

Regular Meeting  
March 9, 1992

The meeting was called to order by Mayor Gearhart at 7:00 P.M. in the Council Chambers.

Council members present: Krause Sanderson, Schiebel  
" " absent: King and Lutes

Others present: Gary Moler, Randy Adelmund, Denny Hines, Chuck Friend, Don Kliebenstein, Mollis Ryken, Dick Rolston, John Ehn, Bob Kruse, representative from Construct, Inc.

The minutes of the February 10 and February 12 meetings were approved.

The treasurer's report was approved in a motion by Schiebel, second by Sanderson. Carried.

The finance committee presented the following bills:

US Auto	Parts	14.75
Grundy County Nurse	Hepatitis vaccine	3,120.60
Craig Koonce	Reimb./vaccine	142.77
IA Dept. of Natural Resources	Grade I water license	24.00
Reva Ladehoff	Cleaning	12.00
First State Bank	Box rent	10.00
Iowa Electric Light and Power	Bills 2/92	2,605.51
First State Bank	941 taxes	1,221.28
Treasurer, State of Iowa	IA WH 2/92	192.46
IPERS	IPERS 2/92	427.59
Richard Anderson	Snow removal	28.00
U. S. Post Office	Stamps	90.00
Conrad Foods	Supplies	10.67
John Hanzelka Truck Service	St. sweeper repairs	722.80
Norm Gorder	Snow removal	18.00
Averill Trucking	Hauling snow	227.50
Bill Hartwig Excavating	Hauling snow	140.00
Bob's Farm Center	Hauling snow & supplies	222.21
Dr. Arvin Steckleberg	Care/stray dog	15.00
Animal Rescue League	Board & euthanize dog	34.00
ACCO Unlimited	Supplies	195.95
Case Power and Equipment	Tractor parts	112.79
Michael Todd & Co.	Signs	84.23
Kibby, Inc.	Supplies	19.15
Gearhart Welding	Repairs/sweeper	203.78
TSC Industries	Stand light	59.99
Conrad Record	Publications	132.07
Conrad Pharmacy	Ofc. supplies	11.57
Lacal Equipment	Sweeper parts	170.35
Cessford Construction	Sylvax patch mix	84.25
Conrad Auto Supply	Supplies	146.54
GTE North	Bills	255.89
Ryken Engineering	Payment/Blythe Addition	1,800.00
Radio Communications	Pager batteries /FD	79.28
Stiner Radio Systems	Ear mike/FD	240.00
Door Doctor	Service call/FD door	35.00
Smeal Fire Equipment	Canvas/FD	118.89
Marshall Office Supply	Office supplies	7.92
Roger Moler	Recycling Service	300.00
Grundy County Sheriff	Law enforcement	3,166.66
Grundy County Landfill	Landfill	878.42

Motion by Sanderson, second by Krause that the above bills be accepted and warrants drawn on the same. Carried.

Total revenue for February 1992 - \$10,483.19	
General - 2,473.73	Road Use Tax - 4,490.84
Sewer - 1,175.42	Tax Inc. Fund - 37.85
Water - 2,240.07	Debt Service - 65.28

Gary Moler reported the following:

- Will <sup>deal</sup> sludge when weather is dry
- Sewer plant and wells are operating fine
- Will run EPA check samples this week

Randy noted the following:

- Several streets need seal coat - Walnut, Alma, places on Washington and Grundy from Main to Vernon
- Will fill pot holes
- Received three complaints on alleys - told citizens to buy the rock and the city would spread it

Mayor Gearhart asked Krause and Sanderson to check Wellhouse #3 and see what repairs need to be made. They will make a recommendation to the council at the next regular meeting.

Also in that same area, at the line where mowed area stops and water ponds, Gary and Randy have removed a stump and will remove some small trees so it can be filled in and smoothed out.

