

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

Motion by Roger Frank to approve the Agenda as posted. Seconded by Leroy Nelson. Carried.

Motion by Ervin Ehm to approve the minutes of the last meeting as read. Seconded by Kenneth Perry. Carried.

Motion by Leroy Nelson to approve the Finance Report. Seconded by Roger Frank. Carried.

Motion by Kenneth Perry to pay the bills presented for payment; those being Farmer's Co-op for Gas \$72.40; Emergency Medical Products for First Responder Kit and restraints \$181.89; Southwestern Community College for 40 hr. First Responder Class for Gerald Queck and Jim Dickerson, \$54.00. Unity Welding & Supply for cylinder rent, \$18.75

Repairs on the Jaws of Life were discussed. The motor did not work and the repairman said that the hydraulic pump was bad.

Motion by Ervin Ehm to check into the price of a motor and pump for the Jaws of Life and to call the Hurst Company where it was made and explain the difficulties that we had been having with the unit and if possible to get a new 4 cycle unit for the best price possible. Seconded by Kenneth Perry. Carried.

Fire Chief Jon Ehrenfried had received a letter from Iowa Fire Consultants, 317 E. 6th St. Ames, Iowa, stating that they make monthly checks on Fire Vehicles for \$175. per unit per year.

Motion by Kenneth Perry to have Iowa Fire Consultants check the Fire Truck each month for the quoted price of \$175. per year and to inquire as to what it would cost to check the portable generator and Jaws of Life on the 4-wheel drive truck.

Motion by Roger Frank to adjourn. Seconded by Kenneth Perry. Carried.

*Evelyn M. Rohner*

*Ralph D Means*

Attest: Evelyn M. Rohner, Clerk

Ralph D. Means, Mayor

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Fontanelle, Iowa  
March 4, 1985

The City Council met in regular session at the City Hall at 7:00 p.m. with Mayor Ralph D. Means presiding. Council Members present were: Robert Edwards, Denny Sickles, Kenneth Perry, Gene Jacobsen and Harold Veatch. Absent: None.

Motion by Denny Sickles to approve the Agenda as posted. Seconded by Robert Edwards. Carried.

Motion by Gene Jacobsen to approve the minutes of the last meetings. Seconded by Kenneth Perry. Carried.

Motion by Gene Jacobsen to approve the Clerk and Treasurer's reports. Seconded by Robert Edwards. Carried.

Motion by Kenneth Perry to approve the bills for payment. Seconded by Denny Sickles. Carried.

GENERAL FUND

First National Bank	225.26
Treasurer, State of Iowa	70.74
IPERS-FOAB	162.75
I.P.E.R.S. (Regular)	34.39
I.P.E.R.S. (Police)	267.42
Casey's General Store	146.80
Debra Sickles	13.01
Emergency Medical Products	181.89
Farmer's Co-op Co.	161.15
Farmer's Co-op Co.	72.40
Fontanelle Drug	13.50
Fontanelle Observer	163.11
Metzger Sanitation	30.00
R. E. Hays & Associates	60.00
Red Oak Office Equipment Co.	53.00
Southwestern Community College	54.00
Unity Welding & Supply	37.50
Fontanelle Postmaster	11.00
United Telephone System	118.23
Ronald Highland	438.47
Dan Richards	282.04
Evelyn Rohner	214.64
Fontanelle Postmaster	13.46
IPERS-FOAB	178.94
Blue Cross-Blue Shield	319.97

Delmer Miller	23.37
Dale Sickles	171.97
Jack Zimmerline	114.19
Ronald Highland	438.47
Dan Richards	282.04
Evelyn Rohner	185.81
Lois Ehrenfried	44.24
Valerie Edwards	6.51
Ia. Elec. Lt. & Power	215.23
	<u>4805.50</u>

LIBRARY SALARY

IPERS-FOAB	14.96
Mary K. Jensen	53.54
Cynthia McMorran	31.14
Genevive A. Dodds	13.94
IPERS-FOAB	14.96
Mary K. Jensen	53.54
Cynthia McMorran	31.14
Genevive A. Dodds	13.94
	<u>227.16</u>

