

CITY OF SIGOURNEY, IOWA  
MINUTES OF REGULAR COUNCIL MEETING OF  
WEDNESDAY, JANUARY 21, 1998

The Sigourney City Council met in regular session in the Council Chambers of the Memorial Hall on Wednesday, January 21, 1998, at 7:00 o'clock P.M. with Mayor Pro tem Douglas L. Glandon presiding, in the absence of Mayor Gosnell, and the following Councilmembers answering roll call: Lyle G. Van Fleet, Douglas L. Glandon, Bob L. Mendenhall, Jeffrey A. Winn, and Ed Conrad. Rich Wilkening had taken the Oath of Office as Councilmember-at-Large on January 15th, but was unable to attend this meeting. In addition to the City Clerk, others present were: Michael R. Welter, Greg Brower, David Gerard, Thomas Bates, Laurie Appleget, and Gini Garrett. Both Kenneth D. Bucklin and Alana Lemons arrived later.

Councilmember Van Fleet moved that the agenda be approved as posted, after the deletion of items 12 (Joensy's), 14 (Memorial Hall), 15 (Park & Recreation), and 17 (Street and Sanitation). The second was by Councilmember Winn. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, and Conrad. Nays: None. The motion was approved.

The Mayor Pro tem announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$1,075,000 General Obligation Capital Loan Notes, Series 1998, in order to provide funds to pay costs of sewer construction, including refunding indebtedness previously issued by the City for a portion thereof, and for the Downtown Streetscape Renovation Project, which includes water, sewer, paving and lighting, together with related work, an essential corporate purpose, and that notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes, had been published pursuant to the provisions of Sections 384.24, 384.24A and 384.25 of the City Code of Iowa, as amended.

The Mayor Pro tem then asked the City Clerk whether any written objections to the proposal had been filed by any city resident or property owner. The Clerk advised the Mayor Pro tem and the Council that no written objections had been filed. The Mayor Pro tem then called for oral objections to the proposal and none were made. Whereupon, the Mayor Pro tem declared the time for receiving oral and written objections and the hearing closed.

Whereupon, Councilmember Conrad introduced the following Resolution and moved for its adoption:

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE  
ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN  
AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED  
\$1,075,000 GENERAL OBLIGATION CAPITAL LOAN NOTES,  
SERIES 1998

WHEREAS, pursuant to notice published as required by law, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$1,075,000 General Obligation Capital Loan Notes, Series 1998, for the purpose of paying costs of sewer construction, including refunding indebtedness previously issued by the City for a portion thereof, and for the Downtown Streetscape Renovation Project, which includes water, sewer, paving and lighting, together with related work, and has considered the extent of objections received from residents or property owners as to said proposal and, accordingly the following action is now considered to be in the best interests of the City and residents thereof:

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF SIGOURNEY, IOWA:

Section 1. That this Council does hereby institute proceedings and takes additional action for the authorization of a Loan Agreement and issuance in the manner required by law of not to exceed \$1,075,000 General Obligation Capital Loan Notes, Series 1998, to evidence the obligation thereof for the foregoing purpose.

Section 2. That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2, because the City reasonably expects to reimburse with the proceeds of the Notes, all or a portion of original expenditures incurred in connection with the above purposes.

Section 3. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, Series 1998, evidencing the City's obligations to a principal amount of not to exceed \$1,075,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

The second was by Councilmember Van Fleet. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, and Conrad. Nays: None. The Resolution was adopted.

Councilmember Van Fleet introduced the following Resolution and moved for its adoption:

RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$885,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 1998, AND LEVYING A TAX TO PAY THE NOTES

WHEREAS, the Issuer is duly incorporated, organized and exists under and by virtue of the laws and Constitution of the State of Iowa; and

WHEREAS, the Issuer is in need of funds to pay costs of sewer construction, including refunding indebtedness previously issued by the City for a portion thereof, and for the Downtown Streetscape Renovation Project, which includes water, sewer, paving and lighting, together with related work, for an essential corporate purpose, and it is deemed necessary and advisable that a form of Loan Agreement be approved and authorized and General Obligation Capital Loan Notes, Series 1998, in the amount of \$885,000 be issued for said purpose; and

