

Motion by Keith Westphal to send Delmer or Kerry Miller to the Water and Sewer School in Atlantic. Seconded by Deane Darrow. Carried.  
Motion by Andy Gentle to adjourn. Seconded by Ralph Means. Carried.

*Floyd A. Walter*  
Floyd A. Walter, Mayor

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

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Fontanelle, Iowa  
April 2, 1979

The City Council met in regular session at the City Hall at 7:30 p.m. with Mayor Floyd A. Walter presiding. Council Members present were: Art Baudler, Deane Darrow, Andy Gentle and Keith Westphal. Absent: Ralph Means.

Motion by Deane Darrow to approve the minutes as presented. Seconded by Andy Gentle. Carried.

Motion by Deane Darrow to approve the Clerk & Treasurer's reports. Seconded by Art Baudler. Carried.

Motion by Andy Gentle to pay all bills. Seconded by Keith Westphal. Carried.

GENERAL FUND

First Nation Bank	322.30
Treasurer, State of Iowa	78.50
IPERS-FOAB	303.66
I.P.E.R.S.	203.79
Brown Supply Co.	122.25
Camp, Harsh & Boysen	347.50
Don Rivers	196.67
Fontanelle Observer	94.68
League Of Iowa Municipalities	22.50
Matt Parrott & Sons	12.74
Metzger Sanitation	20.00
Miller Oil Co.	149.65
Reeds Standard Service	9.70
United Telephone Co.	19.97
Iowa Electric Light & Power	146.23
Fontanelle Postmaster	15.00
Delmer Miller	23.44
Kerry Miller	61.56
Dale Sickles	76.01
Merrill Jones	345.03
Evelyn Rohner	88.04
First National Bank	3.15
Evelyn Rohner (Registration)	52.00
Delmer Miller	23.44
Kerry Miller	26.73
Dale Sickles	51.87
Merrill Jones	345.03
Evelyn Rohner	126.35
	<u>3287.79</u>

WATER UTILITY FUND

Transfer to Sinking & Reserve	1036.00
First National Bank	222.00
Treasurer, State of Iowa	54.00
IPERS-FOAB	194.60
I.P.E.R.S.	140.53
Treasurer, State Of Iowa	93.66
Brown Supply Co.	122.25
Camp, Harsh & Boysen	160.00
Crouse Cartage Co.	11.35
Cummins Construction Co.	50.00
Dale Sickles	78.93
Delmer Miller	115.07
Hach Chemical Co.	33.67
Kerry Miller	25.80
Miller Oil Co.	35.97
National Chemsearch	79.61
Raines & Associates	93.79
T. S. McShane Inc	31.66
Utility Equipment Co.	526.16
Van Vleet Hardware	36.20
United Telephone Co.	23.14
Fontanelle Postmaster	13.20
Delmer Miller	98.88
Kerry Miller	72.67
Dale Sickles	57.60
Evelyn Rohner	22.66
First National Bank	22.76
Delmer Miller	183.20
Kerry Miller	106.72
Dale Sickles	67.71
Evelyn Rohner	26.44
	<u>3836.23</u>

LIBRARY SALARY

IPERS-FOAB	21.72
Mrs. Frost P Patterson	46.93
Genevive A. Dodds	8.45
Mrs. Frost P. Patterson	46.93
Genevive A. Dodds	8.45
	<u>132.48</u>

ROAD USE TAX

Schildberg Construction Co.	437.16
	<u>437.16</u>

RECEIPTS FOR MARCH

GENERAL	433.88
ROAD USE TAX	3691.62
FEDERAL REVENUE SHARING	176.88
TRUST & AGENCY	65.00
WATER UTILITY	3415.39
SEWER UTILITY	462.35
ELECTRIC UTILITY	12474.10
	<u>20719.22</u>

