

Conrad Iowa July 23 1917.

The Town Council of the Incorporated Town of Conrad met in the directors room of the Conrad State Bank pursuant to call of Mayor S.F.Price at 8,30 P.M.

Members present

Mayor S.F.Price

Councilmen

E.O.Ecklund, J.R.Gier,

L.G.Sherbon, E.M.Stark

B.F.Wilhelm

Stark moved and Ecklund seconded that the city marshall be granted one week vacation on full pay with the understanding that he procure a substitute

Carried.

Ecklund moved and Sherbon seconded that the clerk be authorized to purchase a suitable desk his office

Carried.

On motion council adjourned.

Town Clerk.

Conrad Iowa, July 27 1917

The Town Council of the Town of Conrad, Iowa, met pursuant to the adjournment of July 2 and 18 1917 at the Council Room on the 27 th of July 1917 at 7 o'clock P.M with the following present;-

Councilmen E.O.Ecklund, E.M.Stark, J.R.Gier, L.G.Sherbon, B.F.Wilhelm Mayor S.F.Price and J.R.Witzigman Clerk.

The following Resolution was then offered by Councilman E.O.Ecklund who moved its adoption. The motion was seconded by Councilman J.R.Gier

Roll was called and resulted as follows; Ayes Councilmen Ecklund

Gier, Sherbon, Stark & Wilhelm. Nays None. Absent by not voting None.

The motion was declared carried, the resolution was declared adopted as follows;-

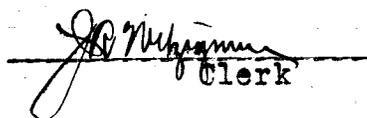
Whereas, the Town Council of the Town of Conrad, Iowa, being fully advised, finds that on the 2nd day of July 1917 there was proposed by this Council, on its own motion, a Resolution of Necessity for the construction of a sanitary sewer system in and for the town of Conrad, Iowa; and,

Whereas, they have caused notice of same to be published in accordance with law, to wit, by two publications in the Conrad Record, a newspaper of general circulation published in the town of Conrad, Iowa, the first publication being on the 5th, day of July, 1917, and the last on the 13th, days of July, 1917, and at a meeting of this Council, appointed the 27th, day of July, 1917, at 7 o'clock P. M. for the purpose of hearing objections thereto, and,

Whereas, the Town Council has met in accordance with the above named notice and has given a hearing to all objections to the contemplated improvement, and has found that it is advisable and necessary to build this improvement,

NOW, THEREFORE, BE it resolved by the Town Council of the Town of Conrad, Iowa, that all objections to said proposed improvement be, and they are hereby, overruled; that said Resolution be, and the same is hereby, so amended as to eliminate from said sewer system the sewer proposed to be built on that part of Jennings Street, south of the center line of Walnut Street and on that part of Washington and Main Streets north of a point 225 feet north of the north side of Boyd Street; and that the Resolution of Necessity above referred to as proposed on the second day of July, 1917, as hereby amended be, and the same is hereby, adopted as proposed.

Attest


Clerk


Mayor

The following Resolution was then offered by councilman, E. E. Stark, who moved its adoption. The motion was seconded by Councilman J. C. Sherbon.

The roll was called and resulted as follows:-

Ayes- Councilman Eklund, Gier, Sherbon, Stark, B. F. Wilhelm.

Nays - Councilman -None.

Absent or not voting, Councilman, None.

The motion was declared carried, the Resolution was declared adopted and is as follows:-

Resolution ordering Construction of Improvement.

