

086 There was discussion regarding the installation of a hog-buying station west of town along the highway between Gene Held's and Don Wambold's. Those interested in it had ask about getting a water hook-up if the Council would permit it.

Motion by Denny Sickles to approve a water hook-up for a rural hog-buying station. Seconded by Robert Weiland. Carried.

Motion by Harold Veatch that Denny Sickles be named as Equal Opportunity Officer for the City. Seconded by Gene Jacobsen. Carried.

Motion by Denny Sickles to adjourn. Seconded by Gene Jacobsen. Carried.

Ralph D Means

Ralph D. Means, Mayor

Evelyn M. Rohner

Attest: Evelyn M. Rohner, Clerk

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Fontanelle, Iowa
December 19, 1983

The City Council met in Special Session at the City Hall, in said City, on the 19th day of December, 1983, at 7:00 o'clock p.m. The meeting was called to order and there were present Ralph D. Means, Mayor in the chair, and the following named Council Members: Denny Sickles, Gene Jacobsen, Kenneth Perry and Robert Weiland. Absent: Harold Veatch.

Council Member Robert Weiland introduced a resolution entitled: "Resolution providing for the issuance of \$60,000 General Obligation Fire Station Bonds and providing for the levy of taxes to pay the same". Council Member Robert Weiland moved that said resolution be adopted, seconded by Council Member Kenneth Perry. Whereupon, the Mayor put the question on the motion and the roll being called, the following named Council Members voted: AYES: Robert Weiland, Denny Sickles, Kenneth Perry and Gene Jacobsen. NAYS: None.

Whereupon, the Mayor declared said resolution duly passed and adopted and signed approval thereto.

RESOLUTION NO. 83.21

PROVIDING FOR THE ISSUANCE OF \$60,000 GENERAL OBLIGATION FIRE STATION BONDS AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME

WHEREAS, the City of Fontanelle, Iowa (the "City") has heretofore proposed to contract indebtedness and issue \$60,000 General Obligation Fire Station Bonds to provide funds to pay the cost, to that extent, of constructing and furnishing a building for use as a fire station (hereinafter referred to as the "Project") and has called a special city election to vote on the question of issuing such bonds, at which election the proposition was adopted by a vote in favor equal to at least 60% of the total votes cast for and against the proposition and the City may now proceed with the issuance of such bonds;

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

Section 1. That pursuant to Division III of Chapter 384 of the Code of Iowa, there are hereby authorized to be issued \$60,000 negotiable General Obligation Fire Station Bonds (the "Bonds") numbered consecutively from One (1) upwards, in the denomination of \$5,000 each, or any integral multiple thereof, to be dated the first day of January 1984. The Bonds shall become due and payable in their numerical order on June 1 in each of the respective years and in the principal amounts and bear interest at the respective rates as follows:

<u>Amount</u>	<u>Year of Maturity</u>	<u>Interest Rate Per Annum</u>
\$10,000	1985	7%
\$10,000	1986	7%
\$10,000	1987	7.25%
\$10,000	1988	7.25%
\$10,000	1989	7.75%
\$10,000	1990	7.75%

All the interest on the Bonds shall be payable June 1, 1984, and semiannually thereafter on the first day of December and June in each year. The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested by the official manual or facsimile signature of the City Clerk and shall have the City's seal impressed or printed thereon, and shall be fully registered bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owner or legal representative upon presentation and surrender of the Bond or Bonds at the office of the City Treasurer, Fontanelle, Iowa. Payment of interest on the Bonds shall be made by check or draft mailed to the registered owner at his address shown on the registration books of the City, which shall be maintained by the Treasurer, in the City, or if not so paid by check or draft, in lawful money of the United States of America at the office of the City Treasurer, Fontanelle, Iowa.

The Bonds shall be fully registered as to principal and interest in the name of the owner on the books of the City's Treasurer who shall act as Bond Registrar and Paying Agent for the City, such registration being noted upon each Bond so registered, and after such registration, payment of the principal and interest thereof shall be made only to the registered owner, his legal representatives or assigns. The Bonds shall be transferable without cost to the registered owner thereof only upon the registration books of the City upon presentation to the Treasurer, together with either a written instrument of transfer satisfactory to the Treasurer duly executed by the registered owner or his duly authorized attorney or the assignment form thereon completed and duly executed by the registered owner or his duly authorized attorney. The transfer of the Bonds shall be similarly endorsed on the reverse side thereof by the Treasurer. The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 68A.7 of the Code of Iowa.

Section 2. That the form of Bonds shall be substantially as follows:

(FORM OF BOND)

UNITED STATES OF AMERICA
STATE OF IOWA
COUNTY OF ADAIR CITY OF FONTANELLE
GENERAL OBLIGATION FIRE STATION BOND

No. _____ \$ _____

KNOW ALL BE THESE PRESENTS: That the City of Fontanelle, In the County of Adair, State of Iowa, for value received, promises to pay in lawful money of the United States of America on the maturity date of this bond to the registered owner hereof, his legal representatives or assigns, the principal amount hereof and to pay interest on such principal amount from the date of this bond, or from the most recent interest payment date on which interest has been paid, on December 1 and June 1 of each year commencing June 1, 1984, until said principal sum is paid, such registered owner, maturity date, principal amount and interest rate being as follows:

- Registered Owner:
- Maturity Date: June 1,
- Principal Amount:
- Rate of Interest Per Annum:

Interest on this bond is payable by check or draft mailed to the registered owner at the address appearing on the bond registration books of the City, or if not so paid by check or draft, in lawful money of the United States of America at the office of the City Treasurer in and of the City of Fontanelle, Iowa.

