

City Council Minutes

November 5, 1980

- - - - -

The City Council met in a regular scheduled Council meeting November 5, 1980 at 7:30 O'clock P.M. in the Council Chambers of the Memorial Hall Building as published and posted. Mayor Deitrich presided with the following Councilmen answering roll call; Butler, Kerr, H. Seip, J. Seip, Van Fleet, Aldrich.

Councilman Van Fleet made the motion, seconded by Councilman Kerr that the minutes of the regular meeting of October 15, 1980 be approved as presented. Upon roll call the vote was unanimous.

August Bowers was before the Council in regard to the cutting of his driveway curb on East Elm St. He was advised that this would be done as soon as possible that we also had another one which needed to be cut.

Councilman Van Fleet made the motion, seconded by Councilman Kerr that Kevin deRegnier's pool report for the 1980 season be approved. This report being made a part of these minutes.

Councilman Butler made the motion, seconded by Councilman H. Seip that the General Telephone Co. of the Midwest be allowed to move the 13 poles back as they requested. Upon roll call the vote was unanimous.

Councilman H. Seip made the motion, seconded by Councilman Butler that Earle "Barney" Fear be given \$100.00 for 6 months for maintenance of his mowers as park custodian. Upon roll call the vote was unanimous.

At 8:00 O'clock P.M. it was announced that it was the time for the Hearing on Tax Moratorium. There were no written or oral objectors at the hearing. At 8:15 the hearing was closed.

Councilman H. Seip made the motion, seconded by Councilman Aldrich that the resolution on the Stoner Sub-division be approved as per the Planning Commission approval. Upon roll call the vote was unanimous.

Councilman Butler made the motion, seconded by Councilman Van Fleet that the resolution ordering preparation of final plat and schedule of assessments be approved. Upon roll call the vote was unanimous.

Councilman Van Fleet made the motion, seconded by Councilman H. Seip that the Said Krause addition sub-division be sent to the Sigourney Planning and Zoning Commission for their approval to be returned to City Council by the next regular Council meeting which is November 19, 1980. Upon roll call the vote was unanimous.

Dan Phillips, Sigourney High School instructor, was present and presented a proposal for an ice skating rink that would be built on the old high school football field. The Council agreed to co-operate with the school and the local Kiwanis club in making a rink for the public use in the winter. Mayor Deitrich appointed Councilman Butler to work on this project with them.

The letter from Ken Bucklin, County Engineer was read and discussed and Mayor Deitrich stated that he would talk to Ken Bucklin about the different roads involved.

Councilman Van Fleet made the motion, seconded by Councilman Aldrich that the following bills be approved and warrants issued in payment thereof. Upon roll call the vote was unanimous.

Shaver Trenching and Excavation- Backhoe work	819.00
Kilburn and Lane- Observe and destroy cat	10.00
Seeger Auto Supply Co.- Supplies	107.87
Semco Landfill- Charges for Sept. & October	1259.22
Keokuk County Treasurer- Plastic pipe	13.65
G. A. Thompson Co.- Aluminum holder for Police Dept.	16.05
Greenley's Iowa Supply Co.- Supplies Police Dept.	16.95
Thompson Service- Supplies	66.93

Petty Cash- Reimbursement	10.32
Iowa Southern Utilities Co.- Lights, gas power to City	3,086.73
Mike Welter- Work on 1980 Pacing Project	702.55
Jack & Jill- Supplies to Memorial Hall	3.02
Firestone Phelps Auto Supply- Sanitation & Street Dept	109.76
The Sigourney News- Review- Official Publications	121.87
Allar Construction Inc.- Supplies & Labor on Sewer Extensions	118.57
The Parts Place- Street and Police Parts	38.88
Barco Muncipal Products- Parts for Street Dept.	8.25
Strobel Brothers- Supplies & Lahor Water & Sanitation Dept.	946.09
Sargent- Sowell Inc.- Badge for City Police	24.60
General Tel. Co. of the Midwest-Phone Service	89.25
Sigourney Oil Inc.- Supplies to Street Dept.	139.86
M & M Enterprises- Sidewalk on North Main	342.00
Paul Garrett-Posse Treasurer- Help from Keokuk County Sheriff	
Posse	32.00
Kaser Construction Co.- Roadstone for Street Dept.	31.68
Dick's Home Auto- Supplies	48.00
Roger Fritchen- Sump Pump	188.95
Sigourney Comm. Fire Dept. Inc.- Use of tanker & fire truck to clean streets	70.00
United States Post Office- Roll of stamps	15.00
Central Pool Supply Inc.- Supplies to Swimming Pool	226.60
Hach Chemical Co.- Supplies to Water Dept.	100.30
Zep Manufacturing Co.- Supplies to Memorial Hall	96.38
Fred's Motor Repair- Labor and Supplies for Water Dept.	83.63
Central Pool Supply Inc.- Freight on Pool Supplies	37.51
French Reneker Associates, Inc. Engineering Services	2,845.11
Bill & Ray's Chrysler Plymouth- Repairs and labor on police car	217.05
Home & Farm Building Center- Supplies Street Dept.	9.09
Earle "Barney" Fear- Mower rental for October	70.00
Schott Implements Inc.- Nut for rotary Cutter	.47
Kaser Construction Co.- Fill Material	21.70
Dick de Regnier Insurance Agency Inc.- City Insurance	20,544.00
Welda Lippard- Mileage and registration for League meeting	54.60
H & M Farm & Home Supply Co.- Supplies	153.93
University Hygienic Laboratory- Baterial Analysis	27.00
Coast to Coast- Supplies	19.38
H & M Farm & Home Supply Co.- Supplies	31.44
Valley Supply & Equipment Co.- Rent on 2 cylinders	7.20
Hollingsworth Equipment Co.- Supplies	15.38
Hollingsworth Equipment Co.- Supplies and repairs	106.49
M & M Sales Co.- Minolta Copy paper for copier	513.50
William L. Deitrich- Mayor;s 1/2 months salary for October	100.00
Cappenter Uniform Co.- Jacket 7 Emblems for Allen Glandon	35.75
John Lloyd- Water Cust. Deposit Credit	45.00
M & M Sales Co.- Service contract on Minolta copy machine	197.50

There being no further business to be brought before the Council upon motion meeting adjourned in form.