Be it Resolved by the Town Council of the Town of Conrad, Iowa, that pursuant to a Resolution of Necessity proposed at a meeting of this Council held on the 22d, day of July, 1917, and duly passed at a meeting of this Council, held on the 27th, day of July, 1917, it is hereby ordered upon motion of this Council, without petition of property owners, that the improvement, consisting of Sanitary Sewers, Sewer Outlet, Disposal Plant etc, all as set out in said Resolution has finally adopted, which Resolution is by this reference made a part hereof, be constructed; and

Be it further Resolved that the Town Clerk be, and he is hereby, instructed to advertise for bids for the construction of this improvement, as required by law, same to be in accordance with the plans and specifications now on file in the office of the Town Clerk and approved by this Council on the 27th, day of July, 1917. The work to be commence on or before Sept. 14th, 1917, and fully completed on or before Dec/1st, 1917. Payment for said work to be as follows:-

Upon completion of the improvement all as fully described in said Resolution of Necessity, according to contract, and the acceptance of same by this Council, cost of same shall be paid by special assessment certificates of bonds, drawn in accordance with the law and the said Resolution of Necessity against the privately owned property benefited by such sewers, or if insufficient to pay the cost of same, by bonds or warrants drawn against such funds of the Town of Conrad, Iowa, as can by law be used for such purposes. The Council hereby reserves the right, if they decide so to do, to pay part or all of the cost of the Sewer Outlet and Disposal Plant as authorized by Section 840-G of the Supplemental Supplement to the Code of Iowa and part of all of the cost of street intersections out of the Town Sewer or General Funds. Said payments to be made in and said securities issued as soon as by law provided and as soon as possible after the completion of said contract and the acceptance of the work by this Council.

And be it further resolved that bids for the construction of said improvement shall be received by the Town Clerk at his office up to 10 o'clock A. M. on the 14th day of Aug. 1917, and the same shall be open and acted upon by this Council at a meeting to be held at 10 A. M. on the 14th, day of Aug, 1917, and that all bids be accompanied in a separate envelope by a certified check drawn on one of the banks of the Town of Conrad, Iowa, in the sum of \$1000.00 for proposals for the Disposal Plant and in the sum of \$1000.00 for proposals for the Sanitary Sewer, which checks shall be made payable to the Town Treasurer as security that the bidder in case his bid is accepted and contract awarded to him will enter into contract for the doing of the work and will give bonds, within 10 days in the sum of 50% of his contract price, conditioned upon the proper carrying out of the terms of the contract and the contract and bonds shall contain the condition requiring the contractor to carry workmens compensation insurance and the contractor and his bondsmen to keep said improvement in good repair for a period of one year from and after completion thereof.

The contract shall contain the usual covenants and provide that the Contractor shall hold the Town of Conrad, harmless from all suits or actions of every nature on account of any injury or damages received or sustained by any person or persons on account of any negligent act or omission of the contractor, his agents or employees in the performance of the work or on account of any defective or improper materials used.

The certified checks of unsuccessful bidders will be returned upon the rejection of their bids and the certified check of the successful bidder will be returned when he has entered into a proper contract and given bond as required, but in the event of his failure to enter into a contract and give bond as required, such check may at option of the council be retained and the proceeds thereof considered as liquidated damages. This Council will reserve the right to reject any and all bids .

Attest J.A. Whigham
Clerk

A.P. Rice
Mayor

The following Resolution was then offered by Councilman E.O. Ecklund who moved its adoption, The motion was seconded by Councilman J.R. Gier.

The Roll was called and resulted as follows;-

Ayes, Councilmen Ecklund, Gier, Sherbon, Stark and Wilhelm
Nays, Councilmen None.

Absent or not voting Councilmen None.

The motion was declared carried, the resolution was declared adopted and is as follows;-

Resolution Approving Plans and Specifications.

Be it Resolved by the Town Council of the Town of Conrad, Ia. that the plans and specifications prepared by the T. A. Perry, Engineer, filed with the clerk on July 2nd, 1917, for the improvement referred to in the Resolution of Necessity and Resolution ordering said improvement passed this 27th day of July, 1917, be, and the same are hereby, approved.