WHEREAS, pursuant to notice published as required by Sections 384.24, 384.24A and 384.25 of the City Code of Iowa, as amended, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of \$1,075,000 Notes, and the Council is therefore now authorized to proceed with the issuance of \$885,000 of the Notes:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF SIGOURNEY, IOWA:

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Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- \* "Issuer" and "City" shall mean the City of Sigourney, Iowa.
- \* "Loan Agreement" shall mean a Loan Agreement between the Issuer and a lender or lenders, to be drafted and approved at a later date.
- \* "Note Fund" shall mean the fund required to be established by Section 4 of this Resolution.
- \* "Notes" shall mean \$885,000 General Obligation Capital Loan Notes, Series 1998, authorized to be issued by the Resolution.
- \* "Paying Agent" shall be the City Clerk, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Notes as the same shall become due.
- \* "Project" shall mean the costs of sewer construction, including refunding indebtedness previously issued by the City for a portion thereof, and for the Downtown Streetscape Renovation Project, which includes water, sewer, paving and lighting, together with related work.
- \* "Project Fund" shall mean the fund required to be established by this Resolution for the deposit of the proceeds of the Notes.
- \* "Rebate Fund" shall mean the fund so defined in and established pursuant to the Tax Exemption Certificate.
- \* "Registrar" shall be the City Clerk of Sigourney, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Notes. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Notes.
- \* "Treasurer" shall mean the City Clerk/Treasurer or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Notes issued hereunder.

Section 2. The form of Loan Agreement in substantially the form attached to this Resolution is hereby approved and is authorized to be executed and issued on behalf of the Issuer by the Mayor and attested by the City Clerk.

Section 3. Levy and Certification of Annual Tax; Other Funds to be Used.

(a) Levy of Annual Tax. That for the purpose of providing funds to pay the principal and interest of the Notes hereinafter authorized to be issued, there is hereby levied for each future year the following direct annual tax on all of the taxable property in Sigourney, Iowa, to-wit:

<u>AMOUNT</u>	<u>FISCAL YEAR (JULY 1 TO JUNE 30)</u> <u>YEAR OF COLLECTION</u>
\$ 42,355	1998/1999
\$ 40,755	1999/2000
\$ 39,115	2000/2001
\$ 37,435	2001/2002
\$ 35,500	2002/2003
\$ 33,520	2003/2004
\$ 31,270	2004/2005
\$ 28,970	2005/2006
\$ 26,620	2006/2007
\$ 23,980	2007/2008
\$ 21,040	2008/2009
\$ 18,040	2009/2010
\$ 14,758	2010/2011
\$ 11,443	2011/2012
\$ 7,838	2012/2013
\$ 3,938	2013/2014

(NOTE: For example the levy to be made and certified against the taxable valuations of January 1, 1997, will be collected during the fiscal year commencing July 1, 1998.)

(b) Resolution to be Filed with County Auditor. A certified copy of this Resolution shall be filed with the County Auditor of Keokuk County, Iowa, and the Auditor is hereby instructed in and for each of the years as provided, to levy and assess the tax hereby authorized in Section 3 of this Resolution, in like manner as other taxes are levied and assessed, and such taxes so levied in and for each of the years aforesaid be collected in like manner as other taxes of the City are collected, and when collected be used for the purpose of paying principal and interest on said Notes issued in anticipation of the tax, and for no other purpose whatsoever.

(c) Additional City Funds Available. Principal and interest coming due at anytime when the proceeds of said tax on hand shall be insufficient to pay the same shall be promptly paid when due from current funds of the City available for that purpose and reimbursement shall be made from such special fund in the amounts thus advanced.

Section 4. Note Fund. Said tax shall be assessed and collected each year at the same time and in the same manner as, and in addition to, all other taxes in and for the City, and when collected they shall be converted into a special fund within the Debt Service Fund to be known as the "GENERAL OBLIGATION CAPITAL LOAN NOTE FUND 1998 NO. 1" (the "Note Fund"), which is hereby pledged for and shall be used only for the payment of the principal of and interest on the Notes hereinafter authorized to be issued; and also there shall be apportioned to said fund its proportion of taxes received by the City from railway, express, telephone and telegraph companies and other taxes assessed by the Iowa State Department of Revenue.

