

The City Council of Fontanelle met in regular session at the City Hall at 7:30 p.m. with Mayor Betty V. Burcham presiding. Council members present were: Art Baudler, Randall Bond, Deane Darrow, Ralph Means and Keith Westphal. Absent: None

Motion by Art Baudler, seconded by Keith Westphal to accept the minutes of the last meetings as presented. Carried.

Motion by Deane Darrow, seconded by Ralph Means to approve the Clerk and Treasurer's Reports. Carried.

Motion by Deane Darrow, seconded by Art Baudler to allow all bills to be paid. Carried.

GENERAL FUND

First National Bank	216.00
Treasurer, State of Iowa	44.30
Ia. Empl. Sec. Comm.	200.32
I.P.E.R.S.	133.34
Michael Sickles	75.70
Hugh Homan	71.18
United Telephone Co.	1.81
Bi-State Electronics	55.30
Ditch Witch-Iowa, Inc.	3000.00
Don Rivers	8.50
First National Bank	37.47
First National Bank	2.35
Farmers Co-op	12.10
Fontanelle Observer	88.60
Glade Machine Works	13.50
J & M Supply Co.	42.14
Kustom Signals	53.60
Kurtz, Walsh Builders H'wre	85.58
Miller's 66 Oil Co.	79.82
McCunn Implement	9.11
Rinehart DX & 1st Nat. Bank	96.96
Van Vleet Hardware	1.97
Wallace Auto Supply	8.97
Weber Garage	4.68
Ia. Elec. Light & Power Co.	15.53
Fontanelle Postmaster	6.00
Kirlin Auto Co.	59.95
First National Bank	75.00
Fontanelle Volunteer	
Fire Department	1098.00
Darold Dunkerson	12.50
	<u>5610.28</u>

WATER UTILITY

First National Bank	86.00
Treasurer, State of Iowa	25.00
Ia. Empl. Sec. Comm.	95.23
I.P.E.R.S.	67.14
Treasurer, State Of Iowa	41.86
Gene Dillon	283.91
Gene Dillon	141.80
Anderson Fire Equip. Co.	30.00
Brown Supply Co.	40.48
Ditch Witch-Iowa Inc.	6486.87
Gene Dillon	75.70
Hach Chemical Co.	27.94
Miller's 66 Oil Co.	11.66
Utility Equipment Co.	18.98
Fontanelle Postmaster	10.00
	<u>7442.57</u>

SEWER UTILITY

United Telephone Co.	1.93
Ditch Witch-Iowa, Inc.	1000.00
Fontanelle Postmaster	10.00
	<u>1011.93</u>

FEDERAL REVENUE SHARING

Ditch Witch-Iowa Inc.	3400.00
	<u>3400.00</u>

ROAD USE TAX

Al's Garage	52.35
Ehrsam Implement	270.98
Schildberg Construction	217.24
Sta-Bilt Construction	335.40
	<u>875.97</u>

TRUST & AGENCY

Don Rogers	25.63
Jerry Zimmerline	25.63
	<u>51.26</u>

LIBRARY SALARY

Ia. Empl. Sec. Comm.	9.36
Mrs. F. P. Patterson	37.66
Mrs. F. P. Patterson	37.66
	<u>84.68</u>

ELECTRIC UTILITY

First National Bank	112.00
Treasurer, State of Iowa	35.00
Ia. Empl. Sec. Comm.	112.40
I.P.E.R.S.	79.25
Treasurer, State of Iowa	246.95
United Telephone Co.	3.96
Bureau of Reclamation	2203.27
Central Iowa Power Coop	396.20
Delmer Miller	46.12
DeWild Grant Reckert	4561.02
Electrical Materials Co.	12.75
Farmer's Co-op	12.11
Greenfield Municipal Util.	372.00
J & M Supply	8.60
Missouri Basin Power Agency	59.52
Miller's 66 Oil Co.	29.80
Municipal Supply Co.	16.58
Ralph Means	29.80
Van Vleet Hardware	92.09
Fontanelle Postmaster	20.00
Ia. Elec. Lt. & Power	3.29
Delmer Miller	317.94
Don Rivers	226.74
Rodney Stoner	199.90
Evelyn Rohner	175.73
Michael Sickles	90.38
Rodney Stoner	71.38
Farmers Electric Co-op	3.00
Michael Sickles	90.38
Hugh Homan	90.38
Delmer Miller	317.94
Kerry Miller	184.96
Don Rivers	226.74
Rodney Stoner	199.90
Evelyn Rohner	175.73
Michael Sickles	93.78
Hugh Homan	90.38
	<u>11007.97</u>