SEWER UTILITY

Dept. of Environmental Quality	10.00
First National Bank	9.50
Treasurer, State of Iowa	3.00
IPERS-FOAB	30.10
I.P.E.R.S.	21.74
Brown Supply Co.	122.25
Manchester Laboratories	30.67
Miller Oil Co.	22.70
Municipal Service & Supply Co.	22.31
National Chemsearch	108.66
Van Vleet Hardware	6.44
United Telephone Co.	10.11
Fontanelle Postmaster	2.00
Delmer Miller	17.58
Kerry Miller	38.20
Dale Sickles	63.35

Sewer Utility Continues

First National Bank	2.10
Delmer Miller	5.86
Kerry Miller	43.84
Dale Sickles	69.78
	<u>640.19</u>

Mr. Charles Dahlke met with the Council regarding the placement and hook-up of the mobile home he owns.

A Public Hearing was held at 8:00 p.m. in regards to the proposed adoption of the Municipal Code of Ordinances for the City of Fontanelle as published in the Fontanelle Observer. No objections were filed at this hearing. No citizens present.

Council Member Art Baudler introduced Ordinance No. 108 and moved that it be read by the Clerk, after which said Ordinance was discussed. Council Member Deane Darrow moved that the rule requiring said Ordinance to be read on three different days be dispensed with. Council Member Weith Westphal seconded the motion. The Roll was called, and the following voted:  
 AYES: Art Baudler, Deane Darrow, Andy Gentle and Keith Westphal.  
 NAYS: None.

Whereupon, the Mayor declared the Motion adopted.

Council Member Andy Gentle moved that Ordinance No. 108 be now adopted. Deane Darrow seconded the motion to adopt. The Roll was called, and the following voted. AYES: Art Baudler, Deane Darrow, Andy Gentle and Keith Westphal. NAYS: None

Whereupon the Mayor declared the Ordinance unanimously adopted as:

ORDINANCE NO. 108

AN ORDINANCE ADOPTING THE "CITY CODE OF THE CITY OF FONTANELLE, IOWA 1978 "

BE IT ORDAINED by the City Council of the City of Fontanelle, Iowa that:

SECTION 1. Pursuant to published notice and following public hearing on the 2nd day of April, 1979, so required by Sections 362.3 and 380.8, Code of Iowa, 1977, there is hereby adopted by the City of Fontanelle, Iowa, the "City Code of the City of Fontanelle, Iowa, 1978."

SECTION 2. All of the provisions of the "CITY CODE OF THE CITY OF FONTANELLE, IOWA, 1978" shall be in force and effect on and after the 2nd day of April, 1979.

SECTION 3. All ordinances or part thereof in force on the 2nd day of April, 1979, and not contained th the CITY CODE OF THE CITY OF FONTANELLE, IOWA, 1978, are hereby repealed from and after the 2nd day of April, 1979, except as hereafter provided.

SECTION 4. That the repeal provided for in the preceding section of this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the 2nd day of April, 1979, nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money by the City or authorizing the issuance of any bonds of said City or any evidence of said City's indebtedness or or any contract or obligation assumed by said City; nor shall said repeal affect the administrative ordinances or resolutions of the Council not in conflict or inconsistent with the provisions of "THE CITY CODE OF THE CITY OF FONTANELLE, IOWA, 1978"; nor shall it affect the following ordinances specifically saved from repeal:

<u>ORDINANCE NO.</u>	<u>ADOPTED</u>	<u>SUBJECT</u>
Ch. 28, R.O. 1912	April 29, 1912	Street Grades
1965 Municipal Code		
Ch. 54, Section 3	November 19, 1965	Street & Alley Vacations

ELECTRIC UTILITY

Transfer to Sinking & Reserve	3310.00
FIRST National Bank	286.00
Treasurer, State of Iowa	57.50
IPERS-FOAB	219.08
I.P.E.R.S.	158.13
Treasurer, State of Iowa	341.39
Brown Supply Co.	122.25
Electrical Materials Co.	167.57
Keith Westphal	87.20
Miller Oil Co.	96.49
National Chemsearch	70.86
Ralph Means	9.29
Thermogas	1.92
Van Vleet Hardware	135.59
Farmers Co-op Co.	22.20
United Telephone Co.	7.61
Western Area Power Administration	

