

There being no further business, Keith Westphal made the Motion to adjourn. Seconded by Deane Darrow. Carried.

*Evelyn Rohner*

Attest: Evelyn Rohner, Clerk

*Betty V. Burcham*

Betty V. Burcham, Mayor

Fontanelle, Iowa  
February 11, 1976

The City Council met in Special Session at 7:30 P.M. at the City Hall with Mayor Burcham presiding. Councilmen present were: Art Baudler, Deane Darrow, Ralph Means and Keith Westphal. Absent: Randall Bond.

The Mayor filed a Notice of this Special Meeting showing acceptance of service thereof by all members of the Council and reading as:  
Fontanelle, Iowa  
February 4, 1976

To: Members of the Council:

You and each of you are hereby notified that there will be a special meeting of the Council held at the City Hall, Fontanelle, Iowa, on the 11th day of February, 1976, at 7:30 o'clock p.m.. At such meeting there will be for consideration all matters pertaining to the construction of improvements and extensions to the municipal waterworks plant and system, including directing publication of notice of hearing and taking of bids on such improvements and extensions and for the consideration of such other business as may come before the meeting.

*Betty V. Burcham*

Betty V. Burcham, Mayor

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

/s/ Art L. Baudler  
/s/ Ralph D. Means  
/s/ Keith J. Westphal

/s/ Deane A. Darrow  
/s/ Randall H Bond

The Council took up and considered the proposed improvements and extensions to the existing municipal waterworks plant and system.

Council Member Keith Westphal introduced and read the following resolution hereinafter set out entitled: "Resolution to provide for a notice of hearing on proposed plans and specifications and proposed form of contract for the construction of the Water Supply Well Project for the municipal waterworks plant and system, and the taking of bids therefor", and moved its adoption, seconded by Council Member Ralph Means. After due consideration thereof by the Council, the Mayor put the question upon the motion and the roll being called the following named Council Members voted: Ayes: Art Baudler, Ralph Means, Deane Darrow, and Keith Westphal. Nays: Absent-Randall Bond.

Whereupon the Mayor declared the said motion duly carried and the said resolution adopted, as follows:

RESOLUTION NO. 76.6

TO PROVIDE FOR A NOTICE OF HEARING ON PROPOSED PLANS AND SPECIFICATIONS AND PROPOSED FORM OF CONTRACT FOR THE WATER SUPPLY WELL PROJECT FOR THE MUNICIPAL WATERWORKS PLANT AND SYSTEM, AND THE TAKING OF BIDS THEREFOR.

WHEREAS, the City of Fontanelle, Iowa, has heretofore established a municipal waterworks plant and system and it is necessary and desirable that the said system be improved and extended and such improvements and extensions are for the best interest of the City, all of such improvements and extensions to be as described in and to be contracted for and completed in accordance with the proposed plans and specifications and form of contract prepared by Kirkham, Michael & Associates, the City's Engineers, such proposed plans, specifications and form of contract being on file with the Clerk and which improvements and extensions are hereinafter referred to as the Water Supply Well Project; and

WHEREAS, it is necessary to fix a time and place of public hearing on the proposed plans, specifications, and form of contract, and estimated cost for the Project and to advertise for sealed bids for the Project;

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

Section 1. That the 1st day of March, 1976 at 8:00 o'clock p.m., at City Hall, in the City, is hereby fixed as the time and place of hearing on the proposed plans, specifications, and form of contract and estimated cost for the Project, and also as the time and place of taking bids in connection therewith.

Section 2. That the Clerk is hereby authorized and directed to give notice of the aforementioned hearing and taking of bids by publication of such notice once in the Fontanelle Observer, a newspaper of general circulation in the City, which publication shall be made not less than four nor more than twenty days prior to the time of the said hearing, all in conformity with Chapters 362 and 384 of the Code of Iowa, 1975, as amended. The said notice shall be in substantially the following form:

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS,  
SPECIFICATIONS AND FORM OF CONTRACT FOR  
CONSTRUCTION OF  
WATER SUPPLY WELL  
FOR THE CITY OF FONTANELLE, IOWA, AND THE  
TAKING OF BIDS FOR SAID IMPROVEMENTS.

PUBLIC NOTICE is hereby given that there are on file with the City Clerk of the City of Fontanelle, Iowa, plans and specifications, and form of contract for the proposed construction of Water Supply Well as hereinafter described.

A hearing will be conducted thereon at a meeting of the City Council to be held in the Council Chamber of the City Hall of Fontanelle, Iowa at 8:00 p.m. local time, on the 1st day of March, 1976, at which time and place any person interested may appear and file objections to said proposed plans, specifications, or contract for, or cost of said public improvements.