ROAD USE TAX

First National Bank	83.10
Treasurer, State of Iowa	29.07
IPERS-FOAB	39.74
I.P.E.R.S.	81.23
Dale Sickles	35.55
Delmer Miller	20.12
Jack Zimmerline	13.92
Schildberg Construction	503.97
Dale Sickles	116.42
Jack Zimmerline	47.19
IPERS-FOAB	43.54
	<u>1013.85</u>

TRUST & AGENCY

City Electric Fund	30.00
David Jacobson	50.00
	<u>80.00</u>

WATER UTILITY

Transfer to Sinking and Improvement Funds	2411.00
First National Bank	115.38
Treasurer, State of Iowa	40.59
IPERS-FOAB	80.27
I.P.E.R.S.	116.06
Treasurer, State of Iowa	193.16
Casey's General Store	43.10
Dale Sickles	71.01
Delmer Miller	60.34
Farmer's Co-op Co.	26.70
Farmer's Lumber Co.	6.50
HACH	36.98
Jack Zimmerline	27.85
Van Vleet Hardware	22.39
Water Products Company	893.04
United Telephone System	14.02
Dale Sickles	97.01
Jack Zimmerline	181.18
Lois Ehrenfried	42.39
David Jacobson	3.31
Fontanelle Postmaster	15.64
Ia. Assoc. of Municipal Utility	15000.00
IPERS-FOAB	88.05
Blue Cross-Blue Shield	90.44
Delmer Miller	11.67
Dale Sickles	10.59
Jack Zimmerline	125.84
Evelyn Rohner	39.02
Lois Ehrenfried	29.49
Jack Zimmerline	26.00
Ia. Elec. Light & Power	49.33
	<u>4983.35</u>

SEWER UTILITY

First National Bank	25.69
Treasurer, State of Iowa	10.18
IPERS-FOAB	24.87
I.P.E.R.S.	30.80
Casey's General Store	28.50
Dale Sickles	141.99
Jack Zimmerline	31.46
Lois Ehrenfried	18.65
Fontanelle Postmaster	3.40
IPERS-FOAB	36.44
Blue Cross-Blue Shield	90.44
Delmer Miller	11.67
Dale Sickles	171.97
Jack Zimmerline	47.19
Ia. Elec. Light & Power	49.33
	<u>722.58</u>

ELECTRIC UTILITY

Transfer to Sinking	2580.00	145
First National Bank	316.17	
Treasurer, State of Iowa	98.57	
IPERS-FOAB	144.39	
I.P.E.R.S.	222.79	
Treasurer, State of Iowa	760.34	
Casey's General Store	58.91	
Farmer's Co-op	.35	
Farmer's Lumber Co.	47.45	
Greene County R.E.C.	467.64	
Ia. Assoc. of Municipal Util.	381.57	
Iowa Electric Supply	193.41	
Skelly 92	18.00	
Treasurer, State of Iowa	29.00	
West Dodge Electric Supply	16.64	
W.E.S.C.O.	30.18	
United Telephone System	69.23	
Delmer Miller	467.29	
Dale Sickles	50.24	
Jack Zimmerline	54.77	
Evelyn Rohner	175.60	
Lois Ehrenfried	42.39	
City Electric Fund	1.00	
David Jacobson	4.97	
Fontanelle Postmaster	47.58	
Farmer's Electric Co-op	13.12	
Ia. Assoc. of Municipal Util.	60.00	
Western Area Power Adm.	3775.20	
Missouri Basin Power Agency	187.10	
SIMECA Power Supply Study Fund	124.74	
Central Iowa Power Co-op	7484.10	
Delmer Miller	156.46	
IPERS-FOAB	164.52	
Blue Cross-Blue Shield	271.32	
Delmer Miller	420.58	
Dale Sickles	51.13	
Jack Zimmerline	27.38	
Evelyn Rohner	165.41	
Lois Ehrenfried	31.32	
Ia. Elec. Light & Power	49.33	
	<u>19260.19</u>	

RECEIPTS FOR FEBRUARY

General Fund	5486.68
Road Use Tax	2474.12
Trust & Agency	50.00
Water Utility	5148.19
Sewer Utility	1157.43
Electric Utility	20535.27
	<u>34851.69</u>

Council Member Robert Edwards introduced a Resolution entitled "Resolution Approving Mary J. Glade Sub-Division Plat" and moved for its adoption. Council Member Denny Sickles seconded the motion. Roll was called and the following voted: AYE: Harold Veatch, Kenneth Perry, Gene Jacobsen, Robert Edwards and Denny Sickles. NAY: None.