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2451.17

SIMECA POWER SUPPLY STUDY	93.60
Central Iowa Power Co-op	2281.64
Iowa Elec. Light & Power Co	114.50
Fontanelle Postmaster	35.20
Treasurer, State of Iowa	40.98
Missouri Basin Power Agency	131.09
Delmer Miller	223.78
Kerry Miller	68.10
Dale Sickles	39.41
Evelyn Rohner	126.36
First National Bank	63.97
Farmers Electric Co-op	3.00
Delmer Miller	151.18
Kerry Miller	63.24
Dale Sickles	47.01
Evelyn Rohner	84.27
	<u>11111.58</u>

ORDINANCE NO.

ADOPTED

SUBJECT

80	October 19, 1966	Street Grades
81	October 8, 1964	Street Vacation
91	Undated	Street Grades
92	September 6, 1971	Alley Vacation
92-A	October 4, 1971	Alley Vacation
92-B	October 21, 1971	Alley Vacation
101	July 15, 1972	Alley Vacation
102	September 11, 1972	Opening Alley

Nor shall it affect any other right or franchise conferred by any ordinance or resolution of the Council on any other person or corporation; nor shall it affect any ordinance naming, establishing, relocating and vacating any street or public way, whether temporary or permanent; nor shall it affect any ordinance livying and imposing taxes; nor shall it affect any ordinance establishing building lines, establishing and changing grades, or dedicating property for public use; nor shall it affect any prosecution, suit or other proceeding pending or any judgement rendered on or prior to the 2nd day of April, 1979.

SECTION 5 Ordinances passed prior to adoption of the code. The last ordinance included in this code was Ordinance No. 50.13, passed January 20, 1977.

Section 6. An official copy of the "City Code of the City of FONTANELLE, IOWA, 1978" adopted by this ordinance, including a certificate of the City Clerk as to its adoption and the effective date, is on file in the office of the City Clerk.

SECTION 7. Copies of the "CITY CODE OF THE CITY OF FONTANELLE, IOWA, 1978" shall be kept available at the office of the City Clerk for public inspection.

SECTION 8. The City Clerk shall furnish a copy of the "CITY CODE OF FONTANELLE, IOWA, 1978" to the Judicial Magistrates serving the City of Fontanelle.

SECTION 9. This ordinance shall be in full force and effect from and after the 19th day of April, 1979.

Passed by the Council the 2nd day of April, 1979.

(Seal)

ATTEST: *Evelyn M. Rohner*  
Evelyn M. Rohner,  
CITY CLERK

*Floyd A. Walter*  
Floyd A. Walter  
Mayor

CLERK'S CERTIFICATE

I hereby certify that the foregoing was published as ordinance number 108 on the 19th day of April, 1979.

(Seal)

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

Council Member Keith Westphal introduced Ordinance No. 109 and caused it to be read, after which said Ordinance was discussed.

Motion by Deane Darrow to dispense with the rule requiring three readings. Gentle seconded the motion. The roll was called, and the following voted: AYES: Art Baudler, Deane Darrow, Andy Gentle and Keith Westphal. NAYS: None.

Whereupon, the Mayor declared the motion adopted.

Council Member Art Baudler moved that Ordinance No. 109 be adopted as read. Seconded by Keith Westphal. The Roll was called, and the following voted: AYES: Art Baudler, Deane Darrow, Andy Gentle and Keith Westphal. NAYS: None

Whereupon, the Mayor declared the Ordinance unanimously adopted as:

ORDINANCE NO. 109

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF FONTANELLE, IOWA, 1979, BY AMENDING PROVISION PERTAINING TO WATER RATES AND SERVICE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FONTANELLE, IOWA:

SECTION 1. Chapter 1, Article 3 Section 6-1.0302 ia repealed and the following adopted in lieu thereof:

First 700 gallons @ .715 per 100 gallons per month  
Next 1000 gallons @ .415 per 100 gallons per month  
Next 2000 gallons @ .33 per 100 gallons per month  
Over 3700 gallons @ .245 per 100 gallons per month  
Minumum Monthly Bill--\$5.00  
Hydrant sales - \$7.00 per thousand -Minimum load \$5.00

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 2nd day of April, 1979, and approved this 2nd day of April, 1979.