Denny Hines discussed the fact that social security and medicare need to be withheld from the volunteer firemen according to the IRS. Don Kliebenstein felt there was no legal way around the problem. Hines was to attend a County Fire meeting this week to see what other Grundy County towns are doing about it.

Don Kliebenstein stated that he would visit with Shane Tiernan and work out an agreement in regard to payment to the city when lots are sold in the Blythe Addition.

Side yard requirements in the C2 district were discussed. If they are changed the recommendation will need to come from the Planning and Zoning Commission and then the Code changed by ordinance. The 25 ft. side yard requirement on a corner lot seems excessive.

Mayor Gearhart asked that Don Kliebenstein check to see if the two streets in the Blythe Commercial district have been deeded to the city.

The budget hearing was held at 7:45 P.M. as advertised. There were no objections. Sanderson made the motion that the budget for FY 92 - 93 be accepted. Second by Schiebel and carried.

Resolution

Council member Schiebel introduced the resolution approving and authorizing a Loan Agreement and providing for the issuance of a \$225,000 General Obligation Corporate Purpose Note and providing for the levy of taxes to pay the same and moved it be adopted. Council member Sanderson seconded the motion to adopt.

Roll call vote: Ayes: Krause, Sanderson, Schiebel  
Nays: None

Mayor Gearhart declared the resolution duly passed and adopted this 9th day of March, 1992.

  
Bill Gearhart, Mayor

Attest:   
Carol Whipple, Clerk

The public hearing in regard to the plans, specs and receipt of bids for the Blythe's Addition Improvement Project was held at 8:00 P.M. There were no objections to the project.

Resolution

Council member Schiebel introduced the resolution approving and confirming plans, specifications and form of contract for the Blythe's Addition Improvement Project and moved it be adopted. Council member Sanderson seconded the motion to adopt.

Roll call vote: Ayes: Krause, Sanderson, Schiebel  
Nays: None

Mayor Gearhart declared the resolution duly passed and adopted this 9th day of March, 1992.

EXTRA COPY

420912-2 (Issuance - G.O.)

Conrad, Iowa

March 9, 1992

The City Council of the City of Conrad, Iowa, met on March 9, 1992, at 7:00 o'clock <sup>P</sup>.m., at the City Hall, Conrad, Iowa.

The meeting was called to order by the Mayor, and the roll was called showing the following named Council Members present and absent:

Present: Krause, Sanderson & Schiebel

Absent: King & Lutes

After due consideration and discussion, Council Member Schiebel introduced the resolution, ~~next~~ hereinafter set out and moved its adoption, seconded by Council Member Sanderson. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following named Council Members voted:

Ayes: Krause, Sanderson & Schiebel

Nays: None

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

RESOLUTION NO. \_\_\_\_\_

Approving and authorizing a Loan Agreement and providing for the issuance of a \$225,000 General Obligation Corporate Purpose Note and providing for the levy of taxes to pay the same

WHEREAS, pursuant to the provisions of Section 384.24A of the Code of Iowa, the City of Conrad, Iowa (the "City"), has heretofore proposed to contract indebtedness and enter into a loan agreement in the principal amount of \$180,000 to provide funds to pay the cost, to that extent, of the construction, reconstruction, improvement, extension and equipping of the Municipal Waterworks System of the City; the construction of works and facilities useful for the collection and disposal of sewage and industrial wastes in a sanitary manner; the construction of works and facilities useful for the collection and disposal of surface waters and streams; the construction, reconstruction and repair of street improvements; and the acquisition of street and sanitation equipment and fire department equipment, and has published notice of the proposed action and has held a hearing thereon; and

WHEREAS, pursuant to the provisions of Section 384.24A of the Code of Iowa, the City has heretofore proposed to contract indebtedness and enter into a loan agreement in the principal amount of \$45,000 for the purpose of paying the cost, to that extent, of acquiring land within the Conrad Urban Renewal Area for economic development purposes, and has published notice of the proposed action and has held a hearing thereon, and no petition has been filed with the City Clerk of the City asking that the question of entering into such loan agreement be submitted to the qualified electors of the City; and