This bond is one of a duly authorized series of bonds issued by the City of Fontanelle, pursuant to and in strict compliance with the provisions of Division III of Chapter 384 and Chapter 76 of the Code of Iowa, 1983, and all laws amendatory thereof and supplementary thereto, and in conformity with a resolution of the City Council of the City duly passed, approved and recorded for the purpose of defraying the cost of constructing and furnishing a building for use as a fire station for the City

This bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of said City in the office of the City Treasurer, such registration to be evidenced by notation in the space provided hereon by the Treasurer, as well as on the books of said City kept for such purpose, after which no transfer shall be valid unless made on said books and similarly noted hereon by the City Treasurer, and then only upon presentation of this bond to the City Treasurer, together with either a written instrument of transfer satisfactory to the City Treasurer, duly executed by the registered owner or his duly authorized attorney or the assignment form hereon completed and duly executed by the registered owner or his duly authorized attorney.

The City may deem and treat the registered owner hereof as the absolute owner for the purposes of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes; and the City shall not be affected by any notice to the contrary.

088 And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within said City for the payment of the principal of and interest on this bond as the same will respectively become due; that the faith, credit, revenues and resources and all the real and personal property of said City are irrevocably pledged for the prompt payment hereof, both principal and interest; and that the total indebtedness of said City including this bond does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the City of Fontanelle, Iowa, by its City Council, has caused this bond to be signed by its Mayor and attested by its City Clerk, and with the seal of said City affixed, all the first day of January, 1984.

Ralph D Means
/s/ Ralph D. Means, Mayor

Attest: Evelyn Rohner, City Clerk
(Seal)

(Legend as to Abbreviations)

The following abbreviations, when used in the inscription on this bond, shall be construed as though they were written out in full according to applicable laws or regulations:

- TEN COM - as tenants in common
- TEN ENT - as tenants by the entireties
- JT TEN - as joint tenants with right of survivorship and not as tenants in common

Additional abbreviations may also be used though not in the list above.

(An Assignment, in the form hereinafter set out, should be printed on the back of each bond:)

ASSIGNMENT

For valuable consideration, receipt of which is here acknowledged, the undersigned assigns this bond to

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

(Please print or type name and address of Assignee)

and does hereby irrevocable appoint the Fontanelle City Treasurer, as Bond Registrar, to transfer the said bond on the books kept for registration thereof with full power of substitution.

Dated: _____
Signature guaranteed: _____

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this bond in every particular, without alteration or enlargement or any change whatever.

Section 3. That the Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be and thereupon they shall be delivered to the purchaser, upon receipt of the purchase price, the same to be not less than par value of the Bonds with accrued interest thereon, and all action heretofore taken in connection with the sale and award of the Bonds is hereby ratified and confirmed in all respects.

Section 4. That as required by Chapter 76 of the Code of Iowa, and for the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the interest on the Bonds as it falls due, and also to pay and discharge the principal thereof at maturity, there be and there is hereby ordered levied on all the taxable property in the City in each of the years while the Bonds or any of them are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there be and there is hereby levied on all the taxable property in the City the following direct annual tax for collection in each of the following fiscal years, to wit:

For collection in the fiscal year beginning July 1, 1984, sufficient to produce the net annual sum of \$16,234.00;

For collection in the fiscal year beginning July 1, 1985, sufficient to produce the net annual sum of \$13,700.00;

For collection in the fiscal year beginning July 1, 1986, sufficient to produce the net annual sum of \$13,000.00

For collection in the fiscal year beginning July 1, 1987 sufficient to produce the net annual sum of \$12,275.00;

For collection in the fiscal year beginning July 1, 1988, sufficient to produce the net annual sum of \$11,550.00;

For collection in the fiscal year beginning July 1, 1989, sufficient to produce the net annual sum of \$10,775.00;

Section 5. That a certified copy of this resolution shall be filed with the County Auditor of Adair County, and said Auditor shall be and is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for debt service fun purposes of the City and when collected, the proceeds of the taxes shall be converted into the debt service fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for noother purpose whatsoever.

Section 6. That the interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 7. That the principal proceeds of the sale of the Bonds shall be devoted to and used with due diligence for paying the costs of the Project referred to in the preamble hereof for which the Bonds are hereby authorized to be issued. The City Council represents and certifies and covenants with the purchasers and owners of the Bonds from time to time outstanding that, so long as any of the Bonds remain putstanding, moneys on deposit in any fund or account in connection with the Bonds, whether or not such moneys are derived from the proveeds of the sale of the Bonds or from any other sources, will not be used in any manner that would cause the Bonds to be arbitrage bonds under Section 103(c) of the Internal Revenue Code of 1954, as amended, and the regulations prescribed under that section. The City has not been notified of any listing or proposed listing of it by the Internal Revenue Service as a bond issuer whose arbitrage certifications may not be relied upon.

