Council concerning the opening of the Youth Center and other related subjects.

Motion by Deane A. Darrow and seconded by Randall Bond. Carried.

to adjourn

Betty W. Burcham
Betty W. Burcham, Mayor

Lorraine E. Homan
Attest: Lorraine E. Homan
Municipal Clerk

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March 12, 1975, Fontanelle, Iowa
On March 12, 1975, the Council of the City of Fontanelle, Iowa met in special session for the purpose of a public hearing upon the budget estimate as published and the detail submitted in support thereof.

There was present a quorum as required by law.

The Council found that the notice of the time and place of hearing had been published on March 4, 1975, in the Fontanelle Observer a newspaper published at Fontanelle Iowa in accordance with law and the direction of the Council and that the affidavit of publication was available to file with the County Auditor.

The budget estimate was considered and taxpayers heard for and against said estimate as follows; None Appeared.

The Council approved and adopted the budget of \$699,299 as stated in the Certificate of budget Summary and accompanying detail and appropriation to the funds, programs and activities as was adopted pursuant to Chapter 1088. The vote on final adoption of the budget was as follows: Ayes: Leo Armstrong, Art Baudler, Randall bond, Deane Darrow and Keith Westphal. Nays: None.

The Clerk was directed to forward the adopted budget summary and certificate of municipal corporation taxes to the county auditor as provided by law.

Business not completed at the regular meeting on March 3, 1975 was then considered.

The minutes of the February 3, 1975 meeting were accepted as presented.

Motion by Leo Armstrong and seconded by Randall Bond that the Clerk and the Treasurers reports be accepted. Carried.

Motion by Leo Armstrong and seconded by Deane A. Darrow that \$1000 be transferred from the Liquor Profit Fund to the Fire and R scue Fund. Carried.

Motion by Leo Armstrong and seconded by Art Baudler that \$1500 from the Federal Revenue Sharing Fund be invested in Time Certificates of deposit. Carried.

Jim Hall of DRG met with the Council to present preliminary plans for the improvements and extensions to the Municipal Electric Utility.

A motion by Art Baudler and seconded by Deane A. Darrow to accept these plans was made and carried.

A motion by Keith Westphal and seconded by Leo Armstrong to enter into and give the Mayor and Clerk authority to sign an agreement

with Missouri Basin Municipal Power Agency. Carried.
Motion by Art Baudler and seconded by Keith Westphal to renew the contract with the Bureau of Reclamation for a period of five years. Carried.

Applications for the job as Clerk of the City of Fontanelle were read and it was decided to run the ad again on March 20th, 1975. The acquiring of a new furnace for the fire station was discussed and the moving of the library. Arrangements will be made in the near future.

Motion by Art Baudler and seconded by Deane A. Darrow to see if a trade of the fence at the tree lot for a years rent can be made if possible, if not rent will be paid and the tree lot would be used for another year and then terminated. Carried.

The Mayor filed a notice of this meeting showing acceptance of service thereof by all members of the Council, and reading as follows:

Fontanelle, Iowa March 3, 1975

To Member of the Council
Fontanelle, Iowa

You and each of you are hereby notified that there will be a special meeting of the Council held at the Town Hall, in the municipality, on the 12th day of March, 1975, at 9 o'clock P.M., and at such meeting there will be for consideration all matters pertaining to improvements and extensions to the Municipal electric Utility, including consideration of directing publication of notice of hearing and taking of bids for such improvements and for the consideration of such other business as may come before the meeting.

Betty V. Burcham
/s/ Betty V. Burcham, Mayor

We, the undersigned, being all of the Council Members of the aforesaid municipality, do hereby acknowledge due and timely receipt of the above and foregoing notice and do consent that the said special meeting be held.

/s/ Leo Armstrong, /s/ Art Baudler, /s/ Randall Bond, /s/ Keith Westphal, /s/ Deane Darrow.