Whereupon, the Mayor declared the Resolution duly adopted as:

RESOLUTION NO. 85.A1.

RESOLUTION APPROVING  
MARY J. GLADE SUB-DIVISION PLAT

WHEREAS, Mary J. Glade, of Fontanelle, Iowa, has presented the proposed plat of Glade Subdivision, a subdivision proposed as an addition to the City of Fontanelle, Iowa, to the City Council of Fontanelle and that said City Council on the 4th day of March, 1985, has approved

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the final plat, as meeting all requirements of the City of Fontanelle, Iowa, Ordinances and Regulations and of Chapter 49, Code of Iowa, 1983 pertaining to plats and subdivisions of land, and

WHEREAS, Mary J. Glade has agreed to the proposed plat of Glade Subdivision, and

WHEREAS, the said final plat has been considered and accepted by the City of Fontanelle, Iowa.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Council of the City of Fontanelle, Iowa:

1. That the subdivision known as Glade Subdivision, December 17, 1984, is hereby approved, and the City Clerk is hereby directed to see that said plat, with a copy of this Resolution attached, is immediately recorded upon the books of Recorder of Adair County, Iowa, at the cost to said subdivider, Mary J. Glade.

2. That one copy of the plat should be placed on file with the City Records in the office of the City Clerk.

3. That the plat hereby accepted consists of only the portion which is laid out in lots and streets and the remainder of said plat within the remainder of said plat is not accepted as a plat but is subject to the regulation as to any further subdivision.

PASSED AND ADOPTED THIS 4th day of March, 1985.

*Ralph D Means*  
RALPH D. MEANS, MAYOR

ATTEST: *Evelyn M. Rohner*  
EVELYN M. ROHNER, City Clerk

Departmental reports were heard and correspondence read.

Delmer Miller reported that the transformers were in the ovens baking and that they might be shipped later this month. He was hoping they could ship both of them at once, so that we would need to call the Crane Co. only once.

As to the line to Greenfield, Mr. Armstead had said that he was interested in sharing cost to the city limits in line with the Greenfield Water Plant. Delmer suggested that an engineer would be helpful on this project in order to get commerce commission approval.

Motion by Harold Veatch to have DeWild Grant Reckert check the Sub Station and line. Seconded by Gene Jacobsen. Carried.

The City is to have the new tariff filed by July 1, 1985. The Iowa Association of Municipal Utilities is compiling a new model tariff.

There is to be an I.A.M.U. meeting to be held at the Hotel Savery in Des Moines, and Delmer expressed his desire to attend the 3 day meeting.

Motion by Gene Jacobsen to send Delmer Miller to the IAMU meeting to be held at the Hotel Savery in Des Moines and to pay his expenses. Seconded by Kenneth Perry. Carried.

Motion by Robert Edwards to buy a new chemical pump for the Water Treatment Plant. Seconded by Denny Sickles. Carried.

Gravel in most of the alleys are bad. Delmer estimated that it would probably take one load of gravel per half block. This is to be taken care of as soon as possible.

A portable generator was also discussed. Delmer and Dale Sickles had gone to look at one but felt that the age of the unit was to great to make it feasible.

The Clerk reported that there was to be a finance officers meeting in April in Des Moines.

Motion by Denny Sickles to send the City Clerk to the Iowa Municipal Finance Officers Association meeting to be held in Des Moines on April 18. Seconded by Robert Edwards. Carried.

Pastor Harold McMillin, Robert Jacobsen, Leo Jacobsen and Milo Petersen met with the Council regarding the use of the tables at the new Community Center. Since they had been loaned out without the City knowing anything about it, the Lions Club officers met to discuss what procedure should be taken. It was decided that the City Council would have final jurisdiction over the rental of the tables.

A building permit for Dennis Buckner was reviewed.

Motion by Denny Sickles to approve the Building Permit of Dennis Buckner for an addition to their residence. Seconded by Gene Jacobsen. Carried.