Section 5. Application of Note Proceeds. Proceeds of the Notes other than accrued interest except as may be provided below shall be credited to the Project Fund and expended only for the purposes of the Project. Any amounts on hand in the Project Fund shall be available for the payment of the principal of or interest on the Notes at any time that other funds shall be insufficient to the purpose, in which event such funds shall be repaid to the Project Fund at the earliest opportunity. Any balance on

hand in the Project Fund and not immediately required for its purposes may be invested not inconsistent with limitations provided by law or this Resolution. Accrued interest, if any, shall be deposited in the Note Fund.

Section 6. Investments of Note Fund Proceeds. All moneys held in the Note Fund and the Project Fund, shall be invested in investments permitted by Chapter 12B, Code of Iowa, 1997 (formerly Chapter 452, Code of Iowa, as amended) or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured by a valid pledge of direct obligations of the United State Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for payment of principal of or interest on the Notes as herein provided.

Section 7. Note Details, Execution and Redemption.

(a) Note Details. General Obligation Capital Loan Notes, Series 1998, of the City in the total amount of \$885,000, shall be issued to evidence the obligations of the Issuer under the Loan Agreement pursuant to the provisions of Sections 384.24, 384.24A and 384.25 of the City Code of Iowa, as amended, for the aforesaid purpose. The Notes shall be issued in one or more series and shall be on a parity and secured equally and ratably from the sources provided in Section 3 of this Resolution. The Notes shall be designated "GENERAL OBLIGATION CAPITAL LOAN NOTE, SERIES 1998", be dated June 1, 1998, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, said interest payable on December 1, 1998, and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Notes shall be executed by the facsimile signature of the Mayor and attested by the facsimile signature of the City Clerk, and printed with the seal of the City and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any, shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Note. The Notes shall be in the denomination of \$5,000 or multiples thereof and shall mature and bear interest as follows:

<u>Interest Rate</u>	<u>Principal Amount</u>	<u>Maturity June 1st</u>
4.00%	\$ 40,000	1999
4.10%	\$ 40,000	2000
4.20%	\$ 40,000	2001
4.30%	\$ 45,000	2002
4.40%	\$ 45,000	2003
4.50%	\$ 50,000	2004
4.60%	\$ 50,000	2005
4.70%	\$ 50,000	2006
4.80%	\$ 55,000	2007
4.90%	\$ 60,000	2008
5.00%	\$ 60,000	2009
5.05%	\$ 65,000	2010

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5.10%	\$ 65,000	2011
5.15%	\$ 70,000	2012
5.20%	\$ 75,000	2013
5.25%	\$ 75,000	2014

(b) Redemption. Notes maturing after June 1, 2004, may be called for redemption by the Issuer and paid before maturity on said date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' notice of redemption shall be given by ordinary mail to the registered owner of the Note. Failure to give such notice by mail to any registered owner of the Notes or any defect therein shall not affect the validity of any proceedings for the redemption of the Notes. All notes or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment.

If selection by lot within a maturity is required, the Registrar shall designate the notes to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of notes to be called has been reached.

Section 8. Registration of Notes; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.

(a) Registration. The ownership of Notes may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Notes, and in no other way. The City Clerk is hereby appointed as Registrar under the terms of this Resolution. Registrar shall maintain the books of the Issuer for the registration of ownership of the Notes for the payment of principal of and interest on the Notes as provided in this Resolution. All Notes shall be negotiable as provided in Article 8 of the Uniform Commercial Code subject to the provisions for registration and transfer contained in the Notes and in this Resolution.

(b) Transfer. The ownership of any Note may be transferred only upon the Registration Books kept for the registration and transfer of Notes and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Note (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Note, a new fully registered Note, of any denomination or denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Note, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

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(c) Registration of Transferred Notes. In all cases of the transfer of the Notes, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Notes, in accordance with the provisions of this Resolution.

