

The City Council met in regular session at the City Hall at 7:00 p.m. with Mayor Betty V. Burcham presiding. Councilmen present were: Art Baudler Randall Bond, DEane Darrow, Ralph Means and Keith Westphal. Absent: None

Mr. David Johnson & Gary Sindelar, Engineers from Kirkham, Michael & Associates of Omaha were present. The Water Transmission Line had been inspected by the Engineers. They agree with the County and State Highway Commission that much has to be done. The main concern was traffic hazards. Much earth work is to be done. Kay Jensen's & Richard Edsall's fences are to be repaired immediately. If compaction does not meet tests, the line will have to be excavated and re-installed. The Engineers suggested that bids will be opened in February for the Water Treatment Plant.

Motion by Ralph Means to accept the minutes of the last meetings as presented. Seconded by Randall Bond. Carried.

Motion by Keith Westphal to accept the Clerk & Treasurer's Reports Seconded by Deane Darrow. Carried.

Motion by Art Baudler to pay all bills. Seconded by Westphal. Carried.

GENERAL FUND

First National Bank	170.00
Treasurer, State of Iowa	37.00
IPERS-FOAB	158.48
I.P.E.R.S.	111.74
Al's Feed & Supply	5.82
Detty Grocery	2.77
Des Moines Register & Tribune	57.33
Ehrsam Implement	7.02
E. M. Feld Co. Inc.	76.00
Evelyn Rohner	.13
Fontanelle Observer	62.30
Kustom Signals	53.60
Metzger Sanitation	15.00
Miller's 66 Oil Co.	182.47
Triple T Enterprises	5.00
United Telephone Co. of Ia.	24.88
Van Vleet Hardware	1.63
Ia. Elec. Light & Power Co.	65.01
Don Rivers	242.21
Michael Pfeifer	200.22
Evelyn Rohner	193.03
Michael Sidles	65.90
Fontanelle Postmaster	2.00
Burroughs Corporation	20.00
Don Rivers	242.21
Michael Pfeifer	200.22
First National Bank	3.00
Fontanelle Volunteer Firemen	954.00
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	3158.97

ROAD USE TAX

Schildberg Const.	282.61
Delmer Miller	335.41
Kerry Miller	176.56
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	794.58

TRUST & AGENCY

William Glassell	15.37
Detty Grocery	25.63
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	41.00

WATER UTILITY

First National Bank	12.00
Treasurer, State of Ia.	6.00
IPERS-FOAB	20112
I.P.E.R.S.	14.19
TREASURER, STATE OF Ia.	87.69
Al's Feed & Supply	8.20
Delmer Miller	154.79
Evelyn Rohner	6.56
G&H Motor Lines, Inc.	14.76
Hawkeye Safety Equip.	8.00
Kerry Miller	90.02
Miller's 66 Oil Co.	17.05
National Chemsearch	34.90
T. S. McShane	378.26
United Telephone Co.	17.53
Van Vleet Hardware	1.25
Fontanelle Postmaster	2.00
Kerry Miller	176.56
First National Bank	30.67
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	1080.55

SEWER UTILITY

Al's Feed & Supply	8.20
Del Chemical Corpp	77.00
Evelyn Rohner	.35
Hach Chemical	26.61
Hawkeye Safety Equip.	8.00
Manchester Laboratories	38.27
Miller's 66 Oil Co.	9.19
National Chemsearch	34.90
United Telephone Co. of Ia.	6.23
Van Vleet Hardware	7.09
Fontanelle Postmaster	5.00
Burroughs Corporation	70.00
First National Bank	2.00
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	292.84

LIBRARY SALARY

IPERS-FOAB	9.36
MRS. Frost P. Patterson	37.66
Mrs. Frost P. Patterson	37.66
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	84.68

RECEIPTS

GENERAL	1,167.65
FED. REV. SHARING	
Anti-Recession	117.00
ROAD USE TAX	747.89
TRUST & AGENCY	65.00
WATER UTILITY	3,273.44
SEWER UTILITY	330.00
ELECTRIC UTILITY	11,486.95
LIBRARY SALARY	275.21
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	17,463.14