Attest J.A. Whigham
Clerk

A.P. Rice
Mayor

The following notice to Contractors was then read to the Council by the Clerk and on motion of Councilman Ecklund, seconded by Councilman Stark which motion was put to a vote and carried by a unanimous vote, said notice was approved and the Clerk ordered to publish the same for two weeks in the Conrad Record, the first publication to be on Aug. 1917.

NOTICE TO CONTRACTORS.

Sealed proposals will be received by the Town Clerk of Conrad, Iowa, until 10 A. M. on the 14th, day of Aug. 1917. for the construction of a Sewerage disposal plant, Sewer Outlet, and Sanitary Sewers, in and for the Town of Conrad, Iowa, the extent of the work, kinds of material and method of construction to be as shown by the plans and specifications.

now on file in the office of the Town Clerk which are by this reference made a part hereof, as provided by a Resolution of Necessity passed by the Town Council on the 27th day of July 1917 which resolution is by this reference made a part hereof, said sewer to be built of vitrified said glazed sewer pipe, cast iron pipe where required, hard burned building brick etc and to be located as follows:- The Sewer Outlet to commence at the north bank of Wolf Creek near the east line of the east half of the north east quarter of section 31 township 86 north, range 17 west of the 5th P. M. in Grundy County, Iowa, and from thence to extend in a north-westerly direction to a culvert on the right of way of the Chicago and Northwestern Railway, thence through said culvert and in a north-westerly direction to the south 150 feet of Lot 8 of the County Auditors Sub-division of the North-east quarter of said section 31 to the septic tank or Disposal Plant which will be located on said south 150 feet of said lot 8; thence in a north westerly direction to the east end of Walnut street of the Town of Conrad, Iowa, using 12 inch sewer pipe.

Also a sewer commencing at the east end of Walnut street, running thence west on the center line of Walnut street to a point to where the center line of Walnut street intersects the center line of Main street; thence north on the center line of Main street to a point 225 feet north of the north side of Boyd street; Also west on the center line of center street from the center line of Main street to the center line of Washington street, thence north on the center line of Washington street to a point 225 feet north of the north side of Boyd street also north on the center line of Church street from the center line of Walnut street to the center line of Lillian Avenue; Also south on the center line of Jennings street from the center line of Center street to the center line of Walnut street; also south on the center line of Vernon street from the center line of Lillian Avenue to the center line of Center street thence east on the center line of Center street to the center line of Alice street; also south on the center line of Dwight street from the center line of Lillian Avenue to the center line of Center street; Also south on the center line of Alice street from the center line of Lillian Avenue to the center line of Center Street.

All of said sewers to be built of 8 inch and 10 inch vitrified sewer pipe joined with Portland cement, hard brick manholes and flush tanks, all as provided by the plan and specifications now on file with the Town Clerk.

The work shall be commenced on or before Sept. 14th 1917 and fully completed on or before Dec. 1st 1917. Payments for said work to be made after its completion and acceptance by the Town Council, by Special Assessments Certificates of Bonds, issued in anticipation of a fund to be created by a special assessment to be levied against the property abutting and adjacent to said sewers in proportion to its benefits as provided by law and said Resolution of Necessity, or if insufficient to pay the cost of same, by Bonds or Warrants drawing 6% annual interest drawn against such funds of the Town of Conrad, Iowa, as can be law be used for such purposes. The Town reserves the right of paying for all or any part, of the cost of the Disposal Plant and Outlet Sewers as authorized by Section 840- G of the Supplemental Supplement of the Code of Iowa, 1915, and the cost of the street intersections may be paid out of the Town Sewer of General Fund if the Council later decides to do so. Said payments to be made as soon as by law provided after the completion and acceptance of said improvements.

