The Sigourney City Council met in regular postponed session in the City Council Chambers of the Memorial Hall on Thursday, November 5, 1998, at 7:00 o'clock P.M., with Mayor Blake Gosnel. 1 presiding, and the following Councilmembers answering roll call: Ed Conrad, Rich Wilkening, Lyle G. Van Fleet, Douglas L. Glandon, Bob L. Mendenhall, and Jeffrey A. Winn. Others present, in addition to the City Clerk, were April Butcher, Charlie Williams, James Redinger, Geraldine Behnke, Sharlene Bos, Kenneth D. Bucklin, Mike Wagler, and Don Northup.

Mayor Gosnell reported that $\# 10$ on the agenda, Request of Drs. Thumasathit for Handicap Parking space, may be dropped: he had talked with Dr. Thumasathit and staff and pointed out to them that even if they get a handicap parking space, there is a step up to their front door, whereas they own the property behind the building and there is no step at their rear entrance, so that may be tabled until another time. The Mayor also said item \#17 may be stricken for this meeting. Councilmember Glandon suggested that item \#7 be moved ahead of item \#5. Councilmember Van fleet moved, seconded by Councilmember Conrad, that the agenda be approved as posted after certain changes as discussed. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Councilmember Van Fleet moved, seconded by Councilmember Winn, that the minutes of the regular Council meeting of October 21 , 1998 be approved as submitted. Upon the roll being called, the following voted: Ayes: Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. Abstained: Conrad. The motion was approved.

Mike Wagler appeared before the Mayor and Council in regard to the east-west alley on the south side of their "lower lot", which is north of Eagle Apartments and west of Short Stop. He said they plan to put a building on that lot and asked about closing the alley. Mayor Gosnell told him that during the time he was on the Council or since being Mayor that an alley has not been closed, and that in the last number of years the city has taken the approach that no alleys will be closed because of utilities. He further told Mr. Wagler that as long as he is Mayor and this council is in control that they are not going to abandon any alley, and that in future years if a business needs access it would be ludicrous for an administration to tell such business the alley can't be used. However, the City does not maintain alleys. Mr. Wagler was satisfied that there is no problem with access.

Mayor Gosnell reviewed with the Council the Real Estate Contract between Thomas A. Bates and Kathleen A. Bates and Larry J. Northup and Linda K. Northup, Sellers, and the City of Sigourney for the Benefit of the Sigourney Public Library Building Fund. Councilmember Conrad asked about the previously approved option to purchase. Mayor Gosnell told him that Al Gralapp had mentioned to the Council. when he was here in regard to the Moore real estate purchase that they had an option with Bates and Northup to purchase that real estate too. Councilmember Van Fleet moved, seconded by Councilmember Conrad, that the Real Estate Contract between Thomas A. Bates and Kathleen A. Bates and Larry J. Northup and Linda K. Northup, Sellers, and the City of Sigourney for the Benefit of the Sigourney Public Library Building Fund be approved. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved. Mayor Gosnell
-2- Minutes of Sigourney City Council Meeting of November 5 r 1998
reminded the Council that the money for the real estate will come from their Building Fund, and that their excess in their general fund is now depleted and they have been reminded that they are down to operating income.

Under the item on the agenda, Specifications for when curbs and/ or streets are sawed, Councilmember Douglas Glandon had prepared a proposed drawing as to how the same should be completed. Councilmember Glandon moved, seconded by Councilmember Winn, that the proposed drawing submitted by the Council Street Committee Chairperson regarding the sawing of curbs and gutters be approved subject to the receipt from the Engineers of an amended drawing, with possible written instructions, as a final form. The inspection of such work on the curb or gutters shall be by the street Department and approved prior to completion. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Charlie Williams appeared before the Mayor and Council to discuss aspects of his plans to build a new house. He said he has a $2^{\prime \prime}$ water line at the shed on the location and he wonders if it would be permissible to run that same line to the house. The Mayor told him that multiple dwellings on the same line cannot be authorized but his shed and house on one line would be acceptable. Mr. Williams also stated he has 10 or $121^{\prime \prime}$ tiles on his property that run into the storm sewer drain adjacent to Weber's house and he would like to tie in at South street the drains/ eave spouts from the house he plans to build, which would mean about $20^{\circ}$ to the tie in at the storm sewer. Councilmember Van Fleet moved, seconded by Councilmember Conrad, that Charlie Williams be given permission to tie into the storm sewer on South Street the proposed house drains/eave spouts with the provision that should any backup occur, it would be the Williams' responsibility, not the city's. Upon the roll being called, the following voted: Ayes: Conrad, wilkening, Van fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Councilmember Van fleet introduced the Resolution, and moved its adoption, to approve the Application of Charlie and Mary Williams for Tax Abatement on a new house. The second was by Councilmember Wilkening. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.
\#6 on the agenda, Request of stanley Finch for Street light, was discussed. Councilmember Glandon said he thinks there is one between May Street and the end of the Street, maybe on his property (Finch had said the closest light was at May Street.) Mayor Gosnell said we don't need to pay for another street light. Councilmember Glandon moved, seconded by Councilmember Conrad, that the request of stanley finch for a street light be denied. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Councilmember Conrad moved, seconded by Councilmember Van fleet, that the request of Glen Bakehouse for permission to saw curb at 600 East South Street for driveway be approved, subject to the just adopted policy covering such specifications. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.
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Councilmember Winn moved, seconded by Councilmember Glandon, that the request of Charles $F$. Spiegel, Jr. for permission to saw curb at Pleasant Valley to add width to driveway be approved, subject to the just adopted policy covering such specifications. Upon the roll being called, the following voted: Ayes: Conrad, wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