ELECTRIC UTILITY

Robert E. Schweser Co.	19,455.06
First National Bank	210.00
Treasurer, State of Iowa	48.00
IPERS-FOAB	205.30
I.P.E.R.S.	134.24
Treasurer, State of Iowa	277.39
Al's Feed & Supply	16.40
American Electric Co.	19.35
Bureau of Reclamation	2,040.12
DeWild Grant Reckert	535.00
Electrical Materials Co.	62.85
Evelyn Rohner	1.09
Hawkeye Electric	52.08
Hawkeye Safety Equip.	8.00
Ia. Assoc. Municipal Util.	155.31
Ia. Electric Supply Co.	10.19
Jack Brown Construction	96.69
Kriz-Davis Co.	10.61
Miller's 66 Oil Co.	49.84
Missouri Basin Power Agency	97.49
National Chemsearch	34.91

ELECTRIC (Continued)

United Telephone Co.	7.28
Van Vleet Hardware	.70
WallacenAuto Supply	57.22
Henriette Schroder	12.50
Ia. Elec. Light & Power	39.09
Fontanelle Postmaster	22.00
Burroughs Corporation	600.00
Delmer Miller	335.41
Evelyn Rohner	193.03
Michael Sickles	65.90
First National Bank	72.00
Farmers Electric Co-op	3.00
Robert E. Schweser Co.	19,324.03
	<u>44,252.08</u>

Motion by Deane Darrow, seconded by Keith Westphal that the Burroughs Corporation be notified that the City accepts Option #1 on the purchase of a used L3611 Accounting computer billing machine. Carried.

Committee Reports were heard. Much discussion was on dogs which are a prevelant problem. The Council suggested that pressure must be exerted on the people to keep their dog tied.

Southern Iowa Regional Housing Authority was discussed. It was decided that the City will not participate in the program.

Council Member Art Baudler introduced and caused to be read Resolution No. 76.35 entitled, "Resolution approving statement in connection with the construction of improvements to the municipal electric light and power plant and system." 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: BAUDLER, BOND, DARROW, MEANS & WESTPHAL. NAYS: None.

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

RESOLUTION NO. 76.35

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:

<u>Contract Date</u>	<u>Date of Statement</u>	<u>Contractor</u>	<u>Amount of Statement</u>
4/28/75	10/19/76	STAKE CONSTRUCTION CO.	\$24,035.50

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:

<u>CONTRACTOR</u>	<u>AMOUNT</u>
Stake Construction Co.	\$24,035.50

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

PASSED AND APPROVED THIS 6th Day of December, 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. 76.35A entitled, "Resolution providing for the issuance of Electric Revenue Pledge Orders." Council Member Baudler 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: Art Baudler, Randall Bond, Deane Darrow, Ralph Means and Keith Westphal. NAYS: None
Whereupon, the Mayor declared the resolution duly adopted, as follows:

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:

CONTRACTOR	AMOUNT
Stake Construction Co.	\$24,035.50

WHEREAS, said contract provides that payments 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 there be 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:

Order No.	Contractor	Amount of Pledge Order
38	Stake Construction Co.	\$10,000.00
39	Stake Construction Co.	10,000.00
40	Stake Construction Co.	4,035.50

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 6th DAY OF December, 1976.

Evelyn M. Rohner

Betty V. Burcham

Attest: Evelyn M. Rohner, Clerk

Betty V. Burcham, Mayor

Right of Way Payments for the Electrical Project was discussed. A letter with the number of feet, and the price quoted on the easements will be sent to the people for signatures and acceptance. When returned the Warrant/Check will be issued.

Council Member Randall Bond introduced and the Clerk read the Resolution hereinafter next set out and the said Council Member moved its adoption, seconded by Council Member Ralph Means. After due consideration thereof by the Council, the Mayor put the question upon the adoption of the said resolution 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 resolution duly adopted, as follows:

RESOLUTION NO. 76.36

TO FIX A DATE OF MEETING AT WHICH IT IS PROPOSED TO TAKE ACTION FOR THE ISSUANCE OF \$300,000 ELECTRIC REVENUE BONDS, SERIES 1976.