WHEREAS, pursuant to the provisions of the Code of Iowa, the Council may include in a single resolution any number or combination of essential corporate purposes and general corporate purposes and enter into a single loan agreement in the combined principal amount of \$225,000 (the "Loan Agreement"); and

WHEREAS, it is necessary at this time to authorize and approve the Loan Agreement and to make provision for the issuance of a General Obligation Corporate Purpose Note in the principal amount of \$225,000 (the "Note") in evidence of the obligation of the City under the Loan Agreement;

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

Section 1. The City hereby determines to enter into the Loan Agreement with First State Bank, Conrad, Iowa, as lender (the "Lender"), in substantially the form as has been placed on file with the Council, providing for a loan to the City in the principal amount of \$225,000 for the purposes set forth in the preamble hereof.

The Mayor and City Clerk are hereby authorized and directed to sign the Loan Agreement on behalf of the City, and the Loan Agreement is hereby approved.

Section 2. The Note is hereby authorized to be issued in the principal amount of \$225,000, and shall be dated as of the date of its delivery to the Lender and shall be payable as to both principal and interest in the manner hereinafter specified.

The City Clerk is hereby designated as the registrar and paying agent for the Note and may be hereinafter referred to as the "Registrar" or the "Paying Agent".

Principal of the Note shall bear interest until paid from the date of the Note or from the last date on which interest has been paid at the rate of 5.45% per annum. Both principal of and interest on the Note shall be payable in 13 equal semi-annual installments in the amount of \$15,000 each, due on June 1 and December 1 in each year, commencing December 1, 1992, and one final installment of all remaining principal and interest due thereon at maturity on June 1, 1999. All payments shall be applied first to the payment of interest due and next to the reduction of principal.

Payment of both principal of and interest on the Note shall be made to the registered owner appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the payment date and shall be paid by check or draft mailed to the registered owner at the address shown on such registration books; provided, however, that the final installment of principal and interest shall be payable only upon presentation and surrender of the Note to the Paying Agent.

The City reserves the right to prepay principal of the Note in whole or in part at any time prior to and in inverse order of maturity on terms of par and accrued interest. All principal so prepaid shall cease to bear interest on the prepayment date.

The City hereby pledges the faith, credit, revenues and resources and all of the real and personal property of the City for the full and prompt payment of the principal of and interest on the Note.

The Note shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile

signature of the City Clerk and shall have the City's seal impressed or printed thereon and shall be a fully registered Note without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Note shall cease to be such officer before the delivery of the Note, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Note shall be fully registered as to principal and interest in the name of the owner on the registration books of the City kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owner or its legal representatives or assigns. The Note shall be transferable without cost to the registered owner thereof only upon the registration books of the City upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of any owners of the Note shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 3. The Note shall be in substantially the following form:

(Form of Note)

**UNITED STATES OF AMERICA  
STATE OF IOWA COUNTY OF GRUNDY  
CITY OF CONRAD**

**GENERAL OBLIGATION CORPORATE PURPOSE NOTE**

No. 1

\$225,000

RATE	MATURITY DATE	NOTE DATE
5.45%	June 1, 1999	March 16, 1992

The City of Conrad (the "City"), in the County of Grundy, State of Iowa, for value received, promises to pay in the manner hereinafter provided to

**FIRST STATE BANK  
Post Office Box 10  
Conrad, Iowa 50621**

or registered assigns, the principal sum of TWO HUNDRED TWENTY FIVE THOUSAND DOLLARS, together with interest on the outstanding principal hereof from the date of this Note, or from the most recent payment date on which interest has been paid, except as the provisions hereinafter set forth with respect to prepayment prior to maturity may be or become applicable hereto.