RECEIPTS

General	687.20
Fed. Revenue Shar.	-----
Road Use Tax	1285.62
Sewer Utility	328.00
Electric Utility	9589.63
Water Utility	1602.73
TOTAL RECEIPTS	<u>10682.05</u>

Committee reports were heard. Mr. Gary Sindelar and Mr. David L. Johnson of Kirkham, Michael and Associates, Engineering firm of Omaha Nebraska were present at the meeting. Mr. Sindelar stated that there would be a need for approximately 500 cubic yards of stockpiled dirt, for use to build

the Water Treatment plant on. Tests will have to be made on this soil. He also stated that on the new transmission line the property owner wishing to hook on would be expected to pay for his own water installation in the same manner that town property owners do.

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 caused to be 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 Main Transmission Line for the Municipal Waterworks plant and System, and the taking of Bids Therefor" and moved for its adoption, seconded by Council Member Deane Darrow. 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, Randall Bond, Deane Darrow, Ralph Means and Keith Westphal. Nays: None

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

RESOLUTION NO. 76.17

TO PROVIDE FOR A NOTICE OF HEARING ON PROPOSED PLANS AND SPECIFICATIONS AND PROPOSED FORM OF CONTRACT FOR THE WATER MAIN TRANSMISSION LINE 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 Transmission Line 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 July, 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 of 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 AND ESTIMATE OF COST FOR WATER TRANSMISSION LINE 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 specification, form of Contract and estimate of cost for the proposed construction of Water Transmission Line 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 July, 1976, at which time and place any person interested may appear and file objections ot 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 July, 1976, for furnishing all labor, tools, materials, and equipment required to construct water transmission line 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 Transmission Line and related and miscellaneous work. The approximate quantities and materials of the major items of construction are as follows:

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>ESTIMATED QUANTITY</u>	<u>UNIT</u>
1.	Polyvinyl chloride, or Class 50 or Class 51, or Class 52 Ductile Iron 6" diameter water pipe All Ductile Iron Pipe to be Polyethylene encased.	17,563	LF
2.	6" Gate Valves	9	Each
3.	Blowoff Valves	7	Each
4.	Air and Vacuum Valve and Manhole	7	Each
5.	Fire Hydrant	4	Each
6.	Crushed Rock or Gravel Surfacing	925	Tons
7.	Corporation Stops	10	Each
8.	Meter and Service Line	2	Each

Each proposal shall be made on a form furnished by Kirkham, Michael & Associated, 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 specification 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 bids (on the schedule selected by the Owner) 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 water-works 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 improvement and neither the contractor for the the construction of the improvement nor the Water Revenue Pledge Orders will constitute a general obligation of the City of 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(s) 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 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 the prompt payment of all materials and labor and protect 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 two (2) years 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 all work within 120 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 fifteen dollars (\$15.00) which amount will not be refunded.

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

CITY COUNCIL
CITY OF FONTANELLE, IOWA

Betty V. Burcham

by: Betty V. Burcham, Mayor

Evelyn M. Rohner
Attest: Evelyn M. Rohner
City Clerk

* See INSERT FOR SECTION 3.

PUBLICATION DATE: June 17, 1976

Motion by Randall Bond seconded by Art Baudler to approve the applications for Cigarette License for the following, for which the \$75.00 fee had been paid. Dennis Parkis & Robert Parkis dba Rinky Dink Lounge, Ethel R. McCants dba Babe's Cafe, John Jensen dba Jensen Tavern, Jean Marckmann dba Twilight Cafe, Herman Strom dba Strom's Grocery and Keith Westphal dba Westphal Grocery. Carried.

Interviews were held with four applicants for the City Maintenance Employment. Those applicants being: David Sickles, Dale Sickles, Kerry Miller and Tom Lamborn.

Motion by Randall Bond, seconded by Deane Darrow that Rodney Stoner keep a record of total hours spent from Saturday morning June 5th to Friday night June 11th, this being the vacation of Marshal Don Rivers, and Mr. Stoner is to be paid overtime at the rate of time and one-half for all hours beyond his normal duty. Carried.