(d) Ownership. As to any Note, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Notes and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note, including the interest thereon, to the extent of the sum or sums so paid.

(e) Cancellation. All Notes which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Notes which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Notes to the Issuer.

(f) Non-Presentation of Notes. In the event any payment check representing payment of principal of or interest on the Notes is returned to the Paying Agent or if any note is not presented for payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Notes shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Notes shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Notes who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Notes. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent, shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Notes of whatever nature shall be made upon the Issuer.

(g) Registration and Transfer Fees. The Registrar may furnish to each owner, at the Issuer's expense, one note for each annual maturity. The Registrar shall furnish additional Notes in lesser denominations (but not less than the minimum denomination) to an owner who so requests.

Section 9. Reissuance of Mutilated, Destroyed, Stolen or Lost Notes. In case any outstanding Note shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Note of like tenor and amount as the Note so mutilated, destroyed or lost, in exchange and substitution for such mutilated Note to Registrar, upon surrender of such mutilated Note, or in lieu of and substi-

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tution for the Note destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Note has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

Section 10. Record Date. Payments of principal and interest, otherwise than upon full redemption, made in respect of any Note, shall be made to the registered holder thereof or to their designated Agent as the same appear on the books of the Registrar on the 15th day of the month preceding the payment date. All such payments shall fully discharge the obligations of the Issuer in respect of such Notes to the extent of the payments so made. Payment of principal shall only be made upon surrender of the Note to the Paying Agent.

Section 11. Execution, Authentication and Delivery of the Notes. The Mayor and Clerk shall execute and deliver the Notes to the Registrar, who shall authenticate the Notes and deliver the same to or upon order of the Purchaser. No Note shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Note a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Note executed on behalf of the Issuer shall be conclusive evidence that the Note so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

Section 12. Right to Name Substitute Paying Agent or Registrar. Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered noteholder.

Section 13. Form of Note. Notes shall be printed in substantial compliance with standards proposed by the American Standards Institute substantially in the form as (follows:)

The front and back of the Note form is not  
copied here  
which includes detailed text of the standard  
Notes: requirements as to issuance data, redemption,  
Assignment, "qualified tax-exempt obligation"  
certain definitions  
Information Required for Registration of Transfer

Section 14. Contract Between Issuer and Purchaser. This Resolution shall constitute a contract between said City and the purchaser of the Notes.

Section 15. Non-Arbitrage Covenants. The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Notes issued hereunder which will cause any of the Notes to be classified as arbitrage bonds within the meaning of Section 148(a) and (b) of the Internal Revenue Code of the United States, and that throughout the term of the Notes it will comply with the requirements of said statute and regulations issued thereunder.

To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Notes will be used in a manner that would cause the Notes to be arbitrage bonds.



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Section 16. Severability Clause. If any section, paragraph, clause or provision of this Resolution be held invalid, such invalidity shall not affect any of the remaining provisions hereof, and this Resolution shall become effective immediately upon its passage and approval.

Section 17. Amendment of Resolution to Maintain Tax Exemption. This Resolution may be amended without the consent of any owner of the Notes if, in the opinion of bond counsel, such amendment is necessary to maintain tax exemption with respect to the Notes under applicable Federal law or regulations.

Section 18. Qualified Tax-Exempt Obligations. For the sole purpose of qualifying the Notes as "Qualified Tax Exempt Obligations" pursuant to the Internal Revenue Code of the United States, the Issuer designates the Notes as qualified tax-exempt obligations and represents that the reasonably anticipated amount of tax exempt governmental and Code Section 501(c)3 obligations which will be issued during the current calendar year will not exceed Ten (10) Million Dollars.

Section 19. Amendment of this Resolution. That, when so directed by Resolution of the Council, the Clerk shall call for bids on any or all of said Notes pursuant to the provisions of Chapter 75 of the Code of Iowa. That, after the sale and award of said Notes, this Council shall take whatever action is necessary to amend this Resolution to conform with action taken by the Council in the sale and award of said Notes.

Section 20. Repeal of Conflicting Resolutions or Ordinances. All ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

Councilmember Conrad seconded the motion. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, and Conrad. Nays: None. The Resolution was adopted.