Council Member Kenneth Perry introduced a Resolution entitled "Resolution Adopting the Annual Budget for the Fiscal Year ending June 30, 1986" and moved for its adoption. Council Member Robert Edwards seconded the Motion to adopt. The Mayor called the roll and the following voted: AYE: Harold Veatch, Denny Sickles, Gene Jacobsen, Kenneth Perry and Robert Edwards. NAY: None.

Whereupon, the Mayor declared the Resolution duly adopted as:

On March 4, 1985, the Council of the City of Fontanelle met for the purpose of conducting a public hearing on the proposed 1985-86 Budget as published. A quorum was present.

Notice of time and place of hearing had been published on February 20, 1985 in the FONTANELLE OBSERVER and the affidavit of publication was available to file with the County Auditor.

The budget estimate was considered and taxpayers and citizens heard for and against said estimate as follows: None.

After giving opportunity for all desiring to be heard the Council adopted the following budget Resolution.

## RESOLUTION NO. 85.1

A RESOLUTION ADOPTING THE ANNUAL BUDGET  
FOR THE FISCAL YEAR ENDING JUNE 30, 1986

BE IT RESOLVED by the Council of the City of Fontanelle, Iowa: The annual budget for the fiscal year ending June 30, 1986, as set forth in the Budget Summary Certificate and in the detailed budget in support thereof showing the revenue estimates and appropriation expenditures and allocations to programs and activities for said fiscal year is adopted, and the clerk is directed to make the filings required by law and to set up herbooks in accordance with the summary and details as adopted.

PASSED AND APPROVED on March 4, 1985.

*Ralph D Means*

Ralph D. Means, Mayor

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

Council Member Harold Veatch introduced a Resolution entitled: "Resolution for Certificate of appointment of Commissioners of the Southern Iowa Regional Housing Authority of the City of Fontanelle: and moved for its adoption. Council Member Gene Jacobsen seconded the motion to adopt.

Roll was called and the following voted: AYE: Kenneth Perry, Denny Sickles, Robert Edwards, Harold Veatch and Gene Jacobsen. NAY: None.

Whereupon, the Mayor declared the Resolution duly adopted as:

## RESOLUTION NO. 85.2

RESOLUTION OF CERTIFICATE OF APPOINTMENT  
OF COMMISSIONERS OF THE SOUTHERN IOWA  
REGIONAL HOUSING AUTHORITY OF THE  
CITY OF FONTANELLE, IOWA.

WHEREAS, The City Council of Fontanelle, Iowa held a duly authorized regular meeting on the 4th of March, 1985; and

WHEREAS, at said meeting the following resolution was passed and adopted:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY of Fontanelle, Iowa

That the City Council of the City of Fontanelle, Iowa hereby make the following resolution.

WHEREAS, a resolution has been passed and adopted entitled "Resolution Approveing and Authorizing the Execution of a Certain Joint Exercise of Powers Agreement for the Purpose of Creating a Multi-County Housing Authority".

NOW THEREFORE, Pursuant to the provision of Chapter 28E. Code of Iowa, and by virtue of our office as City Council, we hereby appoint Mikeal Cass for 3 years, as the one (1) person to serve as Commissioner of the Southern Iowa Regional Housing Authority, representing the City of Fontanelle, Iowa, and to serve for the number of years appearing after his name, respectively from the 15th day of April, 1985.

IN WITNESS WHEREOF, I have hereunto signed my name as Mayor of the City Council of the City of Fontanelle, Iowa and caused the official corporate seal of said City of Fontanelle, Iowa to be aytached hereto this 4th day of Marhh, 1985.

*Ralph D Means*

Ralph D. Means,  
Mayor of the City Council  
City of Fontanelle, Iowa

ATTEST: *Evelyn M. Rohner*  
Evelyn M. Rohner  
City Clerk

Council Member Denny Sickles introduced the Ordinance Prohibiting the keeping of animals posing a risk of danger to persons or domestic animals and providing penalties and remedies; amending Title III, Chapter 2, and adding article III to the City Code of Fontanelle, Iowa for its final approval and passage and moved for its final adoption. Council Member Kenneth Perry seconded the motion. Roll was called and the following voted:

148 AYE: Harold Veatch, Gene Jacobsen, Robert Edwards, Kenneth Perry and Denny Sickles. NAY: None.

Whereupon, the Mayor declared the Ordinance duly adopted as:

ORDINANCE NO 119

AN ORDINANCE PROHIBITING THE KEEPING OF ANIMALS POSING A RISK OF DANGER TO PERSONS OR DOMESTIC ANIMALS AND PROVIDING PENALTIES AND REMEDIES; AMENDING TITLE III, CHAPTER 2, AND ADDING ARTICLE III TO THE CITY CODE OF FONTANELLE, IOWA.