All proposals must be made separately for the Disposal Plant in one proposal and a Sanitary Sewers in another proposal and all proposals for both together will be received, the Council reserving the right to consider the Disposal Plant separate from the other work, or as a whole as it may elect, and each proposal shall be accompanied by a certified check in the sum of \$1000.00 drawn on one of the Conrad banks in a separate envelope and make payable to the Town Treasurer as security that the bidder will, in case

his proposal is the lowest and best legal bid submitted, and contract is awarded to them, enter into contract for the doing of the work and give bond within 10 days in the sum of 50% of a contract price conditioned upon the proper carrying out of the work and the faithful performance of the contract, and the contract and bond shall contain a condition requiring the contractor to carry workmens compensation insurance and the contractor and his bondsmen to keep said improvements in repair for a period of one year from and after completion thereof. Certified checks will returned to unsuccessful bidders and to successful bidders when they have signed contract and given bond as required. In case the successful bidder shall fail to enter contract and give bond as required, certified check filed with his proposal may be retained by the town council at their option as agreed and liquidated damages.

The right is reserved to reject any and all proposals proposals will be acted upon at a meeting to be held by the Town Council at 10 o'clock A. M. on Aug. 14th 1917 or at an adjourned meeting thereof.

PROOF OF PUBLICATION,

STATE OF IOWA }
GRUNDY COUNTY } ss.

I J. H. Alexander

being duly sworn, say I am the editor, proprietor and publisher of the Conrad Record and that the notice of To Contractors hereto attached, was published and printed in said newspaper one consecutive weeks, that the first of said publications was on the 23 day of August 1917, and the last on the _____ day of _____ 190_____.

Signed J. H. Alexander

Subscribed and sworn to before me, a Notary Public
in and for Grundy County, and State of Iowa, this

18 day of March, A. D. 1908
Ernest L. Smith
Notary Public

\$5000.00 for sewer purposes"; and,

Whereas, notice of such election was duly published; and,

Whereas said election was held on the 20th day of April 1917 between the hours of 8 A.M. and 7 P.M. pursuant to said notice and there did vote at said election upon the proposition to issue the bonds of said town as aforesaid,

Electors, of whom did vote in favor of said proposition and of whom did vote against it, and none of whose votes were represented to be defective ballots; and,

Whereas more than a majority of the electors voting at said election and a number of electors larger than a majority of the votes cast at the last preceding municipal election held in said Town did vote in favor of said proposition aforesaid, and the Judges of said election did so declare, and did issue their certificates so certifying; and,

Whereas it is necessary for the best interests of said town that the proposed sewer outlet and disposal plant be built and that for the purpose of paying the cost of the construction of such sewer outlet and disposal plant be ~~six~~ issued; and,

Whereas said town is desirous of anticipating the taxes provided for by section 840-G of the Supplemental Supplement to the Code of Iowa by the issuance of bonds as provided by Section 912 of the Code;

NOW, THEREFORE, be it, and it is hereby, Resolved by the Town Council of the Town of Conrad, Iowa;-

Section 1. That it be, and it is hereby, found and declared that at a special election duly and properly called and held in said Town on the 20th day of April 1917, more than a majority of the electors of said town voting at said election and a number of electors larger than a majority of all the votes cast at the last preceding municipal election held in said town did vote in favor of the proposition to authorize this Council to issue the bonds of said Town in the sum of \$5000.00 for sewer purposes.

Section 2. That there is hereby ordered issued a negotiable coupon bonds of said Town in the aggregate sum of \$5000.00 for the purpose of obtaining money to defray a part of the necessary expense of the construction of a sewer outlet and disposal plant in said town;

Section 3. That there has been ordered by said Council and improvement in said Town consisting of a sewer system and sewer outlet and sewer disposal plant.

Section 4. That said Town Council desired to anticipate the taxes provided for by Section 840-G of the Code of Iowa, as now amended, by the issuance of bonds as provided by Section 912 of the Code of Iowa.