(Seal)

*Evelyn M. Rohner*

Attest: Evelyn M. Rohner  
City Clerk

*Floyd A. Walter*  
Floyd A. Walter  
Mayor

I certify that the foregoing was published as Ordinance No. 109 on the 19th day of April, 1979.

Signed: Evelyn M. Rohner  
City Clerk

(Seal)

Council Member Keith Westphal introduced and caused to be read Resolution No. 79.7 entitled, "Resolution approving statement in connection with the construction of improvements to the municipal waterworks plant and system." Council Member Keith Westphal 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, Deane Darrow Andy Gentle and Keith Westphal. NAYS: None.

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

RESOLUTION NO. 79.7

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

WHEREAS, a statement has been filed with this Council for work performed under a contract in relation to improvements to the municipal waterworks plant and system, which statement has been approved, and which has not been included in prior statements, as follows:

Contract Date	Date of Statement	Contractor (Engineer)	Amount of Statement
12/8/66	1/20/79	Kirkham, Michael & Associates	\$4,498.22

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 (Engineer)	Amount
Kirkham, Michael & Associates	\$4,498.22

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

PASSED AND APPROVED this 2nd day of April, 1979.

*Evelyn M. Rohner*

Attest: Evelyn M. Rohner  
Clerk

*Floyd A. Walter*  
Floyd A. Walter, Mayor

Council Member Andy Gentle introduced and caused to be read Resolution No. 79.7A entitled, "Resolution providing for the issuance of Water Revenue Pledge Orders." Council Member Andy Gentle moved that said resolution be adopted, seconded by Council Member Art Baudler, and after due consideration thereof by the Council, the Mayor put the question and, the roll being called the following voted: AYES: Art Baudler, Deane Darrow Andy Gentle and Keith Westphal. NAYS: None.

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

RESOLUTION NO. 79.7A

RESOLUTION PROVIDING FOR THE ISSUANCE OF WATER REVENUE PLEDGE ORDERS

WHEREAS, a statement for materials furnished and work performed under a contract in relation to improvements to the municipal waterworks plant and system has been approved by this Council as follows:

Contractor (Engineer)	Amount
Kirkham, Michael & Associates	\$4,498.22 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 there be and there is hereby authorized to be issued Water Revenue Pledge Orders of the municipality in the form now on file with the Clerk, as follows:

Pledge Order		
No.	Contractor (Engineer)	Amount of Pledge Order
31	Kirkham, Michael & Associates	\$4,498.22

Section 2. That said Pledge Orders 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 2nd day of April, 1979.

Attest: Evelyn M. Rohner, Clerk

Floyd A. Walter, Mayor

Committee Reports were heard and correspondence read.

There was discussion regarding Merrill Jones failing the Law Enforcement Academy. The Mayor, after conferring with the Council, decided to let him finish out the schooling and to keep him on as Police for as long as possible.

Delmer Miller reported that the Water pressure varies from 7 to 7.2. He plans to flush the line and clean the holding tanks. Since the meter is not registering the Council advised contacting Gary Sindelar of Kirkham, Michael & Associates and the Rockwell Meter Co. and to see that it is fixed. It was decided that Midstate Engineering should be contacted to map out the loop of the water main from the Good Samaritan Center west to 1st Street and then south under the railroad tracks to the corner of 1st & Benton Street, and they are to see that the line is flagged.

Several of the Council attended an Electrical Meeting in Sioux Falls, S.D. on supplemental power. The Council felt it advisable to meet with a representative of Missouri Basin Municipal Power Agency as soon as possible, as a decision will have to be reached soon.

Iowa Municipal Finance Officers Association will hold their meeting April 19th at Hilton Inn in Des Moines. Keith Westphal and Evelyn Rohner plan to attend.

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

Attest: Evelyn M. Rohner, Clerk

Floyd A. Walter, Mayor