Sealed proposals will be received at the office of the City Clerk, City of Fontanelle, Iowa, until 8:00 p.m., local time, on the 1st day of March, 1976, for furnishing all labor, tools, materials, and equipment required to construct the Water Supply Well per the specifications and attached drawings for said construction now on file for public examination in the office of the City Clerk and available at the office of Kirkham, Michael & Associates, 7300 Woolworth Avenue, Omaha, Nebraska 68124. Such proposals as are received will be publicly opened, read aloud, and tabulated at 8:00 p.m., on said date at the Fontanelle City Hall, Fontanelle, Iowa, or at such later time as may be fixed then.

The extent of the work involved is the furnishing of all labor, materials and equipment necessary for the construction of a Water Supply Well and related appurtenances. The approximate quantities and materials of the major items of construction are as follows:

<u>Item</u>	<u>Description</u>	<u>Qty.</u>	<u>Unit</u>
1.	24" by 16" naturally developed water supply well 39 feet deep	1	Ea.
2.	Pump and Motor	1	Ea.
3.	Stainless steel well screen	10	LF
4.	16" casing	37	Lf

Bidders are also required to submit a proposal for the item "Abandonment of Well" which will be total compensation for all work completed under the contract in the event that after drilling, pumping and testing the well it is determined that the water derived from the well is not suitable quality to incorporate into the City's water system.

Each proposal shall be made on a form furnished by Kirkham, Michael & Associates, and no bidder may withdraw his proposal for a period of thirty (30) days from and after the date set for opening of bids. Each proposal must be accompanied by a certified or cashier's check drawn on a solvent Iowa bank or a bank chartered under the laws of the United States in an amount equal to five (5) percent of the Base Bid Price, made payable to the City of Fontanelle, Iowa, or a bid bond in the form contained in the specifications for a like amount which shall be considered as liquidated damages and shall be forfeited to the City of Fontanelle if said proposal is accepted and the bidder fails to execute the Contract and file the required performance and payment bond as required in the Contract Documents. The bid security of the unsuccessful bidders will be promptly returned to the bidders by the Owner as soon as the successful bidder is determined or within thirty (30) days, whichever is sooner.

The work herein provided for shall be done under written contract with the responsible bidder submitting the lowest acceptable bid in accordance with the requirements of the plans and specifications and as provided by law.

Payment to the contractor will be made in cash from such funds as are legally available or from future net earnings of the City's municipal waterworks plant and system. To the extent the payment is not made in cash, and as evidence of the amounts due the contractor, the City will deliver to the contractor and the contractor shall accept in payment of the contract price, Water Revenue Pledge Orders, bearing interest at a rate not

exceeding eight percent (8%) per annum, which pledge orders shall be payable solely and only out of the net revenue of the City's Water Supply System, as authorized by Division V. of Chapter 384 of the 1975 Code of Iowa. The City shall not incur any general obligations for such improvements and neither the contract for the construction of the improvement nor the Water 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 revenues to be sufficient for the payment thereof.

Payments will be made to the Contractor by the City of Fontanelle, Iowa by its properly delegated authorities, as provided by law and where possible partial payments will be made to the Contractor in an amount equal to ninety percent (90%) of the value of the work completed during the preceding month, as determined by the Contractor, subject to the approval of the Engineer, who will submit each estimate to the City for payment on or before the 10th day of each month. The Contractor will on or before the 5th day of each month, make an estimate of the value of the work performed during the previous month.

No partial or final payment will be made until the Contractor has certified to the City that all materials, labor and services involved have been paid.

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

The successful bidder will be required to furnish a Performance Bond and Labor and Materials Payment Bond, each in an amount equal to one hundred percent (100%) of the Contract price, said bonds to be issued by a responsible corporate surety approved by the City Council and shall guarantee the faithful performance of the contract and the terms and conditions therein contained and shall guarantee and save harmless the City from claims and damages of any kind caused by the operations of the Contractor and shall also guarantee the work for a period of one (1) year from and after its completion and acceptance by the City of Fontanelle by its properly delegated authorities.

The Work shall be commenced within 10 days after the issuance of the Notice to Proceed. The Contractor shall complete the drilling, development and testing of the well within 30 consecutive calendar days and shall complete all work within 180 consecutive calendar days of the issuance of the Notice to Proceed.

Plans and specifications and contract documents may be examined at the office of the City Clerk of Fontanelle, Iowa and may be obtained from the office of the Engineer, Kirkham, Michael & Associates, at 7300 Woolworth Avenue, Omaha, Nebraska 68124, upon the payment of Ten Dollars (\$10.00) which amount will not be refunded.