Council Member Art Baudler introduced and caused to be read the resolution hereinafter set out entitled: "Resolution to provide for a notice of hearing on proposed plans and specification and proposed form of contract for the construction of improvements and extensions to the Municipal Electric Utility, and the taking of bids for such improvements and extension". Council member Art Baudler moved that the resolution be adopted, seconded by Council Member Deane A. Darrow, and after due consideration thereof by the Council, the Mayor put the question and upon the roll being called, the following named Council Member voted: Ayes: Leo Armstrong, Art Baudler, Randall Bond, Deane Darrow & Keith Westphal.

Whereupon, the Mayor **declared** the resolution duly adopted.

RESOLUTION NO. 75.4

TO PROVIDE FOR A NOTICE OF HEARING ON PROPOSED PLANS AND SPECIFICATIONS AND PROPOSED FORM OF CONTRACT FOR THE CONSTRUCTION OF IMPROVEMENTS AND EXTENSIONS TO THE MUNICIPAL ELECTRIC UTILITY, AND THE TAKING OF BIDS FOR SUCH IMPROVEMENTS AND EXTENSIONS

WHEREAS, Fontanelle, Iowa, has heretofore established a municipal electric utility and it is necessary and desirable that improvements and extensions as generally described in the Notice contained in Section 2 hereof, be made to the plant and system, and proposed plans, specifications and form of contract for such improvements have been prepared by DeWild Grant, Reckert & Associates Co., Rock Rapids, Iowa, and have been filed with the Clerk; and

WHEREAS, it is necessary to fix a time and place of hearing on the proposed plans and specifications and proposed form of contract to provide for the taking of bids for the construction of such improvements and extensions in connection therewith and to give notice thereof;

NOW, THEREFORE, Be It Resolved by the Council of Fontanelle, Iowa, as follows:

Section 1. That the 21st day of April, 1975, at 7:30 o'clock P.M., at the Town Hall in the municipality, is hereby fixed as the time n

and place of hearing on the proposed plans and specifications and proposed form of contract for constructing the aforementioned improvements and extensions to the Municipal Electric Utility and also as the time and place of taking of bids in connection therewith.

Section 2. That the Mayor and Clerk are hereby authorized and directed to give notice of the hearing on such proposed plans, specifications and form of contract and taking bids by publication of such notice once each week for two successive weeks in the FONTANELLE OBSERVER, a legal newspaper published in Fontanelle, Iowa, and of general circulation therein, and also in THE DESMOINES REGISTER, a legal newspaper published in the City of Des Moines, Iowa, and of general circulation in the State of Iowa, the first of which publications in each newspaper shall be made at least thirty days prior to the date of the hearing, all in conformity with Section 397.16 of the Code of Iowa, 1975, as amended. The notice shall be in substantially the following form:

NOTICE OF PUBLIC HEARING ON PLANS AND SPECIFICATIONS AND PROPOSED FORM OF CONTRACT FOR MUNICIPAL ELECTRIC UTILITY DISTRIBUTION SYSTEM CONSTRUCTION IN THE CITY OF FONTANELLE, IOWA, AND THE TAKING OF BIDS FOR CONSTRUCTION OF SAID WORK

Notice is hereby given that the City Council of the City of Fontanelle, Adair County, Iowa, will meet at the City Clerk's office on the 21st day of April, 1975, at 7:30 o'clock P.M., at which time and place the said City Council will consider the adoption of plans and specifications and proposed form of contract for furnishing the construction of an electric distribution system and substation in said City of Fontanelle, which are now on file in the office of the City Clerk. At said meeting the City Council will also consider any objections to said plans and specifications and proposed form of contract made by any interested person thereto or to the cost of said work. At said meeting the City Council will also receive bids for the furnishing and constructing of said electric distribution system which bids will be acted upon at said meeting or at such later time and place as may be fixed. The proposed construction work is described in general as follows:

Section A:

Construction of underground electric distribution system, including primary, secondary, and service conductor, as well as transformer, meter sockets, and all other construction required to serve approximately 230 of the residential and commercial customers in the City, and the construction of approximately 3.5 miles of three phase 12.5 KV line north of the city to the substation.