Attest:

Welda Lippard  
City Clerk

William L. Deitrich  
Mayor

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Sigourney, Iowa.

Date of Meeting: *November 19, 1980*

Time of Meeting: *7:30 P.M.*

Place of Meeting: City Hall, Sigourney, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

Resolution in connection with the "Sigourney, Iowa, 1980 Street Improvement Program".

- Resolution adopting and levying final schedule of assessments.

Such additional matters as are set forth on the additional \_\_\_\_\_ page(s) attached hereto.  
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 28A, Code of Iowa, and the local rules of said governmental body.

*Velda Lippard*  
\_\_\_\_\_  
City Clerk, Sigourney, Iowa

CITY'S COPY

CERTIFICATE OF LEVY OF SPECIAL ASSESSMENTS  
TO BE MADE BY THE CLERK OF SIGOURNEY, IOWA,  
AND FILED WITH THE COUNTY AUDITOR OF  
KEOKUK COUNTY, IOWA AND THE CITY OFFICER CHARGED  
WITH ISSUANCE OF BUILDING PERMITS

STATE OF IOWA )  
 ) SS  
COUNTY OF KEOKUK )

I, Velda Lippard, Clerk of the City of  
Sigourney, County of Keokuk, State of Iowa, do hereby certify  
that at a meeting of the Council of Sigourney, Iowa, held on  
the 19th day of November, 1980, the said Council did  
levy special assessments for and on account of the cost of  
construction of the "Sigourney, Iowa, 1980 Street Improvement  
Program", under contract with Fred Carlson Company, Inc. of  
Sigourney, Iowa, on the following streets or portions thereof,  
in said Municipality, to-wit:

Construction of portland cement concrete pavement with  
integral curb, together with necessary grading, incidental  
street drainage facilities, and miscellaneous related work.  
The pavement shall be 25 feet wide back-to-back of curb and  
6 inches thick, except when otherwise noted on the following  
streets to-wit:

SECTION 1

Clark Street: From the existing return at Main Street west 1,266 feet.

SECTION 2

Shuffleton Street: From the existing return at Ringold Street north 402  
feet.

SECTION 3

Ringold Street: From the existing return at East Street east 1,538 feet,  
including return at Warren Street.

Warren Street: From the existing north curb line of Jackson Street to the  
south line of Ringold Street.

SECTION 4

Elm Street: From the existing east curb line of Shuffleton Street to the  
existing return at East Street; from the existing curb line east side  
of East Street 1,435 feet east, including returns at Warren Street,  
Laffer Street, May Street.

Walnut Street: From existing curb line east side of East Street to the west line of Laffer Street.

Warren Street: From the existing north curb line of Washington Street to the south line of Elm Street, 22' b-b of curbs.

Laffer Street: From the existing north curb line of Washington to the south line of Elm; from the north line of Elm to the existing south curb line of Jackson Street, including return at Walnut Street, 22' b-b of curbs.

May Street: From the existing north curb line of Washington Street to the south line of Elm Street, 22' b-b of curbs.

#### SECTION 5

Marion Street: From the existing return east side of West Street to the existing pavement east side of Stone Street.

#### SECTION 6

South Street: From the existing curb line Shuffleton Street to the existing return west side East Street, 22' b-b curbs.

#### SECTION 7

South Street: From the existing return at Christfield Street east 645 feet, including return at Russell Street.

Russell Street: From the existing return at Pleasant Valley Street to the south line of South Street.

#### SECTION 8

Hickory Street: From the existing east curb line of Main Street to the existing curb line west side Jefferson Street, 22' b-b curbs.

#### SECTION 9

Kelley Street: From the west line of Mackey Street to the existing return west side of Stuart Street, including returns at Mackey Street and Stone Street.

Stone Street: From the north line of Kelley Street to the existing pavement north side Skillman Street.

Mackey Street: From the north line of Kelley Street to the proposed north curb line of Hickory Street, including return at Hickory Street.

Hickory Street: From the east line of Mackey Street to the existing return west side of Stone Street..

Assessments shall be based on paving 6 inches thick and 25 feet wide. Adjustments will be made for the cost per benefit point for the 22 foot paving.

That the district benefited and assessed for the cost of the improvements is described as follows:

The assessment area includes one half of all privately owned property between the street to be improved and the next street, regardless of whether such property abuts upon said street or not, but said area shall not exceed 300 feet from the street to be improved. (A more detailed description of the exact assessment area is set out as follows:

#### Section 1 (Clark Street)

The north 300 feet of Lots 1, 2, 3, 4, 5, 6, 7, and 8; the east 84.3 feet of the north 300 feet of Lot 9; the east 128.3 feet of Lot 10; Lots 11, 12, 13, 14, 15, 16, 17, 18, and 19; all in Clark and Woodins Second Addition. A parcel described as beginning at the northeast corner of Lot 18 of Clark and Woodins Second Addition, thence westerly along the northern boundary of the Addition 1,131.9 feet, thence north 36.1 feet, thence easterly parallel to, and 300 feet north of the north right-of-way line of Clark Street to the southern right-of-way line of the C.M. and St. Paul Railroad, thence southeasterly along the railroad right-of-way to the point of beginning.