Principal of this Note shall bear interest until paid from the date of this Note or from the last date on which interest has been paid at the rate of 5.45% per annum. Both principal of and interest on this Note shall be payable in 13 equal semi-annual installments in the amount of \$15,000 each, due on June 1 and December 1 in each year, commencing December 1, 1992, and one final installment of all remaining principal and interest due thereon at maturity on June 1, 1999. All payments shall be applied first to the payment of interest due and next to the reduction of principal.

Both principal of and interest on this Note are payable to the registered owner appearing on the registration books of the City maintained by the City Clerk, Conrad, Iowa (hereinafter referred to as the "Registrar" or the "Paying Agent") at the close of business on the fifteenth day of the month next preceding the payment date in lawful money of the United States of America by check or draft mailed to the registered owner

at the address shown on such registration books; provided, however, that the final installment of principal and interest shall be payable only upon presentation and surrender of this Note to the Paying Agent.

This Note is issued by the City to evidence its obligation under a certain Loan Agreement, dated March 16, 1992 (the "Loan Agreement") entered into by the City for the purpose of providing funds to pay a portion of the cost of the construction, reconstruction, improvement, extension and equipping of the Municipal Waterworks System of the City; the construction of works and facilities useful for the collection and disposal of sewage and industrial wastes in a sanitary manner; the construction of works and facilities useful for the collection and disposal of surface waters and streams; the construction, reconstruction and repair of street improvements; the acquisition of street and sanitation equipment and fire department equipment; and the acquisition of land within the Conrad Urban Renewal Area for economic development purposes.

This Note is issued pursuant to and in strict compliance with the provisions of Chapter 384 and Chapter 76 of the Code of Iowa, 1991, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the City Council authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of this Note (the "Resolution"), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of this Note and the rights of the owner of this Note.

The City reserves the right to prepay principal of this Note, in whole or in part, at any time prior to and in inverse order of maturity on terms of par and accrued interest. All principal so prepaid shall cease to bear interest on the prepayment date.

This Note is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Note to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose 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, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

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 Note 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 the City for the payment of the principal of and interest on this Note as the same will respectively become due; that the faith, credit, revenues and resources and all the real and personal property of the City are irrevocably pledged for the prompt payment hereof, both principal and interest; and that the total indebtedness of the City, including this Note, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the City of Conrad, Iowa, by its City Council, has caused this Note to be sealed with its official seal, to be executed by its Mayor and attested by its City Clerk, all the 16th day of March, 1992.

CITY OF CONRAD, IOWA

By \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

(Seal)

**ABBREVIATIONS**

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

TEN COM - as tenants in common	UTMA _____ (Custodian)
TEN ENT - as tenants by the entireties	As Custodian for _____
JT TEN - as joint tenants with right of survivorship and not as tenants in common	(Minor) under Uniform Transfers to Minors Act _____ (State)

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

**ASSIGNMENT**

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Note to

\_\_\_\_\_  
(Please print or type name and address of Assignee)

\_\_\_\_\_  
PLEASE INSERT SOCIAL SECURITY OR OTHER  
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint \_\_\_\_\_  
Attorney, to transfer this Note 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 Note in every particular, without alteration or enlargement or any change whatever.

Section 4. The Note shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration and delivery to the Lender, upon receipt of the loan proceeds, and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects.

Section 4. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Note as the same become due, there is hereby ordered levied on all the taxable property in the City in each of the years while the Note is outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, 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, 1992,  
sufficient to produce the net annual sum of \$30,000;

For collection in the fiscal year beginning July 1, 1993,  
sufficient to produce the net annual sum of \$30,000;

For collection in the fiscal year beginning July 1, 1994,  
sufficient to produce the net annual sum of \$30,000;

For collection in the fiscal year beginning July 1, 1995,  
sufficient to produce the net annual sum of \$30,000;

For collection in the fiscal year beginning July 1, 1996,  
sufficient to produce the net annual sum of \$30,000;

For collection in the fiscal year beginning July 1, 1997,  
sufficient to produce the net annual sum of \$30,000;

For collection in the fiscal year beginning July 1, 1998,  
sufficient to produce the net annual sum of \$109,882.