Section B:

Construction of a complete electrical substation to provide 2,500 KVA capacity and transformation from 34,500 to 12,470 volts, including all steel, bus, transformers, switches, regulators, low side gear, and miscellaneous items.

All of the above work and equipment shall be in accordance with the plans and specifications and proposed form of contract now on file in the office of the City Clerk in said City of Fontanelle, Iowa, by this reference made a part hereof, as though fully set out and incorporated herein.

Contractors and major material suppliers desiring a copy of the proposal forms, plans, and specification for individual use may obtain them from the office of DeWild Grant Reckert & Associates Company, Engineers, Rock Rapids, Iowa, no deposit required for the first set of documents requested. Additional Copies may be obtained upon payment of a deposit of \$25.00 per copy, none of which will be refunded.

Each proposal shall be made out on a blank form furnished by the City and must be accompanied in a separate sealed envelope by either (1) a check certified and drawn on a solvent Iowa bank, in an amount equal to 5% of the amount of the proposal; or (2) a bid bond executed by a corporation authorized to contract as a surety in the State of Iowa, in an amount not less than 5% of the amount of the proposal. The Bid security shall be payable to the Treasurer of the City of Fontanelle, Iowa. The bid security must not contain any conditions either in the body or as an endorsement thereon. Such bid security shall be forfeited to the municipality as liquidated damages in the event the successful bidder fails or refuses to enter into a contract within 10 days after the award of contract and post cond satisfactory to the City insuring the faithful fulfillment of the contract and the maintenance of said work, if required, pursuant to the provisions of this notice and toehr contract documents. If a bid bond will be used, the form to be used is set out in the Special Considitions.

Payment for said improvements and extensions will be made in cash from such funds as are legally available or from the future net earnings of the Municipal Electric Plant and System. To the extent that payment is not made in cash, and as evidence of the amounts due the Contractor by the City from time to time under the terms of the contract the City will issue and deliver to the Contractor and the Contractor will accept in payment of the contract price electric revenue pledge orders of the City bearing interest at a rate not to exceed seven percent (7%) per annum, such electric revenue pledge orders to be payable solely and only out of the future net earnings of the Municipal Electric Plant and System. The City shall not incur any general obligation for such improvements and extensions and neither the contract~~or~~ for the construction of the improvements and extensions, nor the electric revenue pledge orders will constitute a general obligation of the City or be payable in any manner by taxation and under no circumstances shall the City be in any manner liable by reason of a failure of the net earnings to be sufficient for the payment thereof.

Payment to the contractor will be made on the basis of monthly estimates equivalent to ninety percent (90%) of the Contract value of the work completed during the preceding calendar month. Estimates will be prepared on or before the first day of each month by the Contractor, subject to the approval of the Engineer. The Engineer will certify each approved estimate to the City for payment on or before the tenth (10th) day of the month in question. Such monthly payments shall in no way be construed as an act of acceptance for any portion of the work partially or totally completed. Upon the completion of the contract and its acceptance by the City Council, the Contractor will be paid an amount equal to ninety percent (90%) of the contract value of the work. Final payment of the remaining ten percent (10%) will be made not earlier than thirty one (31) days after the completion and final acceptance by resolution of the City Council of the completed contract, subject to the conditions and in accordance with the provisions of Chapter 573 of the Code of Iowa, 1975, as amended. No such partial payments or final payment will be due until the Contractor has certified that the materials, labor and services involved in each estimate have been paid in accordance with the requirements stated in the specification.

The Construction work may be started after the execution of the Construction Agreement by the city and shall be fully completed by June 30, 1976.

At said time and place the City Council will also consider bids for the furnishing of electrical energy at wholesale. It is estimated the City will require approximately 5,000,000 KWH per year.

By virtue of statutory authority, a preference will be given to products and provisions grown, and coal produced within the State of Iowa, and preference will be given to Iowa domestic labor in the construction of said work.