The Mayor and Council discussed at length the Zoning Ordinance and particularly the inspectors that are to be appointed. The Mayor reviewed his understanding that an inspector will have to approve when someone wants something inspected; the commission will have to make a recommendation and the Commission will vote if it meets the criteria of the Ordinance. He wanted to know how the Council felt about him approaching the guys who put together the ordinance and asking them to be on the Commission. They will make recommendations and the City Council will be the bad guys when approval is not granted or a disagreement; he said everything has to come before the Council for final approval. Councilmember Glandon said we could try it that way. The Mayor further stated the City Council approves findings of the Zoning Commission. Councilmember Mendenhall added his understanding that the city Council will be in a position to go along with the way the city is zoned and look at exceptions, and he asked the Mayor if he was saying that the city Council can overrule the adopted Zoning Ordinance? Mayor Gosnell replied he thought the City Council was a body for appeal, although nine out of ten times we don't take any action. Mayor Gosnell asked if there is any problem with him approaching the guys coming up with the Zoning Ordinance and asking them to be on the Commission. The question was raised about payment. Councilmember Mendenhall indicated that should be tied in to our building permit fees. Councilmember Glandon suggested that perhaps 20\% of the fee should go to the City and $80 \%$ to the inspector.

Engineer Bucklin reviewed the final Change Order, No. 3, in favor of John W. Sammons Construction Co., Inc. on the Square Project. He said it is an accumulation and had to do with unmarked items nobody knew were there: unmarked sewer, unmarked tile, and unmarked water service lines. He outlined each item as follows:

3-1. Add the repair of unmarked water service at Main and Spring. 6 hours with 4 men and machinery to repair watermain at the agreed upon sum of $\$ 1,050.00$.

3-2 Add the repair of unmarked storm sewer pipe at Main and Spring. 3 hours with 3 men and $1 \mathrm{C} . \mathrm{Y}$. of concrete at the agreed upon sum of $\$ 250.00$.

3-3 Add the replacement of 70 L. F. of 4-inch drain tile with SDR 35 PVC pipe. Tile was in conflict with watermain along the west side of Main south of Marion. This extra work was agreed to cost $\$ 175.00$.

3-4 Add the repair of unmarked water service on Jefferson at alley between Marion and Washington. 5 men and backhoe for 1 hour to make repair at the agreed upon sum of $\$ 175.00$.

3-5 Add the repair of unmarked storm sewer at Main and Washington. 3 men and materials 2 hours at the agreed upon sum of $\$ 240.00$.

3-6 Add the repair of unmarked storm sewer near the corner of Marion and Jefferson. 2 men and materials 1 hour at

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    1998
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the agreed upon sum of $\$ 160.00$.
3-7 Add the repair of unmarked 6-inch sanitary sewer, 4inch drain tile, and 12 -inch storm sewer at the fire station tie-in. 3 men and materials 2 hours at the agreed upon price of $\$ 350.00$.

3-8 Add the repair of unmarked drain at the SW corner of courtyard. Labor and materials at the agreed upon sum of $\$ 50.00$.

3-9 Add the removal and replacement of a section of lead service line to Kinds Grocery Store, 5 men 3 hours with machinery and granular backfill at the agreed upon sum of $\$ 560.00$.

3-10 Add the repair of steam tunnel at the location of new intake on the west side of Main near Marion. 3 men 1 hour and $4 \mathrm{C} . \mathrm{Y}$. of concrete at the agreed upon sum of $\$ 300.00$.

3-11 Add 1 main tie-in for the fire station at the Contract price of $\$ 2,012.50$.