#### Section 2 (Shuffleton Street)

Lots 4, 5, 8, 9, 10, 13 of Clark and Woodins Fourth Addition. Also a parcel described as beginning at the southwest corner of Lot 2 of Clark and Woodins Fourth Survey in the southeast quarter of the southeast quarter of Section 35, Township 76 North, Range 12 West, thence northerly along the east right-of-way line of Shuffleton 408 feet, thence easterly perpendicular to Shuffleton 300 feet, then southerly parallel to Shuffleton 408 feet, thence westerly along the north right-of-way line of Ringold Street 300 feet to the point of beginning.

#### Section 3 (Ringold Street and Warren Street)

Lots 1, 2, 3, 4, 7, and 8 of Block 4 of A.E. Lowe's Addition. Lots 1, 2, 3, 4, 5, and 6 of Block 1; and 1, 2, 3 and 4 of Block 2 of Shaffer's Addition. The north 151.76 feet of Lots 1, 2; and the north 151.76 feet of the west 221.75 feet of Lot 3; all in an irregular survey of the southwest quarter of the southwest quarter of Section 35, Township 76 North, Range 12 West. Also a parcel described as beginning at the southwest corner of subdivision 4 of Lot 3 in Clark and Woodin's 4th survey of the southeast quarter, southeast quarter, Section 35, Township 76 North, Range 12 West, thence north 300 feet along the west property line of the lot, thence east 1,551.32 feet, thence south 300 feet perpendicular to the end of the proposed pavement to the north right-of-way line of Ringold Street, thence west along the north right-of-way line of Ringold Street to the point of beginning.

Section 4 (Elm Street, Walnut Street, Warren Street, Laffer Street, and May Street)

Lots 1, 2, 3 and 4 in Block 22; Lots 5, 6, 7, and 8 in Block 21; the east half of Outlot 9; Outlots 10, 11, 12, 13, and the south 63.36 feet of Outlot 14; the east 6 feet of the north 74.58 feet of Outlot 14; the east 6 feet of Outlot 15.

Lots 1, 2, 3, 4, 5 and 6 of the west three-quarters of the north 20 acres of the northwest quarter of the northwest quarter of Section 1, Township 75 North, Range 12 West.

Lots 1, 2, 3, and 4 in Block 4; Lots 5, 6, 7 and 8 in Block 3; Lots 1 through 8 in Block 1; Lots 1 through 8 in Block 2; all of Jackson's First Addition. Also a parcel of land described as Warren Street, adjacent to the west line of Lot 1 of Block 4 of Jackson's First Addition.

The west 300 feet and the south 178.95 feet of Lot 7 of the west three-quarters of the north 20 acres of the northwest quarter, northwest quarter, Township 75 North, Range 12 West.

A parcel described as beginning at the southeast corner of Lot 7 of the west three-quarters of the north 20 acres of the northwest quarter, northwest quarter, Township 75 North, Range 12 West, thence north 178.95 feet, thence east 210 feet parallel to the north line of Elm Street, thence south 174.8 feet, thence west 210 feet parallel with Elm Street to the point of beginning.

The west 33 feet of Lot 2, Lots 1, 4, 5, and 6 in Block 5; Lots 1, 2, and 3 of Lot 6; all in Jackson's Second Addition.

Lots 1, 2, 3, and 4 in Block 7, and the north half of Block 8 in Jackson's Third Addition.

Section 5 (Marion Street)

Lots 5, 6, 7, and 8 of Block 34, and Lots 1, 2, 3, and 4 of Block 33 of the Original Plat of Sigourney. The north 132 feet of the north-south alley in Block 33, and the north 6 feet of the east-west alley in Block 33 of the Original Plat of Sigourney.

Section 6 (South Street from Shuffleton to East Street)

Lots 1, 2, 3, and 4 of Block 26, and Lots 5, 6, 7, and 8 of Block 25 of the Original Plat of Sigourney.



### Section 7 (Russell Street and South Street)

Lots 5, 6, 7, and 8 of Block 9; Lots 5, 6, 7, and 8 of Block 8; Lots 1, 2, 3, 4, 7, and 8 of Block 4; and Lots 1, 2, 3, 4, 5, and 6 of Block 5; all in Hogan's Addition. A parcel described as beginning at the southwest corner of Lot 5 of Block 8 of Hogan's Addition, thence west 33 feet to the centerline of Russell Street, thence north 124 feet, thence east 33 feet to the centerline of the alley, thence south along the west property line of said Lot 5 to the point of beginning. The northern 6 feet of the east-west alley in Block 5 of Hogan's Addition. The south 6 feet of the east-west alley in Block 5 of Hogan's Addition adjoining the east 58 feet of Lot 6 in said Block 5. The north 6 feet of the east-west alley in Block 4 of Hogan's Addition adjoining Lots 3 and 4 of said Block 4.

### Section 8 (Hickory Street from Main Street to Jefferson Street)

Lots 5, 6, 7, and 8 of Block 4 of Skillman's Addition. A parcel described as beginning at the northeast corner of Lot 3 in the northeast quarter of the southeast quarter of Section 2, Township 72 North, Range 12 West, thence west 276 feet to the east right-of-way line of Main Street, thence south 300 feet along the east right-of-way line of Main Street, thence east 276 feet parallel to the south right-of-way line of Hickory Street, thence north along the west right-of-way line of Jefferson Street to the point of beginning.