Section 5. A certified copy of this resolution shall be filed with the County Auditor of Grundy 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 Fund 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 Note hereby authorized and for no other purpose whatsoever.

Section 6. 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 to the sum thus advanced.

Section 7. It is the intention of the City that interest on the Note be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Note will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The City hereby designates the Note as a "Qualified Tax Exempt Obligation" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

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

Passed and approved on March 9, 1992.

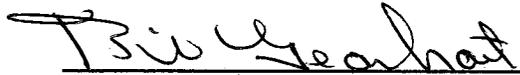
  
\_\_\_\_\_  
Mayor

Attest:

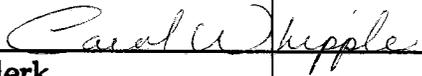
  
\_\_\_\_\_  
City Clerk

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On motion and vote, the meeting adjourned.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

STATE OF IOWA  
COUNTY OF GRUNDY  
CITY OF CONRAD

SS:

I, the undersigned, City Clerk of the aforementioned City, do hereby certify that as such City Clerk I have in my possession or have access to the complete corporate records of the City and of its Council and officers and 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 records in relation to the authorization and approval of a certain Loan Agreement and the issuance of a \$225,000 General Obligation Corporate Purpose Note of said City evidencing the City's obligation under the Loan Agreement and that the transcript hereto attached contains a true, correct and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time with respect thereto.

I further certify that no petition of protest or objections of any kind have been filed or made objecting to the Loan Agreement, to the issuance of the Note or to the levy of taxes to pay the principal of and interest on the Note; no petition has been filed asking that the question of entering into the Loan Agreement be submitted to the qualified electors of the City; and no appeal has been taken to the District Court from the decision of the City Council to enter into the Loan Agreement, to issue the Note or to levy such taxes.

WITNESS MY HAND and the seal of the City hereto affixed this 9th day of March, 1992.

(Seal)

  
\_\_\_\_\_  
City Clerk

STATE OF IOWA

SS:

COUNTY OF GRUNDY

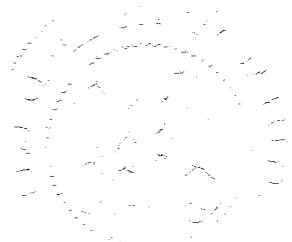
I, the undersigned, County Auditor of the aforementioned County, in the State of Iowa, do hereby certify that on the 12th day of March, 1992, the City Clerk of the City of Conrad filed in my office a certified copy of a resolution of such City shown to have been adopted by the Council and approved by the Mayor thereof on March 9, 1992, entitled: "Resolution approving and authorizing a Loan Agreement and providing for the issuance of a \$225,000 General Obligation Corporate Purpose Note 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, 1992, and subsequent years as provided in the resolution.

WITNESS MY HAND and the seal of the County hereto affixed this 12th day of March, 1992.

Mary L. Schmidt  
County Auditor

(Seal)



MINUTES OF MEETING TO APPROVE  
PLANS AND SPECIFICATIONS AND  
FORM OF CONTRACT AND TO RECEIVE  
BIDS

420912-2 (L)

EXTRA COPY

Conrad, Iowa

March 9, 1992

The City Council of the City of Conrad, Iowa, met in regular session at the Council Chambers, City Hall, in Conrad, Iowa, at 8:00 o'clock p.m., on March 9, 1992, pursuant to previous resolution and published notice. The meeting was called to order, the Mayor presided and the roll being called, the following named Council Members were present and absent:

Present: Krause, Sanderson & Schiebel

Absent: King & Lutes

The Mayor announced this was the time and place set for hearing and inspection of bids for the proposed Blythe's Addition Improvement Project.