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

Section 1. Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall for the purpose of this subchapter, have the meanings in this section.

"DANGEROUS ANIMALS" means (a) any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among, human beings or domestic animals and having known tendencies as a species to do so; (b) any animals declared to be dangerous by the County board of health; (c) the following animals which shall be deemed to be dangerous animals per se:

- (1) Lions, tigers, jaguars, leopard, cougars, lynx and bobcats.
- (2) Wolves, coyotes and foxes.
- (3) Badgers, wolverines, weasels, skunk and mink
- (4) Raccoons
- (5) Bears
- (6) Monkeys and chimpanzees
- (7) Bats
- (8) Alligators and crocodiles
- (9) Scorpions
- (10) Snakes that are venemous or constrictors
- (11) Gila Monsters

"VICIOUS ANIMALS" means any animals except dangerous animals per se, as listed above that has bitten or clawed a person or persons while running at large and the attack was unprovoked, or any animals that have exhibited vicious tendencies in present or past conduct, including such that said animal (a) has bitten or clawed a person or persons on two separate occasions within a 12 month period; or (b) did bite or claw once causing injuries above the shoulders of a person; or (c) could not be controlled or restrained by the owner at the time of attack to prevent the occurrence; or (d) has attacked any domestic animal or fowl on three separate occasions within a 12 month period.

KEEPING OF DANGEROUS ANIMALS PROHIBITED. No person shall keep, shelter or harbor any dangerous animal as a pet, nor act as a temporary custodian for such an animal, nor keep, shelter, or harbor such animal for any other purpose or in any other capacity within the City of Fontanelle, except as provided in the following section.

DANGEROUS ANIMAL EXCEPTIONS. The prohibition contained in the above section of this code shall not apply to the keeping of dangerous animals in the following circumstances: (1) The keeping of dangerous animals for exhibition to the public by a bonafide traveling circus, carnival exhibit or show.

(2) The keeping of dangerous animals in a bonafide, licensed veterinary hospital for treatment.

(3) Any dangerous animals under the jurisdiction of and in the possession of the Iowa Conservation Commission, pursuant to chapters 109 or 109A of the Iowa Code.

KEEPING OF VICIOUS ANIMALS PROHIBITED. No person shall keep, shelter, or harbor for any reason within the city a vicious animal so defined herein, except as provided in the definition clause.

VICIOUS ANIMAL EXCEPTIONS. The prohibition contained in the definition clause shall not apply to the keeping of vicious animals in the following circumstances: (1) Animals under the control of a law enforcement or military agency. (2) The keeping of guard dogs. However, guard dogs must be kept within a structure of fixed enclosure at all times, and any guard dog found at large may be processed as a vicious animal pursuant to the provisions of this code. Any premises guarded by a guard dog shall be prominently posted with a sign containing the wording "guard dog", "vicious dog" or words of similar import, and the owner of such premises shall inform the chief of police that a guard dog is on duty at the premises.

(a) In the event that a dangerous animal or vicious animal is found at large and unattended upon public property, park property, public right-of-way, or the property of someone other than its owner, thereby creating a hazard to person or property, such animal may, in the discretion of the Mayor or the Chief of Police, be destroyed if it cannot be confined or captured. The City shall be under no duty to attempt the confinement or capture of a dangerous or vicious animal found at large, nor shall it have a duty to notify the owner of such animal prior to its destruction.

(b) Upon the complaint of any individual that a person is keeping, sheltering, or harboring a dangerous animal or vicious animal on premises in the City of Fontanelle, the Mayor and police chief shall cause the matter to be investigated, and if after investigation, the facts indicate that the person named in the complaint is keeping, sheltering or harboring a dangerous or vicious animal in the city, the officer shall order the person named in the complaint to safely remove such animal from the City, permanently place the animal with an organization or group allowed (in the above section) to possess dangerous or vicious animals, or destroy the animal, within three days of the receipt of such an order. Such order shall be contained in a notice to remove the dangerous or vicious animal, which notice shall be given in writing to the person keeping, sheltering or harboring the dangerous or vicious animal, and shall be served personally or by certified mail. Such order and notice to remove the animal shall not be required where such animal has previously caused serious physical harm or death to any person in which case the officer shall cause the animal to be immediately seized and impounded or killed if seizure and impoundment are not possible without risk of serious physical harm or death to any person.