3-12 Add 1 hydrant at fire station at the contract price of $\$ 2,426.50$.

3-13 Add 1 - 6-inch gate valve at fire station at the Contract price of $\$ 593.40$.

3-14 Add 161 L.F. of 6-inch PVC, C-900, Class 150 watermain for fire station service at the agreed upon price of $\$ 17.50$ per Li.F. $=\$ 2,817.50$.

3-15 Add 340 lbs. of ductile iron fittings for the fire station service at the contract price of $\$ 1.94$ per $1 b$. $=\$ 659.60$.

3-16 Add 592 L. F. of 1 -inch copper service line at the agreed upon price of $\$ 34.00$ per L.F. $=\$ 20,128.00$.

3-17 Deduct 592 L.F. of 3/4-inch copper service line at the Contract price of $\$ 32.26 \mathrm{~L} . \mathrm{F} .=(\$ 19,097.92)$.

3-18 Add the adjustment of the 5 street light bases on Marion Street at the agreed upon lump sum price of \$749. 29.

3-1.9 Delete one street light at the Contract price of (\$4,583.90).

3-20 Add 4,984 feet of $\# 8$ copper ground wire to all street light locations at the agreed price of $\$ 1.720 .72$.

3-21. Add the reconnection of courthouse accent lights by splicing existing URD cable on inside of square at the agreed upon price of $\$ 473.80$.

Justification:
3-1 - 3-8 Extra work as defined in General Condition 2.06
3-9 Owner requested that section of lead service line be replaced
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> It became necessary to remove a section of the steam tunnel wall to install new Type A intake.
> 3-11-3-15 Owner requested that fire station service line be connected to Spring Street watermain.

3-16, 3-1.7 Owner requested that 1 -inch copper service lines be installed to buildings with upper floors.

3-18 Street light bases were adjusted due to staking error. (Mr. Bucklin left with the city clerk a reimbursement check from French-Reneker, in the amount of $\$ 749.29$ to cover their error.)

3-19 One original street light will not be erected, but stored for later use.

3-20 Grounding for GFI outlets at street lights was not provided on drawings.

3-21. Source of power to accent lights unknown prior to construction

Change to Contract Price:
Original Contract price: $\quad \$ 719.170 .14$
Current contract price adjusted by previous change order:

$$
\$ \quad 741,336.74
$$

The contract price due to this change order will be increased by:

$$
\$ \quad 11,209.49
$$

The new Contract price including this change order will be:

$$
\$ \quad 752,546.23
$$

Change to contract time:
The time will be (increased) (decreased) by o calendar days.
The date for completion of all work will be December 1,1998
Councilmember Glandon moved, seconded by councilmember Van fleet, that the Change Order No. 3r in favor of Sammons Construction Co., be approved as submitted. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Councilmember Glandon brought up the matter of the old street lights which are stored at the Street Yard. Councilmember Van Fleet said he had been contacted by EXPO personnel about buying some of them. Councilmember Winn moved, seconded by Councilmember Conrad, that Councilmember Van Fleet be given the authority to sell all of the old street lights, for a lump sum to take all. Upon the roll being called, the following voted: Ayes: conrad, Wilkening, Glandon, Mendenhall, and Winn. Nays: None. Abstained: Van Fleet. The motion was approved. Geraldine Behnke asked about putting a dimmer on the street lights to save electricity; that it is way after daylight when they go off. Councilmember Glandon acknowledged her suggestion by saying there is a timer in the system, but the lights need to be "seasoned in" before we start adjusting them; that ultimately the Police Dept. on the night shift will handle adjusting of the lighting.
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Engineer Bucklin reviewed with the Council a proposed letter to Sammons Construction Co. as a follow-up to the final inspection of the project. Specific items he outlined were the instability of some of the light poles; the fiberglass base plate has 81/4" lugs on concrete foundation which have to be in contact with the concrete, and he recommended shimmying or grouting the same: Atwood Electric contends that grouting would be a Change order, but they will have to be shimmied or lugs in place. He further stated a bigger problem than the shimmying is that the poles are two pieces with a shaft bonded into the base with fiberglass, and one-half of the poles are not done correctly. which is a manufacturer's problem. Water is getting in the poles and will freeze and will damage the poles. Councilmember Glandon agreed. Councilmember Van Fleet moved, seconded by Councilmember Conrad, that the letter be sent to Sammons Construction Co. by FrenchReneker \& Associates, Consulting Engineers. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Mr. Bucklin also explained why their specifications for the electrical services for the Square Project appear to be too great. He said when he and his electrician checked it was drawing 88 amps and others had wondered why it was designed for a 400 amp service. There are 36-15 amp outlets hooked into the system, and if all of those were in use it would require a possible 540 amps, so with that scenario 400 amps is not extra heavy.