Councilmember Van Fleet moved, seconded by Mendenhall, that the minutes of the regular Council meeting of January 7, 1998, be approved as submitted. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, and Conrad. Nays: None. The motion was approved.

David Gerard, CPA with Latta, Harris, Hanon & Penningroth, L.L.P. reviewed in detail the Independent Auditors' Report, Financial Statements and Supplemental Information, Comments and Recommendations, for the period ending June 30, 1997 and submitted for filing the annual audit report.

Thomas Bates and Laurie Appleget, representing SADC, appeared before the Mayor and Council to update them on the activities of SADC and to request budget consideration from the City. They are trying to focus on business retention; they have been involved in the County-wide Housing Study, which will be valuable in future grant applications or for private individual housing Bank loans; they are placing more emphasis on Area development by involving other communities; the first year of the recent Leadership Program has been completed and Ed Conrad graduated; they have what they call their "Rehab" Standing Committee and they are willing to help get rid of properties that are considered nuisances. For instance, the situation across the street, north of the barber shop, SADC would become a partner after the fact, and that if the City is interested in taking title and having the same torn down, the County would abate the taxes, and SADC would be interested in buying the vacant

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lot for construction. He was asked SADC's intention on that lot. Mr. Bates' reply was primarily safety and removing an eyesore; they don't have any industrial or commercial prospects, although the Library has talked about that site; but SADC has no hidden agenda. They concluded their presentation by saying that they have appreciated what help the City has given SADC in the past and they wouldn't mind an increase if it were available.

Item #6 on the agenda, John Bowers, did not come to the meeting.

Mayor Pro tem Glandon explained the reasoning for the Cable Franchise Regulatory Ordinance - first reading - being on the agenda and then the recorded vote to suspend proposed Ordinance being on two agendas, as well as the second and third readings of the proposed Ordinance: that this Ordinance is probably about as close as we might be in getting Triax to accept our Ordinance - this one modeled after Monticello's is livable for us, but is a little less stringent than the one we adopted last year that Triax feels is unacceptable. The negotiations are at the point where progress is and will be slow, and in that Triax is operating currently without a franchise, it might be feasible to go ahead and bring this thing to a close. This was also Pat Callahan's recommendation, although he did say late this afternoon that if the Council is uncomfortable moving that fast on the Ordinance and Agreement, by doing it all at this one meeting, that Triax shouldn't complain since they have not been prompt about forwarding any papers in a timely manner. Councilmember Van Fleet indicated he feels the Ordinance should be on two agendas, and there was approval of that from the audience. Copies of the Ordinance were on the Council table and the same was read aloud by reviewing the titles, sections and chapters thereof. Councilmember Van Fleet moved, seconded by Councilmember Mendenhall, that the review of the Cable Franchise Regulatory Ordinance be considered the first reading toward adoption thereof. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, and Conrad. Nays: None. The motion was approved.

The Revised Franchise Agreement was received by FAX and Express late afternoon but there was not time for copies to be made or any of the Council to read the same. Mayor Pro tem Glandon did obtain a copy shortly after the FAX came in, so he had briefly scanned the same and did tell the Council that they would likely want the cable company review period changed from five years to three years.

Keokuk County Deputy Sheriff Greg Brower appeared before the Mayor and Council in regard to two requests: 1.) He said the sheriff's office has had problem finding a parking space on the square when they have needed to take prisoners to Court, and they would like to request a reserved spot; and they even have a sign available. He suggested the first parking space east of the handicap parking space on the north side of the square east of the sidewalk leading to the north entrance to the Courthouse, where the elevator may be accessed. 2.) They would like to have the City's permission to place directional signs to the Jail on the light poles at Jackson and Stone and at 149 and Marion Streets. Both of those would come under the jurisdiction of the D.O.T., although the City had no problem and said the one at Marion Street would probably work better when the new street lights are installed. Councilmember Van Fleet moved, seconded by Councilmember Conrad, that the Keokuk County Sheriff's Office be given permission to have the requested signs erected. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon; Mendenhall; Winn; and Conrad. Nays: None. The motion was approved.