This project is to be funded in excess of 25% with Revenue Sharing Funds and the provisions of the Davis Bacon Act, the 1964 Civil Rights Act as amended, Executive Order No. 11246 and such other anti-discrimination provisions as required by law shall apply to this work. Davis Bacon Act provisions 29 C.F.R., paragraphs 5.5 and 5a.3 and the Wage Rate Decision will be made a part of the contract and all subcontracts.

Published upon order of the City Council, City of Fontanelle, Iowa

CITY COUNCIL  
CITY OF FONTANELLE, IOWA

*Betty V. Burcham*  
Betty V. Burcham, Mayor

Attest:

*Evelyn M. Rohner*  
Evelyn M. Rohner  
City Clerk

Section 3. That all provisions set out in the foregoing form of notice are hereby recognized and prescribed by this Council 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 11th day of February, 1976

*Betty V. Burcham*  
Betty V. Burcham, Mayor

Attest:

*Evelyn M. Rohner*  
Evelyn M. Rohner  
Clerk

(Seal)

I, the undersigned, Clerk of the aforementioned City, do hereby certify that I caused a notice, of which the printed slip annexed to the publisher's affidavit hereto attached is a true and complete

copy, to be published on the following date:

February 19, 1976

in the Fontanelle Observer, a legal newspaper of general circulation in Fontanelle, Iowa.

WITNESS my hand and the seal of the aforementioned City hereto affixed this 27th day of February, 1976

(Seal)

Evelyn M. Rohner, Clerk

STATE OF IOWA  
COUNTY OF ADAIR SS:  
CITY OF FONTANELLE

I, the undersigned, Clerk of the aforementioned City, being first duly sworn, do hereby depose and certify that the transcript hereto attached is a true and correct and complete copy of all the records of the City's Council relating to fixing a time and place of hearing on proposed plans, specifications, and form of contract, and estimated cost for the construction of the Water Supply Well Project, and directing publication of notice of the time and place fixed therefor.

WITNESS my hand and the seal of the City hereto affixed this 27th day of February, 1976.

(Seal)

Evelyn M. Rohner, Clerk.

Mr. Gary Sindelar and Mr. Dave Johnson of Kirkham, Michael & Associates of Omaha, Nebraska, were present at the meeting, along with City Attorney W.E. Don Carlos.

In other business the Council went over the preliminary budget with the Clerk. A few minor adjustments were made.

There being no further business Motion by Ralph Means to adjourn seconded by Keith Westphal. Carried.

*Evelyn Rohner*

*Betty V. Burcham*  
Betty V. Burcham, Mayor

Attest: Evelyn Rohner, Clerk

Fontanelle, Iowa  
February 16, 1976

The City Council met in Special Session at 5:00 P.M. at the City Hall with Mayor Betty V. Burcham presiding. Councilmen present were: Deane Darrow, Ralph Means and Keith Westphal. Absent: Art Baudler and Randall Bond.

Motion by Deane Darrow and seconded by Ralph Means that the budget for the period July 1, 1976 to June 30, 1977 in the amount of \$826,246 be filed this 16th day of February and that the date of hearing on said Estimate be fixed on the 1st day of March at 7:30 P.M. at the City Hall in Fontanelle, Iowa, and the Municipal Clerk is hereby directed to publish the estimate and Notice of Hearing in the Fontanelle Observer not less than 4 nor more than 20 days before the date of hearing. Carried.

Motion by Keith Westphal and seconded by Deane Darrow to approve a Cigarette Permit for Stephen Rinehart d/b/a Rinehart's D-X. Carried.

Motion to adjourn made by Keith Westphal. Seconded by Deane Darrow. Carried.

*Evelyn Rohner*

*Betty V. Burcham*  
Betty V. Burcham, Mayor

Attest: Evelyn Rohner, Clerk

Fontanelle, Iowa  
February 26, 1976

The Fire and Rescue Management Committee met at the City Hall at 7:30 P.M. with Mayor Betty V. Burcham, presiding. Committee members present were: Leo Jacobson, Bruce Westphal, Ervin Ehm, Ralph Means, Art Baudler and Randall Bond.

Councilman Keith Westphal, Fire Chief Raymond Stewart, and a sizable number of Volunteer Firemen were also present.

Motion by Bruce Westphal and seconded by Leo Jacobson to accept the minutes of the last meeting as read. Carried.

Motion by Leo Jacobson seconded by Ervin Ehm that the bill to the Farmer's Co-op Co. for the Shocks for the White GMC Truck be paid, when the bills arrives. Carried.

Committeeman Bond stated that Richland Township would be present, wishing to enter into agreement with the City of Fontanelle and Summerset Township