### Section 9 (Mackey Avenue, Stone Street, and Kelley Street)

Lots 1 through 12 in Block 9; all of Block 8, including the north-south alley; the south 32.8 feet of Lot 7, Lots 8 through 24, and the west 6 feet of the north 306 feet of the north-south alley in Block 7; Lots 1 and 6 and the north 112 feet of Lots 2 and 5 in Block 13; Lots 1, 2, 3, 4, 5 and the north 45 feet of Lot 6 and the north 100 feet of Lot 13, and the north 300 feet of the north-south alley in Block 14; Lots 7, 8, 9, 10, 11, and 12 in Block 6; Lots 1 through 12 and the north-south alley in Block 5; Lots 1 through 6 in Block 4; the west 13 feet of Lot 3, and Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, and the east 24 feet of Lot 13; all in Woodin's and Kelleys' Addition.

That portion of Mackey Avenue abutting the north 112 feet of Lot 5 in Block 13 in Woodin's and Kelleys' Addition. That portion of Woodin Street abutting Lot 24 of Block 7, and Lot 7 of Block 6 in Woodin's and Kelley's Addition. That portion of Woodin Street abutting Lot 1 of Block 9, and Lot 6 of Block 4 in Woodin's and Kelleys' Addition.

Lots 1, 2, and 3 of Yoder's Subdivision.

A parcel described as beginning at the northeast corner of Lot 4 of a subdivision of Lot 9 of the subdivision of the northwest quarter of the southeast quarter of Section 2, Township 75 North, Range 12 West, thence south along the west right-of-way line of Stone Street 276 feet, thence west parallel with Hickory Street 138 feet to the center of the alley, thence south along the center of the alley 120 feet, thence west along the

north line of the alley 138 feet to the east right-of-way line of Mackey Avenue, thence north 396 feet along the east right-of-way line of Mackey Avenue to the south right-of-way line of Hickory Street, thence east 276 feet along the south right-of-way line of Hickory Street to the point of beginning.

Lots 5, 6, 7 and 8 in Block 3 of Skillman's Addition.

The east 37.5 feet of Lot 5 of a subdivision of Lot 9 of an irregular survey of the northwest quarter of the southeast quarter, Section 2, Township 75 North, Range 12 West.

as shown on the schedule hereto attached.

I further certify that the said assessments of \$50.00 or more are payable in ten equal annual installments, together with interest thereon at the rate of ten percent per annum computed to December 1st following the due date of each installment. Interest commences on November 5, 1980, the date of acceptance of the work. The first annual installment, or the full amount of assessments less than \$50.00, are due and payable on July 1st following the date of levy of these assessments as set forth above (unless this certification is made within less than thirty days prior to July 1st) and is subject to the provisions of Section 384.65, City Code of Iowa, with respect to lien, delinquent dates, interest, penalties and years of payment.

Special assessment deficiencies as set forth in the Schedule of Assessments are conditionally levied and are certified pursuant to Code Section 384.63 and applicable ordinances. The period for amortization of special assessment deficiencies established by ordinance is ten years.

Assessments may be paid in full or in part at the office of the City Clerk, within thirty days of the filing of this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the 19th day of November, 1980.

Velda Leppard  
City Clerk of Sigourney, Iowa

(SEAL)

I hereby certify that on the 20th day of November, 1980, there was filed with me as County Auditor of Keokuk County, State of Iowa, an executed copy of the certificate of the City Clerk of Sigourney, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed Street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on November 19, 1980.

*Anna M. Klein*  
County Auditor  
*Deputy*

(SEAL)

I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 1980, there was filed with me as Building Permit Official of the City of Sigourney, Iowa, an executed copy of the certificate of the City Clerk of Sigourney, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed Street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on \_\_\_\_\_, 1980.

\_\_\_\_\_  
Building Permit Official of the  
City of Sigourney, Iowa

CITY'S COPY

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Sigourney, Iowa.

Date of Meeting: November 5, 1980

Time of Meeting: 7:30 P.M.

Place of Meeting: City Hall, Sigourney, Iowa.

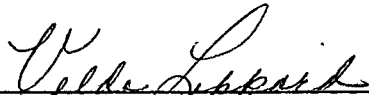
PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

Resolution in connection with the "Sigourney, Iowa, 1980 Street Improvement Program".

- Resolution accepting work.
- Resolution ordering preparation of final plat and schedule of assessments.

Such additional matters as are set forth on the additional \_\_\_\_\_ page(s) attached hereto.  
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 28A, Code of Iowa, and the local rules of said governmental body.

  
\_\_\_\_\_  
City Clerk, Sigourney, Iowa

CITY'S COPY

November 5, 1980

The City Council of Sigourney, Iowa, met in regular session, in the City Hall, Sigourney, Iowa, at 7:30 o'clock P.M., on the above date. There were present Mayor Deitrich, in the chair, and the following named Council Members:

Aldrich, Butler, Kerr, H. Seip, S. Seip

Van Fleet

Absent: NONE

\* \* \* \* \*

Council Member H. Seip introduced the following Resolution entitled "RESOLUTION ACCEPTING WORK" and moved its adoption. Council Member Butler seconded the motion to adopt. The roll was called and the vote was,

AYES: Aldrich, Butler, Kerr, H. Seip

S. Seip, Van Fleet

NAYS: NONE

Whereupon the Mayor declared the following Resolution duly adopted:

#### RESOLUTION ACCEPTING WORK

WHEREAS, on June 24, 1980, Sigourney, Iowa, entered into contract with Fred Carlson Company, Inc. of Sigourney, Iowa, for the construction of the "Sigourney, Iowa, 1980 Street Improvement Program", within the City, as therein described; and

WHEREAS, said contractor has fully completed the construction of said improvements, known as the "Sigourney, Iowa, 1980 Street Improvement Program", in accordance with the terms and conditions of said contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on November 3, 1980:

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

That said report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby approved and accepted as having been fully completed in accordance with the said plans, specifications and contract, and the total project cost of the improvements under said contract is hereby determined to be \$536,538.46 as shown in said report of the Engineer.