(c) The order to remove a dangerous or vicious animal issued by the officer may be appealed to the city council. In order to appeal such order written notice of appeal must be filed with the city clerk within three days after receipt of the order contained in the notice to remove the dangerous or vicious animal. Failure to file such written notice of appeal shall constitute a waiver of right to appeal the order of the chief officer.

(d) The notice of appeal shall state the grounds for such appeal and shall be delivered personally or by certified mail to the city clerk. The hearing of such appeal shall be scheduled within seven days of the receipt of notice of appeal. The hearing may be continued for good cause. After such hearing, the city council may affirm or reverse the order of the chief officer. Such determination shall be contained in a written decision and shall be filed with the city clerk within three days after the hearing, or any continued session thereof.

(e) If the city council affirms the action of the chief officer, the city council shall order in its written decision that the individual or entity owning, sheltering, harboring or keeping such dangerous or vicious animal, remove such animal from the city, permanently place such animal with an organization or group allowed to possess dangerous or vicious animals, or destroy it. The decision and order shall immediately be served upon the person or entity against whom rendered in the same manner as the notice of removal. If the original order of the chief officer is not appealed and is not complied with within three days or the order of the city council after appeal is not complied with within three days of its issuance, the chief officer is authorized to seize, impound or destroy such animal. Failure to comply with an order of the chief officer issued pursuant hereto and not appealed, or of the city council after appeal, shall constitute a simple misdemeanor.

#### SECTION 2. RELEASING OF ANIMALS.

(1) No person shall aid or cause any animal, whether owned by such person or not, to escape confinement or impoundment, whether such confinement be upon such persons property or that of another, by opening any gate, door, or window, by making an opening in any fence, enclosure or structure or by unleashing such animal.

(2) It shall be the duty of every person owning or having the custody or control of an animal to physically restrain the animal within an enclosure or upon a leash when such animal is left unattended outside or is not at heel. The animal must be restrained so as to prevent the animal from leaving the premises of its owner or from coming in contact with public right-of-way or the property of another. Failure to restrain an animal pursuant to the foregoing shall constitute a simple misdemeanor.

(3) It shall be prohibitive for any person in any manner to interfere with any employee or designated representative of the City, so as to hinder, delay, or prevent his executing his duties in relation to the matters and things contained in this chapter.

(4) It is unlawful for any owner or other person to abandon, turn loose, or leave any animal within the corporate limits of the city or so that the animal may find its way into the corporate limits of the City, or to abandon or leave any animal upon or in any premises unattended for a period in excess of three (3) days.

SECTION 3. 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

150 any section, provision or part hereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED BY THE CITY COUNCIL on the 4th day of March, 1985 and APPROVED this 4th day of March, 1985.

*Ralph D. Means*  
RALPH D. MEANS, MAYOR

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

Council Member Kenneth Perry introduced an Ordinance entitled: An Ordinance Adopting the Existing City Code of the City of Fontanelle, Iowa, 1979 as the Code of Ordinances of the City of Fontanelle, Iowa, 1985 and since no hearing was necessary moved for its adoption. Council Member Gene Jacobsen seconded the motion to adopt. Roll was called and the following voted: AYE: Harold Veatch, Denny Sickles, Robert Edwards, Gene Jacobsen and Kenneth Perry. NAY: None.

Whereupon, the Mayor declared the Ordinance duly adopted as:

ORDINANCE NO. 120

AN ORDINANCE ADOPTING THE EXISTING CITY CODE OF THE CITY OF FONTANELLE, IOWA, 1979, AS THE CODE OF ORDINANCES OF THE CITY OF FONTANELLE, IOWA, 1985.

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

SECTION 1. PURPOSE. The purpose of this ordinance is to comply with the provisions of Section 380.8, Code of Iowa, 1983, requiring cities to compile a code of ordinances at least once every five years.