Section 5. That the bonds hereby authorized be seven in number, numbered to one to seven inclusive to bear the date of Aug. 1st, 1917 and become due and payable Aug. 1st. 1924. That bonds number from one to three, both included, shall be of \$1000.00 each due Aug. 1st. 1924 without option; that bonds numbered from 4 to seven, both included shall be of \$500.00 each due Aug. 1st 1924 with option of paying said bond on any interest paying date.

That such bonds bear interest at the rate of 5% per annum from date until paid, payable semi-annually on May and Nov. 1st. of each year. That such bonds be signed by the Mayor of said Town and attested by the Town Clerk, with the seal of the said Town affixed. That the interest on the several days when such interest matures, and that such coupons be executed in the same manner as said bonds. That said bonds and such coupons be payable at the Conrad State Bank of Conrad, Iowa, and that such bonds be certified and registered by and in the office of the Treasurer of said Town.

Section 6. That said bonds and coupons and certificates/ of the treasurer be in substantially the following form:-

(Form of Bond)

United States of America.
 State of Iowa; County of Grundy; Town of Conrad.
 Sewer outlet bonds.

No. _____ \$1000.00

The Town of Conrad, in the County of Grundy, State of Iowa, for value recieved, promises to pay to bearer \$1000.00 lawful money of the United States, on the 1st. day of Aug. A. D. 1924 with interest on said sum from date hereof until paid at the rate of 5% per annum, payable semi-annually on the 1st day of May and November in each year upon presentation and surrender of the interest coupons hereto attached. Both principal and interest are payable at the Conrad State Bank of Conrad Iowa.

This Bond is issued by the Town of Conrad, pursuant to the provision of Sections 1306-B to 1306-E inclusive of the Supplement to the Code of Iowa as now amended, and Sections 840 - G and 912 of the Code supplement and in conformity with resolution of the Council of said Town duly passes and was authorized by the electors of said Town at an election duly called and held for that purpose, pursuant to a petition duly signed and filed and is issued for the purpose of constructing sewer outlets and sewer purifying plants for said Town.

And it is hereby declared that all acts, conditions and things required by the laws and the Constitution of the State of Iowa to be done precedent to and in the issue of this bond have been properly done, happened and performed in regular and due form as required by law and that the total indebtedness of said town, including this bond, does not exceed the Constitutional or statutory limitations.

In testimony whereof, said town by its Council has caused this bond to be signed by the Mayor and attested by its Clerk, with the seal of said town affixed this 1st. day of Aug. 1917.

Attest

J. R. Nitzgum
Clerk.

A. J. P. P. P.
Mayor

(Form of Certificate of Town Treasurer)

This bond duly and properly registered in my office this _____ day of Aug. 1917.

Treasurer of Town of Conrad, Iowa.

Section 7. That this resolution shall constitute a contract between the town of Conrad and the purchaser of holders of said bonds; that when said bonds shall have been executed the same shall have be delivered to the Treasurer of said Town and his receipt taken therefore and he shall register said bonds in a book provided for that purpose which shall show the number of each bond, its date, date of sale, amount, date of maturity, and the name and adress of the purchaser, which record shall at all times be open to the inspection of the citizens of said Town, and the said Treasurer shall thereupon certify upon the back of each of said bonds as hereinbefore provided and shall stand charged upon his official bond with all bonds so delivered to him, and the proceeds thereof.

Section 8. That the contract for the sale of the bonds herein mentioned to the Conrad State Bank of Conrad, Iowa, at a price not less than the par value thereof heretofore made and entered into for and on behalf of this Council, the and the same is hereby ratified and approved and the Treasurer of said Town be, and he is hereby, directed to deliver said bonds upon execution thereof as herein provided to, or upon the order of, the Conrad State Bank, upon the receipt of the price aforesaid.

Section 9. That all resolutions or parts of resolutions in conflict with the provisions hereof be, and the same are hereby, repealed.

Passes and approved July ; 27th, 1917.

Attest

J. R. Nitzgum Clerk.

A. J. P. P. P. Mayor