PASSED AND APPROVED this 5th day of November,  
1980.

William A. Heston  
Mayor

ATTEST:

Velda Lippard  
Clerk



Council Member Butler introduced the following Resolution entitled "RESOLUTION ORDERING PREPARATION OF FINAL PLAT AND SCHEDULE OF ASSESSMENTS" and moved its adoption. Council Member Van Fleet seconded the motion to adopt. The roll was called and the vote was,

AYES: Aldrich, Butler, H. Seip,

S. Seip, Van Fleet

NAYS: NONE

Whereupon the Mayor declared the following Resolution duly adopted:

RESOLUTION ORDERING PREPARATION OF FINAL  
PLAT AND SCHEDULE OF ASSESSMENTS

BE IT RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the "Sigourney, Iowa, 1980 Street Improvement Program", together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and 100% of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED AND APPROVED this 5th day of November,  
1980.

William Seibert  
Mayor

ATTEST:

Velda Lippard  
Clerk

CITY'S COPY

CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF KEOKUK )

I, the undersigned City Clerk of Sigourney, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of said Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of said agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 28A, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting, as required by said law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no council vacancy existed except as may be stated in said proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of said Municipality hereto affixed this 5th day of November, 1980.

Velda Lippard  
City Clerk, Sigourney, Iowa

SEAL

Owner City of Sigourney Project Proposed Street Improvements - 1980

CHANGE ORDER NO. 1

To Fred Carlson Co., Inc., Contractor

You are hereby ordered to make the following change from the approved plans and specifications of the above project.

1. Description of change to be made:

Miscellaneous changes and items of extra work not involving items of work included in the Schedule of Pay Items. (see attached sheet for details)

2. Reason for change:

Various (see attached sheet for details)

3. Settlement for the cost of making the change shall be as follows:

Various (see attached sheet for details)

4. This change will result in a net (increase ~~xxxxxxx~~) in the cost of the project of \$ 16,071.29, divided as follows:

	Local	Govt.
Approved funds as per ( <del>xxxxxxx</del> , Contract, <del>xxx</del> <del>xxxxxxx</del> )	\$ <u>524,423.40</u>	\$ _____
Change due to this C.O. (+ or -)	\$ <u>+16,071.29</u>	\$ _____
Totals including this C.O.:	\$ <u>540,494.69</u>	\$ _____

Jerry W. Long

Engineer

Date October 29, 1980

The change described herein is understood, and the terms of settlement are hereby agreed to.

William DePue

Mayor

Owner's Authorized Rep.

Title

Date

Fred Carlson

SE

Contractor's Authorized Rep.

Title

Date

10/30/80

ITEMS OF EXTRA WORK

8001. Furnish and install 46 feet of 8 inch diameter Ductile Iron Sanitary Sewer Pipe to repair a broken line at Station 3+12 on Clark Street.  
46' @ \$17.00 = \$782.00
8002. Furnish and install a 36 inch diameter reinforced Portland Cement Concrete pipe apron on Kelley Street.  
1 each @ \$300.00 = \$300.00
8003. Remove poured concrete curbs, and replace with curb suitable for driveway entrances on Stone, Ringold, and Clark Streets which were missed when the streets were poured.  
85.3' @ \$8.00 = \$682.40
8004. Remove the railroad tracks and approximately 30 feet of paving on Pleasant Valley Street, and replace the concrete paving at an improved profile grade.  
Lump Sum = \$815.45
8005. Remove the railroad tracks and approximately 30 feet of paving on Walnut Street, and replace the concrete paving at an improved profile grade.  
Lump Sum = \$904.04
8006. Remove 3 trees on South Street to allow proper alignment of the new paving.  
Lump Sum = \$900.00
8007. Saw and seal the quarter lines of the pavement to eliminate the possibility of shrinkage cracks, and to improve the appearance of the finished project. This item of extra work was discussed at the preconstruction conference.  
25,972 L.F. @ \$0.45 = \$11,687.40

SEABOARD SURETY COMPANY

HOME OFFICE

NEW YORK, N.Y.

GENERAL FORM STATUS INQUIRY

FEB 11 1981  
FEB 1 1981

City Engineer  
City Clerk, Box 146  
Sigourney, IA 52591

867073

Our Bond No. ....

Reinsured's No. ....

Contractor: Fred Carlson Company, Inc.

Address: Decorah, IA

Description of Contract: Proposed Street Improvements for the City of Sigourney, IA 1980

(Include Location and Owner's Contract Number)

Owner: City of Sigourney IA

Contract Price \$ 524,243.40

Bond(s) \$

Effective Date

6-24-80

It is understood that the information contained herein is furnished as a matter of courtesy for the confidential use of the surety and is merely an expression of opinion. It is also agreed that in furnishing this information, no guaranty or warranty of accuracy or correctness is made and no responsibility is assumed as a result of reliance by the surety, whether such information is furnished by the owner or by an architect or engineer as the agent of the owner.

Very truly yours,

*Ernest S. Hamilton*

By

1. IF CONTRACT COMPLETED, PLEASE STATE:

Approximate date of completion of work (or final delivery)

Nov. 18, 1980

Approximate acceptance date

Nov. 18, 1980

Final Contract Price \$ 536,538.46

Do you know of any unpaid bills for labor or material (Check) Yes... No...