Section 8. That all resolutions or parts thereof in conflict herewith be and the same are hereby repealed to the extent of such conflict.

PASSED AND APPROVED THIS 19th day of December, 1983.

Ralph D Means
Ralph D. Means, Mayor

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

STATE OF IOWA
COUNTY OF ADAIR SS:
CITY OF FONTANELLE

I, the undersigned, City Clerk of the aforementioned City, do hereby certify that as such Clerk I have in my possession or have access to the complete corporate records of the City and of its Council and officers that I have carefully compared the transcript hereto attached with the aforesaid corporate records and that the transcript hereto attached is a true, correct and complete copy of all the corporate record in relation to the authorization, issuance and disposition of \$60,000 General Obligation Fire Station Bonds of said City referred to therein and that the transcript herto attached contains a true, correct and complete statement of all the measures adopted and proceedings, acts and thin had, done and performed upon to the present time in relation to the authorization, issuance and disposition of these bonds.

WITNESS MY HAND and the seal of the City hereto affixed this 21st day of December, 1983.

Evelyn M Rohner
City Clerk

(Seal)

STATE OF IOWA
COUNTY OF ADAIR SS:

I the undersigned, County Auditor of the aforementioned County, in the State of Iowa, do hereby certify that on the 21st day of December, 1983 the City Clerk of the City of Fontanelle filed in my office a certified copy of a resolution of such City shown to have been adopted by the Council and approved by the Mayor thereof on the 19th day of December, 1983, entitled "Resolution providing for the issuance of \$60,000 General Obligation Fire Station Bonds and providing for the levy of taxes to pay the same", and

that I have duly placed the copy of the resolution on file in my records.

I further certify that the taxes provided for in that resolution will in due time, manner and season be entered on the State and County tax lists of this County for collection in the fiscal year beginning July 1, 1984 and subsequent years as provided in the resolution

WITNESS MY HAND and the seal of the County hereto affixed this 21st day of December, 1983.

/s/ Lorraine E. Homan
County Auditor

(Seal)

In other business brought before the Council it was decided that the January regular Council Meeting would be held on January 3rd at 7:00 p.m. The employees of the City are to have December 26th and January 2nd off as their paid Holidays.

Gary Remington of Southern Iowa Council of Governments met with the Council to ask if they wanted to make an application for the coming year for the Sewer Lagoon Project. After much discussion it was decided that the City would not apply this year, but would wait until 1985 to make application for the Grant.

Motion by Gene Jacobsen to use City Watter to flood the Recreation Slab for skating purposes. Seconded by Robert Weiland. Carried.

Motion by Kenneth Perry to adjourn. Seconded by Robert Weiland. Carried.

Evelyn M. Rohner

Ralph D. Means

Attest: Evelyn M. Rohner, Clerk

Ralph D. Means, Mayor

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Fontanelle, Iowa
December 22, 1983

The Fire and Rescue Management Committee met at City Hall at 7:00 p.m. with Mayor Ralph Means presiding. Committee Members Present were: Ervin Ehm, Harold Veatch, Leroy Nelson, Kenneth Perry, & Robert Weiland. Absent: Roger Frank.

Motion by Leroy Nelson to approve the minutes of the last meeting as read. Seconded by Harold Veatch. Carried.

Motion by Ervin Ehm to approve the financial report as presented. Seconded by Leroy Nelson. Carried.

Motion by Kenneth Perry to approve bills for payment: Those bills being Fontanelle Volunteer Firemen, 10 calls and 7 meetings with 179 men responding for a total of \$716.00; Unity Welding & Supply for cylinder rent: \$22.50 and Farmer's Co-op Co. for gas \$13.00. seconded by Harold Veatch. Carried.

The Firemen are in need of 8 lanterns, gloves, and protective helmet liners. Motion by Ervin Ehm to buy 8 lanterns, gloves and helmet liners for the Firemen. Seconded by Leroy Nelson. Carried.

Motion by Harold Veatch to approve the following officers for the Fire Department: John Ehrenfried Chief; Dale Sickles Assistant Chief; and Ronnie Sickles Secretary & Treasurer. Seconded by Ervin Ehm. Carried.

The Firemen task approval for applying for a 50/50 Grant for more Protective Clothing.

Motion by Leroy Nelson to authorize the Mayor to sign the application for a Grant for Protective Clothing for the Fire Department. Seconded by Ervin Ehm. Carried.

Leroy Nelson reported that the Lions Club had sent out letters to the rural area for donations. He said that money was slow coming in but thought that it may improve after the first of the year.

There being no other business Motion was made by Robert Weiland to adjourn. Seconded by Harold Veatch. Carried.

Evelyn M. Rohner

Ralph D. Means

Attest: Evelyn M. Rohner, Clerk

Ralph D. Means, Mayor