Engineer Bucklin left a copy of the final Assessment plats and Schedules for the Sidewalk Improvements with the Square Project; the total is slightly down from the original calculation and the City will get about $\$ 1500$ less. He will send the same directly to Attorney John McKinney with the bonding attorneys.

Councilmember Van fleet said that part of a grant application for the Memorial Hall roof said that we would insulate the attic, and the insulation has been donated, except for the fly loft, and he had contacted Mike Renner to install the insulation by making an access hole in the back of the auditorium. He and his associates will install the insulation for not to exceed $\$ 2400.00$. Councilmember Glandon moved, seconded by Councilmember Van Fleet, that Mike Renner be hired to install the insulation in the Memorial Hall attic for not more than $\$ 2400.00$. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Previously Councilmember Van fleet reported that he had been contacted by Tom Hinrichsen about the fence at the park north from the public rest rooms. The motion was at the council meeting of April 16, 1997, and after reading the last council minutes, City Attorney John Wehr called him and said that the Fence Agreement had never been signed and returned by the Hinrichsens. Councilmember Van Fleet recommended sitting on this matter presently.

Councilmember Van Fleet moved, seconded by Councilmember Wilkening, that the $\$ 1500.00$ down payment for the Park shelter be paid to Conner/Pacemakers, pursuant to the Contract which the Mayor has signed. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Councilmember Van Fleet sajd he plans to contact Bill Tremmel to see if he will do some more work around the swing sets. Mayor
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Gosnell said that in regard to the insurance loss claims representative's recommendations, that if anyone has any questions they should talk with the Mayor.

Councilmember Glandon reported that they have reviewed the proposals for the pole building and they were:

| Morton | Inc................ ${ }^{\text {S }}$ | 48,805.00 |
| :---: | :---: | :---: |
| Conner/Pacemaker, | Inc | 49,838.00 |
| Hayesville Lumber | Compan | 52,070.00 |

Councilmember Winn moved, seconded by Councilmember Wilkening, that the proposal of Morton Buildings, Inc., for the pole building, be accepted, in the amount of $\$ 48,805.00$, less taxes. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Don Northup said he will have more information at the next meeting in regard to a recycling truck.

Councilmember Conrad read the proposed Chapter 10.36 Ordinance Amendment in regard to the no parking for cleaning or snow removal. Councilmember Van Fleet moved, seconded by Councilmember Conrad, that the same be considered the first reading toward adoption. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Councilmember Glandon indicated he wanted to waive the second and third readings of said ordinance amendment and adopt the same at this time. Councilmember Van fleet said that is not fair to the public: that it should be on two different agendas.

Item 16-A on agenda, Ron Doubek re garage rental, Mayor Gosnell said he wants to rent a garage from Bob Wehr for the city pickup. Councilmember Glandon said we have space in the garage at the City shop that he may use. The Mayor will so tell Mr. Doubek.

Engineer Bucklin reported that the 149 watermain relocation is completed and that he will send the Pay Estimate of $R \& R$ to the D.O.T. since it is to be paid through their contractor. He also said the curb boxes were bad, so that will add to the cost. (The City Clerk told the Council that the RoR Pay Estimate is included in the claims they have before them, so she will pull and delete that one.) Mr. Bucklin also said that she should flag their statement: that the City is to pay frenchReneker, but then bill D.O.T. for the inspection part thereof, which they will separate when they prepare their invoice.

Without voting action, there was no problem with Ron Doubek's request for continuing education for .5 CEU in Wastewater in Cedar Rapids on November 20th.

Councilmember Van Fleet moved, seconded by Councilmember Conrad, that the claims be approved as submitted and amended (add Conner/ Pacemaker, Inc. and drop R\&R). Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Geraldine Behnke appeared before the Mayor and Council to request no parking on Shuffleton Street from the alley north of her residence, at 110 N . Shuffleton, to the stop sign at the intersection with Washington Street. She said there is an excess amount of parking of trailers, pickups and other vehicles there.
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Mayor Gosnell told her that there is no parking within 35 ft . of a stop sign, and that would be about the driveway of the house to her south. She of course wanted it further north. The Mayor reminded her that it is not illegal for those vehicles to be parked there; that perhaps it is illegal for Reinekes to park on the terrace, but that is the City's problem, not her's. She said she likes The Rejnekes, but some of their visitors give her the finger and yell four letter words at her. She further said it is too bad that Iowa doesn't have the law where you can throw people in jail for "giving the finger" as does a Southeastern state. The Mayor tried to tell her that is not true, so she told the group that her son was adjusting his glasses as a police officer passed him and interpreted that he was "giving the finger" and her son was thrown in jail overnight until he could arrange bail. Mrs. Behnke left the meeting unhappy with the lack of response over her request.