2. IF CONTRACT UNCOMPLETED, PLEASE STATE:

Approximate percentage or dollar amount of contract completed or delivered

Probable completion date (Approximate)

3. Do you know of any unpaid bills for labor or material (Check) Yes... No...

4. Remarks: (If any)

Date

2-17 19 81

PLEASE RETURN ORIGINAL OF THIS INQUIRY TO

SEABOARD SURETY COMPANY  
STE. 302 ROCKCREEK II  
2700 ROCKCREEK PARKWAY  
P. O. BOX 12335  
NORTH KANSAS CITY, MO 64116

Signature

*William C. ...*

Title

*m. ...*

ADDRESS

ATTENTION

# FRENCH - RENEKER - ASSOCIATES, Inc.

PO Box 135      1501 S. Main Street      Fairfield, Iowa 52556      515-472-5145

CONSULTING ENGINEERS

Donald E. French, PE-LS      •      W. Daniel Reneker, PE      •      James I. Warner, PE  
Jerry W. Long, PE      •      Thomas F. Allen, PE

November 18, 1980

Mr. Bill Deitrich  
Mayor  
City Hall  
Sigourney, Iowa 52591

Re: Sigourney Paving (79-62)

Dear Bill:

Enclosed are four copies each of Contractor's Monthly Estimate #4, Final, Change Order #1, Change Order #2, Sales Tax Form ST-172, and Lien Waivers from three major suppliers. Also attached are six copies of the Final Assessment Plats and Schedules.

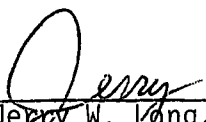
The Council should authorize the Mayor to sign the Change Orders, and a copy of each should be distributed to French-Reneker and Carlson's.

If you have any questions concerning the closing out of this project, please let me know.

Bill and I have enjoyed working with you and your fine group of people over the last couple of years, and we look forward to working together again for the people in Sigourney.

Very truly yours,

FRENCH-RENEKER-ASSOCIATES, INC.

  
\_\_\_\_\_  
Jerry W. Long, P.E.  
Project Engineer

JWL/jc

Enclosures

Owner City of Sigourney Project Proposed Street Improvements - 1980

CHANGE ORDER NO. 2

To Fred Carlson Co., Inc., Contractor

You are hereby ordered to make the following change from the approved plans and specifications of the above project.

1. Description of change to be made:

Adjust contract quantities and amounts as shown on the final estimate.

2. Reason for change:

Normal variations between original contract quantities and actual as-built quantities.

3. Settlement for the cost of making the change shall be as follows:

Cost shall be based on contract unit prices.

4. This change will result in a net ~~(increase)~~ decrease) in the cost of the project of \$ 3,956.23, divided as follows:

	Local	Govt.
Approved funds as per <del>(Funds)</del> last approved C.O.)	\$ <u>540,494.69</u>	\$ _____
Change due to this C.O. (+ or -)	\$ <u>- 3,956.23</u>	\$ _____
Totals including this C.O.:	\$ <u>536,538.46</u>	\$ _____

Jerry W. Long  
Engineer

Date October 29, 1980

The change described herein is understood, and the terms of settlement are hereby agreed to.

William Schubert  
Owner's Authorized Rep.

Mayor

Title

Date

Fred Carlson  
Contractor's Authorized Rep.

SEZ  
Title

10-30-80  
Date

CIG-22-9-79

NO ARBITRAGE CERTIFICATE  
CITY OF SIGOURNEY, IOWA

This No Arbitrage Certificate is made by the Treasurer and the chief financial officer of Sigourney, Iowa, (the "Issuer") and may be relied upon for purposes of Section 103(c) of the Internal Revenue Code of 1954, as amended (the "Code"), relating to arbitrage bonds. The undersigned has made an investigation of facts, estimates and circumstances pertaining to and in connection with the issuance of \$870,000 Sigourney, Iowa General Obligation Bonds, dated December 1, 1980 (the "Bonds") which are to be issued and delivered simultaneously with this certificate. On the basis of this investigation, the undersigned certifies that the Issuer reasonably expects as follows.

On the date of issue of the Bonds, the purchaser at the public sale will purchase the Bonds for \$870,000, plus premium of none, plus accrued interest on the Bonds to the date of closing and payment for the Bonds. Said amounts constitute the original proceeds of the issue as used herein. Said accrued interest will be deposited in the debt service fund for application to the first interest payment on the Bonds on June 1, 1981. The remaining proceeds will be applied in accordance with Divisions B & C following. The price paid by the purchasers (underwriters) of the Bonds is reasonable under customary standards applicable in the market.

\* \* \*

Division B. With respect to Bonds and the original proceeds thereof in the amount of \$ \_\_\_\_\_, issued for the purpose of refunding outstanding obligations consisting of construction warrants, to-wit:

1. The Bonds are issued for the purpose of refunding outstanding obligations of the Issuer to the extent of the above amount of the issue for the purpose of paying costs of street improvements within the City. The Issuer has incurred a substantial binding obligation to accomplish said refunding. The refunding will proceed with due diligence to completion. No other obligations of the Issuer other than remaining portions of said issue herein described are being issued at substantially the same time that the Bonds are being issued, sold pursuant to a common plan of financing, and paid out of substantially the same source of funds.



2. The spendable original proceeds of the Bonds issued for the refunding will be expended for said refunding by the date of the delivery of said Bonds to the purchaser against payment.

3. The yield on the Bonds is computed to be 8.5446 percent. No obligations are expected to be acquired with the original proceeds and the yield of the Acquired Obligations which are to be allocated to said original proceeds of this bond issue shall not exceed said rate. Yield is determined by the actuarial method, on the basis of semiannual interest compounding, and said rate produces a present worth of all payments of principal and interest which is less than the purchase price described in the second paragraph of this certificate.