The City Council reserves the right to ~~defer~~ acceptance of any proposal for a period not exceeding 30 days after the date proposals are received and no proposal may be withdrawn during this period. The City Council also reserves the right to reject any or all bids and enter into such contract as it shall deem to be in the best interest of the city.

Dated this 20th day of March, 1975.

CITY OF FONTANELLE, IOWA
By /s/ Betty V. Burcham

Betty V. Burcham

Attest:

/s/ Lorraine E. Homan

Section 3. That all provisions set out in the said form of notice are hereby recognized and prescribed by the municipality and that all resolutions or orders or parts thereof to the extent the same may be in conflict herewith are hereby ~~repealed~~.

Passed and approved this 12th day of March, 1975.

/s/ Betty V. Burcham, Mayor

Betty V. Burcham

Attest:

Lorraine E. Homan, Clerk

Motion by Deane Darrow and seconded by Art Baudler the meeting adjourn. Carried.

Betty V. Burcham, Mayor

Betty V. Burcham

Attest:

Lorraine E. Homan, Clerk

March 25, 1975, Fontanelle, Iowa

The Town Council of the Town of Fontanelle met in special session with Mayor Betty V. Burcham presiding and the following Councilmen present: Art Baudler, Randall Bond and Keith Westphal. Absent: Leo Armstrong and Deane Darrow.

Motion by Keith Westphal and seconded by Art Baudler that an agreement be signed with Margie Eblen to purchase one acre of land for \$2000. Carried.

Motion by Keith Westphal and seconded by Art Baudler that the contract with MBMPA be taken to another attorney before signing. Carried.

Motion by Randall Bond and seconded by Art Baudler that the meeting adjourn.

Lorraine E. Homan
Lorraine E. Homan

Betty V. Burcham
Betty V. Burcham, Mayor

Attest: Lorraine E. Homan

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March 28, 1975, Fontanelle, Iowa

The Town Council of the Town of Fontanelle met in special session on the above date with Mayor Betty V. Burcham presiding and the following Councilmen present: Leo Armstrong, Art Baudler, Randall Bond, Deane Darrow and Keith Westphal. Absent: None. The purpose of the meeting was to consider the applications for the position of Town Clerk.

Motion by Randall Bond and seconded by Leo Armstrong that Shirley Jorgensen be hired for the position and to be paid \$3.00 per hour starting the first of July. During the month of April she is to receive 25% of the present Clerks wages, 50% in the month of May and 75% in the month of June. Carried.

Motion by Deane Darrow and seconded by Art Baudler to Adjourn. Carried.

Lorraine E. Homan
Lorraine E. Homan

Betty V. Burcham
Betty V. Burcham, Mayor

Attest: Lorraine E. Homan

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March 20, 1975 Fontanelle, Iowa

The Fire & Rescue Management Committee met at 7:00 in the Fontanelle Town Hall with Chairman Betty V. Burcham presiding and the following members of the committee present: Randall Bond, Ervin Ehm, Bruce Westphal, Leo Armstrong, Art Baudler, and Leo Jacobsen.

Motion by Bruce Westphal and seconded by Leo Jacobsen that the Firemen keep the old ambulance for stand-by duty. Carried.

Motion by Randall Bond and seconded by Bruce Westphal that the recommendation of the appointment of Raymond Stewart as Fire Chief be Accepted. Carried.

Motion by Leo Armstrong and seconded by Leo Armstrong that the charge for fire calls to unprotected fire districts be raised from the present \$250 to \$500.00 starting July 1st, 1975. Carried. A notice is to be put in the Fontanelle Observer to this effect. A school for Firemen will be held with possibly ten of the local men attending.

Motion by Bruce Westphal and seconded by Leo Jacobson that the meeting adjourn.

Lorraine E. Homan, Clerk.

Lorraine E. Homan

*April 1, 1975
Shirley Jorgensen
started minutes, etc.
and since take over
as duties as soon
has been audited and
all records are in
approved condition -
Lorraine E. Homan*