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The Police Department had advertised for sealed bids the 1992 Ford Taurus. Those received were: Robert L. Pitsch \$200.00 and Gerald Spicer \$250.00. Councilmember Winn moved, seconded by Councilmember Van Fleet, that the 1992 Ford Taurus be sold to Gerald Spicer, the higher bidder therefor, in the amount of \$250.00. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, and Conrad. Nays: None. The motion was approved.

Councilmember Van Fleet moved, seconded by Councilmember Conrad, that the City has no problem with the Application of The Stone Pony Pub for Sunday Sales (the City does not actually approve the Sunday sales, although it is submitted through it.) Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, and Conrad. Nays: None. The motion was approved.

Councilmember Van Fleet moved, seconded by Councilmember Mendenhall, that the Application of Home Oil Stations, Inc. for renewal of the Beer Permit at Short Stop, be approved. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, and Conrad. Nays: None. The motion was approved.

Councilmember Mendenhall, as Chairperson of the Finance Committee, announced that the Finance Committee will meet at 4:30 P.M. Monday, January 26th, to work on Revenues for the annual Budget Planning process, and plan to follow up with Appropriations late Wednesday afternoon.

Engineer Bucklin advised that for the Downtown Streetscape Renovation Project that an Easement for ten feet on the inside of the square will need to be obtained from Keokuk County. He also brought with him the Contract and other documents pertaining to the RACI grant. Although Mr. Bucklin is considered the party responsible for monitoring the project, the Mayor needs to sign these papers, and we are also required to recognize Prairie Meadows Racetrack and Casino in all publicity and all advertising. He wondered if Main Street Sigourney would want to assist with the area of publicity.

Mr. Bucklin stated that the Jackson-Laffer Streets Watermain Project is moving along and Bill Tremmel is continuing with the boring; Miller was hoping for an open winter, so now will probably wait until April to continue. He also reported that Ron Doubek pointed out valves that cannot be shut off and will be a problem when the square is done: two ought to be done near the County Bank and the Short Stop can't be shut off, and there are three large valves at or near the Water Tower. The Engineer feels these latter ones are especially high priority, and he would encourage the City to consider one water project just valve replacements. He also mentioned that perhaps the City would want to consider hiring a student in the summer to solely exercise valves - they should all be done and then every third year to keep them operating.

Engineer Bucklin had with him an Agreement for their assistance, in the amount of \$800.00, in regard to the Ammonia Nitrogen Compliance Schedule. Even though they were aware of this potential problem and designed the biggest lagoon possible, in cold weather we simply cannot comply with the ammonia nitrogen, so they are hoping to get a variable flow permit. Councilmember Van Fleet moved, seconded by Councilmember Winn, that the Agreement with French Reneker Associates be approved, in the amount of \$800.00, to assist with the Ammonia Nitrogen Compliance Schedule. Upon the roll being called, the following voted: Ayes: Van Fleet,

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Glandon, Mendenhall, Winn, and Conrad. Nays: None. The motion was approved.

The November financial reports were before the Mayor and Council, and filed. The Clerk has quite a bit of December done, but not completed because of other interruptions and responsibilities.

Councilmember Conrad reported, after thinking about Tom Bates' comment about nuisances, that the Pelley location on East Jackson may be cleaned up in the not distant future - that he is now in a nursing home and his brother has started to go through the accumulation.

Councilmember Van Fleet reported he had a complaint regarding snow removal on South Street, east of Main Street; this morning snow was all rolled to the north side, covering the only sidewalk.

Councilmember Winn moved for adjournment at 8:35 P.M. The second was by Councilmember Conrad.