4. The original proceeds of this issue (or the portion thereof to which this division of this certificate applies) will not exceed (by more than one percent) the amount necessary for the purpose of said refunding.

5. None of the proceeds of the Bonds will be invested in higher yield Acquired Obligations pursuant to any temporary period provided in Section 1.103-14(e)(3) of the proposed Income Tax Regulations (the "Proposed Regulations") under Section 103(c) of the Code. Funds accumulated in the debt service fund for the payment of the Bonds and interest will be held, invested and disbursed within a period of less than twelve months and any amounts earned upon investments will within one year of receipt be commingled for accounting for expenditures with other revenues from the operations of the Issuer which are substantial in amount. The Issuer does not expect to pay principal or interest on the Bonds from any other fund.

6. As of the date of this No Arbitrage Certificate, all original proceeds of the obligations together with earnings upon the investment thereof for a temporary period have been expended for their purpose.

7. In the calculation of the yields stated above no adjustments were made to reflect the administrative costs of issuing, carrying and repaying the Bonds.

8. Property financed with the proceeds of the obligations to be refunded will not be sold or disposed of, in whole or in part, prior to the last maturity date of either the obligations or the last maturity of the Bonds.

9. All of the proceeds of the obligations to be refunded were used to provide facilities used in the regular operations of the Issuer and neither the facilities nor the output thereof have been or are expected to be used in the trade or business of any person other than the Issuer.

\* \* \*

Division C. With respect to original proceeds of the Bonds in the amount of \$ \_\_\_\_\_ (not issued for the purpose of refunding outstanding obligations), and to be used to acquire a project described as street improvements within the City, to-wit:

1. The Issuer will within six months of the date of the issue (the date on which said Bonds are issued, delivered, and paid for) of said Bonds incur a substantial binding obligation to acquire the project financed by said Bonds and exceeding two and one-half percent of the cost of acquiring said project. Work has been completed as of November 1, 1980.

2. Not less than eighty-five percent of the principal proceeds of the Bonds is expected to be expended for project costs, including the reimbursement of other funds expended to date by thirty-six months from the earlier of the respective issue date of the bonds or the first interim temporary obligations issued to fund the project and replaced by the bonds; and all of such proceeds are expected to be expended for the purpose of the project by \_\_\_\_\_.

3. Said Bonds are not issued in whole or in part to pay any principal or interest of a prior issue of governmental obligations.

4. The project will not be sold or otherwise disposed of, in whole or in part, prior to the last maturity of the Bonds.

5. The original proceeds of this issue will not exceed the amount necessary for the purpose or purposes of the issue.

Funds accumulated in the debt service fund created in the bond resolution for the payment of the Bonds and interest will be held, invested and fully disbursed within a period less than twelve months and any amounts earned upon such investment will within one year of receipt be commingled for accounting and expenditure with other revenues from the operations of the

Issuer which are substantial in amount. The Issuer does not expect to pay principal or interest on the Bonds from any other fund or to establish any sinking fund or other similar fund for the Bonds.

\* \* \*

On the basis of all the facts, estimates and circumstances now in existence and set forth in the documents relating to the issuance of the Bonds, including without limitation this No Arbitrage Certificate, it is now expected that the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be "arbitrage bonds" within the meaning of Section 103(c) of the Code and the Regulations thereunder.

This certificate is being executed and delivered pursuant to Sections 1.103-13, 1.103-14, and 1.103-15 of the income tax regulations under the Internal Revenue Code of 1954, as amended, (the "Regulations") and the undersigned is an officer charged by law and by resolution of the governing body of the Issuer with the responsibility of issuing the bonds. The terms used in this certificate have the same meaning as those terms which are used in Section 103(c) of the Code and the Regulations, which are to the extent of said definitions incorporated herein by reference.

To the best of our knowledge and belief the Issuer's expectations stated herein are reasonable and there are no other facts, estimates or circumstances that would materially change the foregoing expectations. No matters have come to our attention which make unreasonable or incorrect the representations made in this certificate.

It is further certified that said Issuer has never been listed by the Internal Revenue Service of the United States or the Commissioner thereof as not to be relied upon with respect to certification in connection with the issuance of its obligations.

WITNESS my official signature this   3   day of do not date, 1980.

  
\_\_\_\_\_  
Treasurer, Sigourney, Iowa

(SEAL)

Paul F. Ahlers  
James Evans Cooney  
Philip J. Dorweiler  
Kenneth H. Haynie  
H. Richard Smith  
James L. Krambeck  
John F. McKinney, Jr.  
L. W. Rosebrook  
Richard G. Santi  
Edgar H. Bittle  
Chris E. Knopf  
Henry L. Monson  
George A. Coppock  
Walter Wirtz  
David H. Luginbill  
Mark W. Beerman  
Edward W. Rensburg  
Thomas E. Stanberry  
Richard W. Hoffmann  
Randall H. Stefani  
Elizabeth Gregg Kennedy  
Patricia J. Martin

Ahlers, Cooney, Dorweiler, Haynie & Smith  
Lawyers  
300 Liberty Building  
Sixth and Grand  
Des Moines, Iowa 50309  
(515) 243-7611

October 9, 1981

Ms. Velda Lippard  
City Clerk  
City Hall  
Sigourney, Iowa 52591

Re: General Obligation and Street Improvement Bonds

Dear Velda:

In order that we can complete our files on the bond issue listed herein, please forward a copy of the No Arbitrage Certificates for the following issues:

\$870,000 G. O. - dated December 1, 1980

\$170,000 Street - dated December 1, 1980

Thank you for your assistance.