SECTION 2. CODE ADOPTED. THE CITY CODE OF THE CITY OF FONTANELLE, IOWA, 1979, as amended by Ordinances 109 through 120, both inclusive, being found to be current and adequate for the city is hereby readopted as the CODE OF ORDINANCES OF THE CITY OF FONTANELLE, IOWA, 1985, with the following amendments:

A. TITLE. Section 1-1.0101 is repealed and the following enacted in lieu thereof:

"1-1.0101 TITLE. This Code of Ordinances shall be known as maybe cited as the "Fontanelle Municipal Code" for the purpose of prosecution in the courts."

B. DEFINITIONS. Section 1-1.0102, sub-section 8 is repealed and the following enacted in lieu thereof:

"8. 'City Code' or 'Municipal Code': shall mean the CODE OF ORDINANCES OF THE CITY OF FONTANELLE, IOWA 1985"

SECTION 3. AMENDMENTS. All general ordinances of the city passed hereafter shall be in the form of an addition, amendment or repealer to the CODE OF ORDINANCES OF THE CITY OF FONTANELLE, IOWA, 1985, and shall include prior references to title, chapter, article and section or sub-section to maintain the orderly codification of ordinances.

SECTION 4. REPEALER. All ordinances in conflict herewith are hereby repealed from and after the 20th day of March, 1985, except as hereafter provided.

SECTION 5. ORDINANCES SAVED FROM REPEAL. 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 20th day of March, 1985; 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 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 CODE OF ORDINANCES OF THE CITY OF FONTANELLE, IOWA, 1985"; nor shall it affect the ordinances specifically saved from repeal by Sections 3 and 4 or Ordinance No. 108 adopted in 1979; nor shall it affect the following ordinances specifically saved from repeal:

Ordinance No.  
111

Adopted  
May 12, 1980

Subject  
Alley Vacation

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, or vacating any street or public way, whether temporary or permanent; nor shall it affect any ordinance levying and imposing taxes; nor shall it affect any ordinance establishing building lines, establishing or changing grades, or dedicating property for public use;

nor shall it affect any prosecution, suit or other proceeding pending or any judgment rendered on or prior to the 20th day of March, 1985.

SECTION 6. COPIES ON FILE. An official copy of the "CODE OF ORDINANCES OF THE CITY OF FONTANELLE, IOWA, 1985" 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 AVAILABLE. Copies of the "CODE OF ORDINANCES OF THE CITY OF FONTANELLE, IOWA, 1985" shall be kept available at the office of the City Clerk for public inspection.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the 20th day of March, 1985.

PASSED BY THE COUNCIL the 4th day of March, 1985.

*Ralph D Means*  
Ralph D. Means, Mayor

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

CLERK'S CERTIFICATE

I hereby certify that the foregoing Ordinance No. 120 was published as required by law on the 20th day of March, 1985.

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

Motion by Harold Veatch to adjourn. Seconded by Gene Jacobsen. Carried.

*Ralph D Means*  
Ralph D. Means, Mayor

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

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Fontanelle, Iowa  
March 25, 1985

The City Council met in Special Session at the City Hall at 7:30 p.m. with Mayor Ralph D. Means presiding. Council Members present were: Robert Edwards, Gene Jacobsen, Kenneth Perry, Denny Sickles and Harold Veatch. Absent: None.

Motion by Kenneth Perry to approve the agenda as posted. Seconded by Denny Sickles. Carried.

The purpose of the meeting was to discuss alleys that need to be repaired, the cleaning up of junk, and refurbishing the city park.

C.R.O. Satellite Inc. has promised to pay for some of the rock needed to re-do the alleys. However, it was noted that they may not be willing to pay for all that it will take. Several complaints had been received on the condition of the alleys since cable was put in. It was decided that alleys that have been previously rocked should be bladed down smooth and re-rocked.

The Clerk was instructed to put an ad in the paper that everyone is ask to clean up their property and get rid of junk.

Spraying, seeding and fertilizing the park was discussed. Harold Veatch is to contact Funke Landscaping as to what it would cost to spray the park for dandelions and other weeds.

Motion by Denny Sickles to adjourn. Seconded by Harold Veatch. Carried.

*Ralph D Means*  
Ralph D. Means, Mayor

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