  
\_\_\_\_\_  
DOUGLAS L. GLANDON  
MAYOR PRO TEM

ATTEST   
\_\_\_\_\_  
PEGGY KLEINSCHMIDT  
CITY CLERK



CITY OF SIGOURNEY, IOWA

1997 CALENDAR YEAR COMPENSATIONS

Anthony James Bos	\$	26,049.26 *
Anthony James Bos -cashed vaction		488.40
Allan E. Glandon		23,188.28 *
Allan E. Glandon -cashed vacation		463.20
Darrin F. Schmitz		16,385.01 *
Darrin F. Schmitz -savings bonds		2,637.24
Donald L. Northup		4,972.28
Mark W. Bruns		10,015.07
Ronald C. Doubek		32,619.92
Ronald C. Doubek -savings bonds		779.44
Donald L. Northup		21,195.19
Donald L. Northup -savings bonds		779.44
Frank C. Jacobs, Jr.		21,698.67
Frank C. Jacobs, Jr. -savings bonds		779.44
Donald E. Gilliland		20,627.34 *
Garland E. Oxford		6,004.66
Peggy Ann Kleinschmidt		23,310.36
Peggy Ann Kleinschmidt -sav. bonds		2,973.60
Christine R. Sellers		9,236.17
Christine R. Sellers - savings bonds		659.31
Dawn T. Woodsmall		6,206.53 *
Dawn T. Wwoodsmall - savings bonds		200.97
Teri J. Dillon		7,784.89
Teri J. Dillon - savings bonds		310.51
Stephene A. Wright		2,547.77
Laurence E. Williamson		3,629.16
Keith H. Erwin		9,031.80
Keith H. Erwin -cashed vacation		345.60
Jennifer L. Bucklin		2,824.00
Fred K. Lucas		120.91
Martha L. Lucas		330.15
Brooke A. Bowers		1,231.10
Sasha M. Sorden		183.68
Valerie Homan		1,322.94
Mindy A. Flanders		950.93
Rebecca A. Siskow		834.69
Amy J. Strobel		1,196.22
Erin E. Wallerich		803.29
Sharmin M. Walraven		983.48
Elizabeth I. Wehr		1,202.04
Amber Lea Schauf		955.59
Kylie J. Northup		418.51
Jonathan A. Wallerich		583.59
Jake D. Flanders		477.80
Mark L. Knowler		402.23
Elizabeth A. Draper		11,983.20
Dorothy K. Denison		5,152.25
Erma F. Allar		658.00
Kathy A. Grant		3,402.96
Jerome H. Damerval		2,400.00
Perry Blake Gosnell		2,400.00
Allan E. Glandon (electrical)		70.00
Richard Clubb		3,136.38
Councilmembers (published when approved)		<u>2,920.00</u>
GRAND TOTALS	\$	301,863.45

See next  
page for  
CORRECTION -  
these were  
TAXABLE  
EARNINGS -  
because of  
flex benefits  
& med ins  
that were  
excluded  
from gross  
SALARIES

TO BE PUBLISHED 2/11/98 IN THE LEGAL COLUMN

CITY OF SIGOURNEY  
CORRECTED ANNUAL 1997 COMPENSATIONS  
(THE PREVIOUS PUBLICATION EXCLUDED COMPENSATION SUBJECT TO  
FLEX BENEFIT CALCULATION)

Anthony James Bos.....	\$ 28,897.24
Allan E. Glandon.....	26,996.26
Darrin F. Schmitz.....	18,285.09
Donald E. Gilliland.....	23,475.32
Dawn T. Woodsmall.....	6,303.04
Corrected Grand Total.....	\$313,363.98