Very truly yours,

AHLERS, COONEY, DORWEILER, HAYNIE & SMITH

By

*Kris Kozel*

Kris Kozel  
Legal Assistant

KK:cd

*Mailed  
Copied  
Oct. 12, 1981*



Assessed and taxable value of all taxable property within said City, except moneys and credits and tax free lands, (Year 1979), according to the last completed State and County tax lists (100%)

\$ 34,654,866

Assessed value  
Assessed and taxable value of moneys and credits (Year 1979), not included in foregoing figures, (100%)

\$ 25,638,637

\$ \_\_\_\_\_

Total general obligation bonded indebtedness of said City (including this issue)

\$ 915,000

All other general obligation indebtedness, (including warrants, judgments, contracts of purchase or lease/purchase and revenue bonds issued under Code Section 403.9), of said City of any kind

\$ -0-

IN WITNESS WHEREOF, we have hereunto affixed our hands at Sigourney, Iowa, this = day of April, 1980.

William DeWitt Mayor

Peggy Kleinschmidt City Treasurer

Velda Lippard City Clerk

SEAL

I hereby certify that I am \_\_\_\_\_ of the \_\_\_\_\_ Bank of Sigourney, Iowa, and that I am personally acquainted with the officers whose signatures appear above; also that I know they are now the duly qualified and acting officials as designated above, and that I hereby identify said signatures, together with those on the above described bonds, as being in all respects true and genuine.

Dated at Sigourney, Iowa, the date last above written.

William DeWitt

CiSA-12-10-78

DELIVERY CERTIFICATE

We, William Deitrich, Mayor Velda Lippard, City Clerk, and Peggy Kleinschmidt, City Treasurer, do hereby certify that we are the officers, respectively above indicated, of a municipal corporation in the State of Iowa, known as the City of Sigourney, Iowa; that in pursuance of the provisions of Chapter or Section 384.68, Code of Iowa, there have been heretofore lawfully authorized and this day by us lawfully executed, issued and delivered 34 negotiable Street Improvement Bonds of said City of Sigourney, Iowa, in the aggregate amount of \$170,000, dated December 1, 1980, numbered, bearing interest and maturing as follows:

<u>Bond Numbers</u>	<u>Interest Rate</u>	<u>Principal Amount</u>	<u>Maturity December 1st</u>
1 - 3	8.00%	\$15,000	1981
4 - 6	8.00%	\$15,000	1982
7 - 9	8.50%	\$15,000	1983
10 - 12	8.50%	\$15,000	1984
13 - 15	8.75%	\$15,000	1985
16 - 18	8.75%	\$15,000	1986
19 - 22	9.00%	\$20,000	1987
23 - 26	9.00%	\$20,000	1988
27 - 30	9.00%	\$20,000	1989
31 - 34	9.00%	\$20,000	1990

Each of said bonds being executed with the genuine signature of the Mayor and City Clerk of said City, and each of the interest coupons attached to each of said bonds being executed with the facsimile signature of said City Clerk, the certificate on the back of each bond being executed with the genuine signature of the registering officer of said City.

We further certify that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of said City, the titles of the aforesaid officers to their respective positions, the jurisdiction of the City to carry out and assess the costs of the project, the validity of the aforesaid bonds, or the power and duty of said City to provide for the collection of assessments and apply proceeds thereof for the full and prompt payment of the principal and interest of the aforesaid bonds

as provided in the Resolution authorizing their issuance; and that the proceedings authorizing the issuance and delivery of said bonds remain in full force and effect and have not been withdrawn, amended or rescinded.

We further certify that the status of certified assessments which secure the payment of said bonds is as follows:

1. Total amount of assessments to private property: \$347,038.76
2. Amount of assessments in appeal to District Court as to the amount thereof: \$ -0-
3. Amount of assessments paid in cash within 30 day collection period: \$150,224.16
4. Amount of unpaid assessments of less than \$50.00 each: \$ -0-
5. Amount of unpaid assessments on Federal, State or City-owned property: \$ -0-
6. Amount of unpaid assessments against property in tax sale: \$ -0-
7. Amount of unpaid assessments on which owners have filed claims of agricultural land deferral: \$ 4,039.74

IN WITNESS WHEREOF, we have hereunto affixed our hands at Sigourney, Iowa, this = day of do not date, 1980.

\_\_\_\_\_  
Mayor

SEAL

Peggy Kleinhorst City Treasurer

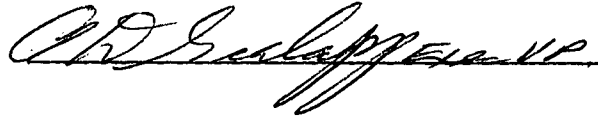
\_\_\_\_\_  
City Clerk

I hereby certify that I am \_\_\_\_\_ of the \_\_\_\_\_ Bank of Sigourney, Iowa, and that I am personally acquainted with the officers whose signatures appear above; also that I know they are now the duly qualified and acting officials as designated above, and that I



hereby identify said signatures, together with those on the above described bonds, as being in all respects true and genuine.

Dated at Sigourney, Iowa, the date last above written.



C. W. Eschappeler, Jr.

SEAL

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Sigourney, Iowa.

Date of Meeting: *November 19, 1980*

Time of Meeting: *8:00 B.M*

Place of Meeting: City Hall, Sigourney, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

\$870,000 General Obligation Bonds.

- Public hearing on the issuance.
- Resolution instituting proceedings to take additional action.

\$870,000 General Obligation Bonds, and  
\$170,000 Street Improvement Bonds.

- Resolution directing sale.

Such additional matters as are set forth on the additional        page(s) attached hereto.  
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 28A, Code of Iowa, and the local rules of said governmental body.

*15/ Velda Lippard*  
\_\_\_\_\_  
City Clerk, Sigourney, Iowa