Upon investigation, it was found that No persons had appeared and filed objections to the proposed plans, specifications or contract for or cost of such Blythe's Addition Improvement Project as follows:

(Insert the word "no" in the blank space above or list here the names of objectors and the types of objections, if any are filed.)

The Council heard said objectors and evidence for or against the proposed Blythe's Addition Improvement Project whereupon the Mayor declared the hearing closed. After further consideration it was found that said objections were without merit and it was moved by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ that all objections be removed. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Whereupon, the Mayor declared the said motion duly carried.

Council Member Schiebel introduced the following resolution and moved its adoption, seconded by Council Member Sanderson; and 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: Krause, Sanderson & Schiebel

Nays: None

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

RESOLUTION NO. \_\_\_\_\_

Finally approving and confirming plans, specifications and form of contract for the Blythe's Addition Improvement Project

WHEREAS, this Council has heretofore approved plans, specifications and form of contract for the proposed Blythe's Addition Improvement Project (the "Project"), as described in the resolution providing for a notice of hearing on proposed plans and specifications, proposed form of contract and estimate of cost of the Project and the taking of bids therefor; and

WHEREAS, hearing has been held on objections to the proposed plans, specifications and form of contract and to the cost of the Project and all objections thereto have been overruled;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Conrad, Iowa, as follows:

Section 1. The plans, specifications and form of contract referred to in the preamble hereof be and the same are hereby finally approved, and the prior action of the Council approving them is hereby finally confirmed, and the Project, as provided for in the plans, specifications and form of contract, is necessary and desirable.

Section 2. All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Passed and approved March 9, 1992.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

The Mayor announced that this was the time and place set for the reception and consideration of bids for the Blythe's Addition Improvement Project.

It was moved by Council Member Krause and seconded by Council Member Sanderson that the Mayor and the City Clerk proceed with the opening of such proposals as had been filed, after first ascertaining that the required bid security accompanied each such proposal. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Krause, Sanderson & Schiebel

Nays: None

Thereupon, the Mayor declared the said motion duly carried and the Mayor and the City Clerk proceeded accordingly.

Bids and proposals which had been submitted for the construction of the Blythe's Addition Improvement Project were then opened and considered, and it was found that the following bids and proposals had been received:

Name and Address of Bidder

Amount of Bid

(List here or attach a sheet listing proposals received.)

1. Con-struct, Inc. Box 658 Marshalltown, IA 50158	83,634.00
2. Brycon Corporation 911 North Center Street Marshalltown, IA 50158	86,490.70
3. Wicks Construction, Inc. Box 428 Decorah, IA 52101	85,329.25
4. Manatt's Inc. Box AJ Brooklyn, IA 52211	97,059.00

MINUTES OF MEETING TO AWARD  
CONTRACT

420912-2

Conrad, Iowa

March 9, 1992

The City Council of the City of Conrad, Iowa, met in regular session at the City Hall, in Conrad, Iowa, at 8:30 o'clock p.m., on March 9, 1992, pursuant to adjournment and the rules of this Council. The meeting was called to order by the Mayor and the roll being called, there were present the following named Council Members:

Present: Krause, Sanderson & Schiebel

Absent: King & Lutes

The Council further considered proposals received for the proposed Blythe's Addition Improvement Project and embodied its findings in the resolution next hereinafter referred to.

Council Member Schiebel introduced a resolution entitled: "Resolution awarding contract for the Blythe's Addition Improvement Project", and moved that the said resolution be adopted; seconded by Council Member Krause; and 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: Krause, Sanderson & Schiebel

Nays: None

Whereupon, the Mayor declared the said motion duly carried and the said resolution duly adopted.