WHEREAS, the City of Fontanelle, in Adair County, Iowa (Hereinafter sometimes referred to as the "City") did heretofore in the year 1914 establish a Municipal Electric Light and Power Plant and System in and for the City (hereinafter sometimes referred to as the "Utility") which has continuously supplied electrical service in and to the City and its inhabitants since its establishment as aforesaid; and

WHEREAS, the management and control of such Utility is now vested in the Council of the City, and no Board of Trustees exists for this purpose; and

WHEREAS, heretofore the City did order the construction of improvements to the Utility (the "Improvement"; and

WHEREAS, during the construction of the Improvement, Pledge Orders (the "Pledge Orders") payable from the net revenues of the Utility have been issued from time to time by the City to the contractors under the terms of their contracts on estimates approved by the engineer for work performed and materials furnished, and to other persons in payment of a part of the cost of the Improvement, and the amount of the outstanding Pledge Orders with interest to December 1, 1976, exceeds the sum of \$300,000; and

WHEREAS, it is deemed advisable and necessary and for the best interest of the City that the Pledge Orders be refunded pursuant to the provisions of Division V. of Chapter 384 of the Code of Iowa, 1975, as amended, by exchanging \$300,000 Electric Revenue Bonds, Series 1976, (the "Bonds") of the City in payment and discharge of the Pledge Orders, to that extent;

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

Section 1; That this Council meet on the 14th day of December, 1976, at City Hall, in the City, at 7:00 o'clock p.m., at which time and place proceedings will be instituted and action taken for the issuance of the aforementioned Bonds.

Section 2. That the City Clerk is hereby directed to give notice of the proposed action for the issuance of the Bonds setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once and not less than four (4), nor more than twenty (20), days before the meeting in the FONTANELLE OBSERVER, a legal newspaper printed wholly in the English language, published at least once weekly, and of general circulation in the City, The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS FOR THE ISSUANCE OF \$300,000 ELECTRIC REVENUE BONDS, SERIES 1976

The City Council of the City of Fontanelle, Iowa, will meet on the 14th day of December, 1976, at the City Hall, in the City at 7:00 o'clock p.m., for the purpose of instituting proceedings and taking action for the issuance of \$300,000 Electric Revenue Bonds, Series 1976 for the purpose of refunding a like amount of outstanding temporary pledge orders of the City heretofore issued to pay the cost of constructing improvements and extensions to the Municipal Electric Light and Power Plant and System of said City. These Bonds, when issued, will not constitute a general obligation of said City, nor will they be payable in any manner by taxation, but all of said Bonds, together with any additional Bonds of the City as may be hereafter issued and outstanding from time to time, ranking on a parity therewith, will be payable solely and only from the net revenues of the Municipal Electric Light and Power Plant and System of the City.

These Bonds are proposed to be issued pursuant to authority contained in Division V of Chapter 384 of the Code of Iowa, 1975, as amended, and this notice is given by order of the City Council as provided by Section 384.83 of the Code of Iowa, 1975, as amended. At the aforementioned time and place, oral or written objections may be filed or made to the issuance of the Bonds as provided by Section 384.83 of the Code of Iowa, 1975, as amended. After receiving objections the Council may take action for the issuance of the Bonds, in which case that decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

Dated at Fontanelle, Iowa, this 6th day of December, 1976.

Evelyn M. Rohner,
City Clerk

Section 3. That all resolutions or parts of resolution in conflict herewith be and the same are hereby repealed, to the extent of such conflict.

PASSED AND APPROVED THIS 6th day of December, 1976.

Betty V. Burcham
Betty V. Burcham, Mayor

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

(Seal)

Motion by Deane Darrow to Adjourn. Seconded by Keith Westphal Carried.

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

Betty V. Burcham
Betty V. Burcham, Mayor