BANK	VENDOR	VENDOR TITLE	P.O. NO.	INVOICE #	ACCOUNT NUMBER	DESCRIPTION	CHECK #	DATE
G/L DEBIT	G/L CREDIT						NET AMOUNT	
82	100	ALL AMERICAN TERMITE & PC					21826	
200	200-999		07171	A 200-02-175-042		LIB MONTHLY PEST CONTROL		15.00
	120	AMERICAN LIBRARY ASSOC.					21827	
	200-999			A 200-02-175-061		PUB LIB BOOKLIST		69.50
	300	BAKER & TAYLOR, INC.					21828	
	200-999		200232010	A 200-02-175-061		PUB LIB #207066 L506659		27.94
	200-999		200234122	A 200-02-175-061		PUB LIB #207066 L506659		14.10
	200-999		200236404	A 200-02-175-061		PUB LIB #207066 L506659		53.37
	200-999		200238171	A 200-02-175-061		PUB LIB #207066 L506659		2.39
200	200-999		200239634	A 200-02-175-061		PUB LIB #207066 L506659		12.97
200	200-999		200242060	A 200-02-175-061		PUB LIB #207066 L506659		13.84
200	200-999		200242327	A 200-02-175-061		PUB LIB #207066 L506659		89.06
200	200-999			A 200-02-175-061		LIB MEM TRUST FUND CHECK		9.90-
			****TOTAL FOR BAKER & TAYLOR, INC.			203.77		
	1231	DAMERVAL, JEROME H.					21829	
200	200-999			A 200-02-175-041		SN RM 6 12/09-01/08/98		30.00
	1875	GAYLORD BROS.					21830	
200	200-999		007780500	A 200-02-175-061		PUB LIB MISC SUPPLIES		41.08
	2400	GTE NORTH-MIDWEST OP.					21831	
200	200-999			A 200-02-175-044		PUB LIB 515-622-2890		71.68
	3023	IOWA COMMUNICATIONS NET-					21832	
	200-999		19431	A 200-02-175-044		LIBR00000487 PUB LIB		.67
	3175	IOWA LIBRARY ASSOCIATION					21833	
200	200-999			A 200-02-175-058		1998 MEMBERSHIP RENEWAL		30.00
	3200	IES UTILITIES, INC.					21834	
200	200-999			A 200-02-175-047		LIB GAS AND ELECTRIC		281.20
	4350	THE MYSTERY GUILD					21835	
200	200-999			A 200-02-175-061		ACT #08009561575 PUB LIB		23.27
	5750	SIGOURNEY CHAMBER OF					21836	
200	200-999			A 200-02-175-058		MISC FROM SIG PUBLIC LIB		80.00
	5800	SIGOURNEY COMMUNITY FIRE					21837	
100	100-999			A 100-01-120		GEN R.E. TAXES PD CO DEC		114.54
						2828.17 X .0405		
100	100-999			A 100-01-125		EMERG LEVY PD CO DEC		70.71
			****TOTAL FOR SIGOURNEY COMMUNITY FIRE			185.25		
	6445	TEEN					21838	
	200-999			A 200-02-175-061		PUB LIB 2 YR RENEWAL		34.94
	6750	U.S. POSTMASTER					21839	
200	200-999			A 200-02-175-058		POSTAGE FOR LIBRARY		15.00



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 BANK VENDOR VENDOR TITLE CHECK # DATE  
 G/L DEBIT G/L CREDIT P.O. NO. INVOICE # ACCOUNT NUMBER DESCRIPTION NET AMOUNT  
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\*\*\*\*\*TOTAL FOR BANK NO - 82 1,081.36

\*\*\*REGULAR CHECKS\*\* 1,081.36  
 \*\*\*MANUAL CHECKS\*\*\* 0.00  
 \*\*\*GRAND TOTAL\*\*\*\*\* 1,081.36

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 GENERAL LEDGER TOTALS - REGULAR CHECKS

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 GENERAL LEDGER NO. TITLE DEBIT AMOUNT GENERAL LEDGER NO. TITLE CREDIT AMOUNT  
 100 GENERAL FUND 185.25 100-999 GENERAL DUMMY FUND 185.25  
 200 LIBRARY 896.11 200-999 LIBRARY DUMMY FUND 896.11  
 TOTALS 1,081.36 1,081.36

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 GENERAL LEDGER TOTALS - MANUAL CHECKS

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 GENERAL LEDGER NO. TITLE DEBIT AMOUNT GENERAL LEDGER NO. TITLE CREDIT AMOUNT  
 TOTALS .00 .00

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 GENERAL LEDGER TOTALS - GRAND TOTAL

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 GENERAL LEDGER NO. TITLE DEBIT AMOUNT GENERAL LEDGER NO. TITLE CREDIT AMOUNT  
 100 GENERAL FUND 185.25 100-999 GENERAL DUMMY FUND 185.25  
 200 LIBRARY 896.11 200-999 LIBRARY DUMMY FUND 896.11  
 TOTALS 1,081.36 1,081.36