RESOLUTION NO. \_\_\_\_\_

Awarding contract for the Blythe's Addition Improvement Project

WHEREAS, pursuant to notice duly published in the manner and form prescribed by resolution of this Council and as required by law, bids and proposals were received by the City Clerk and reported to this Council for the Blythe's Addition Improvement Project (the "Project"); and

WHEREAS, all of the said bids and proposals have been carefully considered, and it is necessary and advisable that provision be made for the award of the contract for the Project;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Conrad, Iowa, as follows:

Section 1. The bid for the Project submitted by the following contractor is fully responsive to the plans and specifications for the Project, heretofore approved by the Council, and is the lowest responsible bid received, such bid being as follows:

<u>Name and Address of Contractor</u>	<u>Amount of Bid</u>
Con-struct Inc	\$ 83,634.00
PO Box 658	
1710 East Main Street	
Marshalltown, IA 50158	

Section 2. The contract for the Project be and the same is hereby awarded to such contractor at the total estimated cost set out above, the final settlement to be made on the basis of the unit prices therein set out and the actual final quantities of each class of materials furnished, the said contract to be subject to the terms of the aforementioned resolution, the notice of hearing and letting, the plans and specifications and the terms of the bidder's written proposal.

Section 3. The Mayor and City Clerk be and they are hereby authorized and ordered to enter into a written contract with said contractor for the Project, said contract not to be binding until approved by resolution of this Council.

Bill Gearhart  
Bill Gearhart, Mayor

Attest: Carol Whipple  
Carol Whipple, Clerk

The bids were opened by Don Kliebenstein and are as follows:

Construct, Inc., Marshalltown	83,634.00	5% bid bond
Brycon Corp., Marshalltown	86,490.70	5% bid bond
Wicks, Inc., Decorah	85,329.25	5% bid bond
Manatts, Inc., Brooklyn	97,059.00	5% bid bond

Resolution

Council member Schiebel introduced the resolution awarding contract for the Blythe's Addition Improvement Project to Construct, Inc., Marshalltown in the amount of \$83,634.00 and moved it be adopted. Council member Krause seconded the motion to adopt.

Roll call vote: Ayes: Krause and Schiebel  
Nays: Sanderson

A discussion followed on the merit of splitting the project so a part of it could be bid on locally.

A second roll call vote was taken: Ayes: Krause, Schiebel, Sanderson  
Nays: None

Mayor Gearhart declared this resolution duly passed and adopted this 9th day of March, 1992.

Bill Gearhart  
Bill Gearhart, Mayor

Attest: Carol Whipple  
Carol Whipple, Clerk

Mayor Gearhart quoted the prices of contour maps showing flood plain elevations obtained from John Cleary. A map of the whole town would be \$13,741 and the area along the creek \$4,085 without engineering costs, which would be minimal. Instead of this, the council agreed to have Ryken Engineering establish the flood plain in the Blythe Addition and show this on a map.

The council agreed to have Mayor Gearhart negotiate lawn mowing for the summer with the same individuals who mowed last year.

There was a motion by Schiebel, second by Krause to authorize Mayor Gearhart to enter into a contract with the Green Thumb Program. Carried. This program allows a person 55 or older to work for a city or non-profit organization 20 hours a week. There is no cost to the city and the contract can be terminated at any time. They would like the city to pay all or part of the workers \$364 workman's compensation but this is not required.

Mayor Gearhart noted that when the library roof blew off that several screens, a storm window and some paint were damaged on Johanna Katzer's home. The council agreed to have the screens and storm repaired at Kibby Hardware and also to purchase a quart of paint.

Dick Rolston said he had been approached by the Development Committee and private individuals to remove trees from the area west of Wilhelm Street and would like some kind of policy or guidelines.

After some discussion, it was established that Rolston would make the decision as to what trees will be moved using a tree spade or some other suitable method. For the present the trees may be used by the city or the Development Committee but are not for sale to private individuals.

John Ehn, chairman of the Park Board, will discuss the Park Board taking over this area with Dick Rolston in charge of the care and planting of trees and the city buying the trees and chemicals.

The meeting was adjourned in a motion by Sanderson, second by Krause.

Bill Gearhart  
Bill Gearhart, Mayor

Attest: Carol Whipple  
Carol Whipple, Clerk