Mayor Gosnell reported that Al Gralapp wants a light to shine on the Library entrance, and he has heard about a grant program to regain lights damaged by the June storm.

The Mayor also said he has received another letter from Elwood \& Elwood in regard to the septic tank at the Shaver property, and that the new property owners need to be advised that they should hook up to the sanitary sewer.

Under public input, Mayor Gosnell told the Council he had been called to Kenneth Chance's in regard to the huge problem with the water running into Gail and Andy Weber's house to the north; there is no curb and gutter on Latimus to the west and it drains into a flat spot in the street. Councilmember Glandon said he thinks that it is the property owners' problem.

Councilmember Conrad reported he has received complaints about parking in front of the Catholic Church. The Mayor reported that Tim Oswald, with Piper Jaffray, will plan to attend the meeting on December 2nd in regard to refinancing. It was also reported that City Attorney John Wehr is writing the cat ordinance now.

Mayor Gosnell said he will be gone November 10-12 and 18-19.
Councilmember Glandon moved, seconded by Councilmember Conrad, that Ray Snakenberg be given permission to saw the curb at Pat Miletich's for a $4^{\prime \prime}$ drain pipe. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Councilmember Mendenhall stated he didn't think items 16-A and 18, Doubek's request for a garage and permission for continuing education, should have been on the agenda. Mayor Gosnell said he had not told Ron No on either item because it is the council who authorizes expenditures. He did suggest however that the Committee Chairmen call Peg if there is something that isn't necessary to go on the agenda.

Regarding the $M \& P$ Utilities claim and the investigation by City Attorney John Wehr, Councilmember Glandon said no one knew about the response with the statement Ron Doubek had signed, and he thought only the Mayor was authorized to sign in behalf of the City.
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1998

Councilmember Van fleet moved for adjournment at 8:50 P. M. The second was by Councilmember Winn.











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| 10-06-98 | DM | Keokuk County State Bank - returned check. | 45.93 |
| :---: | :---: | :---: | :---: |
| 10-22-98 | 23193 | Library - 1/2 appropriation | 16,100.00 |
| 10-23-98 | 23303 | Sigourney Post office - utility <br> bills 777 . $18=139.86$ and 43 x |  |
|  |  | . $20=8.60$. | 148.46 |
| 10-23-98 | 23304 | Treasurer, State of Iowa - sales |  |
|  |  | taxes for October | $\frac{1,459.45}{17,753.84}$ |


| PAY-09-98 | PJ | e |  |
| :---: | :---: | :---: | :---: |
| 10-09-98 | EFTPS | Keokuk County State Bank - FICA \& |  |
|  |  | Medicare 10-92-98 | 1 , |
| 10-09-98 | EFTPS | Keokuk County State Bank - federal tax withheld PE 10-2-98......... | 987.46 |
| 10-09-98 | 23192 | Collection Services Center | 378.34 |
| 10-09-98 | 231.91 | Fee for Collection Services Accts | 4.00 |
| 10-23-98 | PJ | Employees Net Payroll ending 10-16 | 7,664.73 |
| 10-23-98 | EFTPS | Keokuk County State Bank - FICA \& Medicare for 10-23 payroll.... | 1,658.04 |
| 10-23-98 | EFTPS | Keokuk County State Bank - federal withheld 10-23-98................. | 953.47 |
| 10-23-98 | 23291 | 23157 Keokuk County State Bank - amts over insurance for bonds.......... | 623.25 |
| 10-23-98 | 23297 | Treasurer, State of Iowa - Iowa withholding Dct. 1998...... | 810.90 |
| 10-23-98 | 23298 | Blue Cross Blue Shield - Health Ins. Premium for Nov. | 2,336.77 |
| 10-23-98 | 23299 | IPERS Collections - all Ipers except Police for Oct..................... | 1,471.89 |
| 10-23-98 | 23300 | IPFRS Collections- Police Ipers for oct. | 989.21 |
| 10-23-98 | 23301 | Keokuk County State Bank - savings bonds purchase plan.............. | 119.30 |
| 10-23-98 | 23302 | Employee Benefit Serv. - Flex Benefit Pre Tax Contributions and Adm. | 258.16 |
| 10-23-98 | 23305 | collection Services Center - 2 accts | 431.35 |
| 10-23-98 | 23306 | Fee for Collection Services Acct | 4.00 |