Wages agreed on for the following fiscal year are

Delmer Miller	\$11,541.72	annually
Don Rivers	8,381.12	annually
Rodney Stoner	7,391.12	annually
Evelyn Rohner	6,741.12	annually
Carol Nielsen	25.00	monthly

Council Member Randall Bond introduced and caused to be read Resolution No. 76.18 entitled, "Resolution approving statement in connection with the construction of improvements to the municipal electric light and power plant and system." Council Member Bond moved that said resolution be adopted, seconded by Council Member Deane Darrow and after due consideration thereof by the Council, the Mayor put the question and, the roll being called, the following voted: Ayes: Baudler, Bond, Darrow, Means and Westphal. Nays: None

Whereupon, the Mayor declared the resolution duly adopted, as follows:

RESOLUTION NO. 76.18

RESOLUTION APPROVING STATEMENT IN CONNECTION
WITH THE CONSTRUCTION OF IMPROVEMENTS TO THE
MUNICIPAL ELECTRIC LIGHT AND POWER PLANT AND SYSTEM.

WHEREAS, a statement has been filed with this Council for materials furnished and work performed under a contract for constructing improvements to the municipal electric light and power plant and system which statement has been approved by the Engineer for the Utility, and which has not been included in prior statements, as follows:

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 7th day of June, 1976.

Betty V. Burcham
Betty V. Burcham, Mayor

Attest: Evelyn M. Rohner
Clerk.

Seal

STATE OF IOWA
COUNTY OF ADAIR SS:
CITY OF FONTANELLE

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: June 17, 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 21st day of June, 1976.

Evelyn M. Rohner
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 Water Transmission Line 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 21st day of June, 1976.

Evelyn M. Rohner
Evelyn M. Rohner,
Clerk

(Seal)

<u>Contract Date</u>	<u>Date of Statement</u>	<u>Contractor</u>	<u>Amount of Statement</u>
4/28/75	5/3/76	Stake Construction Co.	\$\$\$9,731.99

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

Section 1. That the statement referred to in the preamble hereof be and the same is hereby approved as follows:

CONTRACTOR-- Stake Construction Co. AMOUNT-- \$9,731.99

Section 2. That all resolutions or orders or parts thereof in conflict herewith be and the same are hereby repealed.

Passed and approved this 7th day of June, 1976.

Attest: *Evelyn M. Rohner*
Evelyn M. Rohner,
Clerk

Betty V. Burcham
Betty V. Burcham, Mayor

Council Member Art Baudler introduced and caused to be read Resolution No. 76.18A entitled, "Resolution providing for the issuance of Electric Revenue Pledge Orders." Council Member Baudler moved that said resolution be adopted, seconded by Council Member Keith Westphal, and after due consideration thereof by the Council, the Mayor put the question and, the roll being called, the following voted: Ayes: Art Baudler, Randall Bond, Deane Darrow, Ralph Means and Keith Westphal. Nays: None.

Whereupon, the Mayor declared the resolution duly adopted, as follows:

RESOLUTION NO. 76.18A

RESOLUTION PROVIDING FOR THE ISSUANCE OF ELECTRIC REVENUE PLEDGE ORDERS

WHEREAS, a statement for materials furnished and work performed under a contract for the construction of improvements to the municipal electric light and power plant and system has been approved by this Council as follows:

<u>CONTRACTOR</u>	<u>AMOUNT</u>
Stake Construction Co.	\$9,731.99 and

WHEREAS, said contract provides that payment under said contract may be made by delivery to said contractor of temporary revenue obligations in the form of Pledge Orders payable solely and only out of the future net earnings of such municipal utility, and it is necessary and advisable that a Pledge Order be issued to said contractor in the approved amount;

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

Section 1. That for the purpose of evidencing an amount payable the contractor for materials furnished and work performed under the contract referred to in the preamble hereof therebe and there is hereby authorized to be issued an Electric Revenue Pledge Order of the municipality in the form now on file with the Clerk, as follows:

<u>Pledge Order No.</u>	<u>Contractor</u>	<u>Amount of Pledge Order</u>
34	Stake Construction Co.	\$9,731.99

Section 2. That said Pledge Order shall be signed by the Mayor and attested by the Clerk, with the seal of the municipality affixed, and be issued and delivered to said contractor as aforesaid in payment of that part of the aforesaid improvements referred to in the aforesaid statement.

Section 3. That all resolutions or orders or parts thereof in conflict herewith be and the same are hereby repealed.

Passed and approved this 7th day of June, 1976.

Attest: *Evelyn M. Rohner*
Evelyn M. Rohner,
Clerk

Betty V. Burcham
Betty V. Burcham, Mayor

Motion by Ralph Means seconded by ~~Deane Darrow~~ ^{RANDALL BOND} that Kerry Miller be hired as City Maintenance Man at the agreed annual wage of \$6,240.00 .
Carried.

Motion by Deane Darrow to adjourn seconded by Keith Westphal. Carried.

Attest: *Evelyn M. Rohner*
Evelyn Rohner, Clerk

Betty V. Burcham
Betty V. Burcham, Mayor