

STATEMENT OF THE PROCEEDINGS OF THE
CITY COUNCIL OF

CONRAD, IOWA

A special meeting of the City Council of the City of _____
CONRAD, Iowa, was held at the Council Chambers at 7:00
o'clock P.M. on the 23rd day of JUNE, 1975, and at said
meeting the Council took the following action:

Enacted, subject to its ratification by the legal electors of the
municipality, Ordinance No. 128 captioned as follows:

AN ORDINANCE GRANTING TO GENERAL TELEPHONE
COMPANY OF THE MIDWEST, A CORPORATION, ITS
SUCCESSORS AND ASSIGNS, THE RIGHT AND PRIVILEGE
TO ACQUIRE, CONSTRUCT, RECONSTRUCT, MAINTAIN,
EXTEND AND OPERATE IN, UPON, THROUGH, OVER,
UNDER, ALONG AND ACROSS THE PUBLIC STREETS,
ALLEYS, HIGHWAYS AND OTHER PASSAGEWAYS OR
PUBLIC GROUNDS OF OR IN THE CITY OF CONRAD
_____, IOWA, THE LINES, POLES, WIRES, STUBS,
ANCHORS, CABLES, VAULTS, LATERALS, CONDUITS
AND OTHER FIXTURES, EQUIPMENT AND FACILITIES
CONSTITUTING A TELEPHONE PLANT OR SYSTEM
NECESSARY OR CONVENIENT FOR SUPPLYING TELE-
PHONE SERVICE AND COMMUNICATION BY TELEPHONE
OR OTHER ELECTRICAL DEVICE, AND FOR CONDUCTING
A GENERAL TELEPHONE BUSINESS, LOCAL AND LONG
DISTANCE, IN AND ABOUT SAID MUNICIPALITY FOR A
TERM OF TWENTY-FIVE YEARS; PRESCRIBING THE
CONDITIONS OF THE GRANT, AND PROVIDING FOR THE
PROTECTION THEREOF.

Adopted a Resolution calling a Special Election to submit the above
Ordinance to the voters of the municipality.

Pro. tem Phil M. Sisson
Mayor of the City of
Conrad, Iowa.

ATTEST:

Hazel Berry
City Clerk of the City of
Conrad, Iowa.

Section 5. It shall be unlawful for any person to injure, destroy or deface any property of Grantee lawfully installed and maintained hereunder or to post bills or signs thereon. A violation of this section shall constitute a misdemeanor and be punishable by a fine of not more than one hundred dollars or imprisonment in jail not to exceed thirty days.

Section 6. Ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. A determination that any part of this ordinance is invalid shall not affect remaining portions or provisions hereof.

Section 8. Grantee shall pay the costs of publishing this ordinance and of conducting the election thereon required by law.

Section 9. This ordinance shall become effective:

- a) Upon its approval by a majority of the legal electors of the municipality voting thereon;
- b) The publication thereof required by law;
- c) Grantee's written acceptance of same filed with the City Clerk; and
- d) Grantee's payment of the costs of the election, including costs of notice.

PASSED and ADOPTED by the City Council of the city of CONRAD

 , Iowa, this 23rd day of JUNE, 1975 .

ATTEST:

Hazel Berry
City Clerk

Phil M. Sean
MAYOR *Pro-tem*

- a) Locations of its existing system are hereby approved; changes of location, additions or extensions thereto affecting public grounds or ways shall be under the supervision of Municipality's street committee or such other officer or officers as may be designated by the Mayor and Council for that purpose.
- b) The installations of Grantee shall be so placed and the servicing and operation thereof so performed as to not unreasonably interfere with ordinary travel on the public ways or with ingress to or egress from public or private property.
- c) Grantee may make excavations in public grounds or ways, and may take up such portions of pavement or sidewalk as it deems necessary for the installation, maintenance, replacement or removal of its facilities. Excavations so made shall be refilled and surfacing thus disturbed shall be restored to as reasonably good condition as before.
- d) Grantee shall permit Municipality to attach to its poles its fire and/or police wires and apparatus incident thereto - such attachments to be made under the direction and supervision of Grantee and so made and maintained as not to interfere with Grantee's use of said poles.

Section 3. Grantee shall accommodate public or private necessity to move along or across public ways or grounds of the municipality vehicles or structures, other than parade components, of such height or size as to interfere with its poles and/or wires erected hereunder and shall temporarily remove or adjust the same to permit such passage provided:

- a) Written notice thereof shall be served upon Grantee's agent or manager at GRINNELL Iowa, not less than forty-eight (48) hours in advance of the time set for the proposed passage;
- b) Grantee be paid in advance the actual cost of such accommodation.

Section 4. Grantee shall indemnify Municipality against loss from claims or causes of action arising out of its construction, reconstruction, maintenance or operation of the installations herein authorized.

AN ORDINANCE GRANTING TO GENERAL TELEPHONE COMPANY OF THE MIDWEST, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND PRIVILEGE TO ACQUIRE, CONSTRUCT, RECONSTRUCT, MAINTAIN, EXTEND AND OPERATE IN, UPON, THROUGH, OVER, UNDER, ALONG AND ACROSS THE PUBLIC STREETS, ALLEYS, HIGHWAYS AND OTHER PASSAGeways OR PUBLIC GROUNDS OF OR IN THE CITY OF CONRAD, IOWA, THE LINES, POLES, WIRES, STUBS, ANCHORS, CABLES, VAULTS, LATERALS, CONDUITS AND OTHER FIXTURES, EQUIPMENT AND FACILITIES CONSTITUTING A TELEPHONE PLANT OR SYSTEM NECESSARY OR CONVENIENT FOR SUPPLYING TELEPHONE SERVICE AND COMMUNICATION BY TELEPHONE OR OTHER ELECTRICAL DEVICE, AND FOR CONDUCTING A GENERAL TELEPHONE BUSINESS, LOCAL AND LONG DISTANCE, IN AND ABOUT SAID MUNICIPALITY FOR A TERM OF TWENTY-FIVE YEARS; PRESCRIBING THE CONDITIONS OF THE GRANT, AND PROVIDING FOR THE PROTECTION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF

CONRAD, IOWA:

Section 1. GENERAL TELEPHONE COMPANY OF THE MIDWEST, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), is hereby granted a franchise for a period of twenty-five (25) years from the effective date of this ordinance to acquire, construct, reconstruct, maintain, extend and operate such telephone plant or system and such facilities thereof, including lines, poles, wires, stubs, anchors, cables, vaults, laterals, conduits and other fixtures and equipment in, upon, through, over, under, along and across the public streets, alleys, highways and other passageways or public grounds of or in the corporate limits of the city of CONRAD, Iowa (hereinafter referred to as "Municipality"), as now or hereafter established, as may be necessary and/or convenient for supplying to the citizens of the municipality, to adjacent rural areas and to the public at large telephone service, local and long distance, and communication by telephone or other electric signals, and for the conduct of a general telephone business therein.

Section 2. Grantee's rights and privileges in the public ways and grounds of the municipality shall be exercised as follows:

Motion by Councilman SCHLEISMAN, seconded by
Councilman ZEHR that the Council adjourn

On roll call voting is as follows:

AYES: McLEAN, GRAHAM, BEECHLY, ZEHR, SCHLEISMAN

NAYS: NONE

Whereupon the Mayor declared said motion duly carried and the
meeting adjourned.

ATTEST:

Hazel Berry
City Clerk

Chas W. Seaman
MAYOR

RESOLUTION CALLING A SPECIAL ELECTION
TO VOTE
ON FRANCHISE ORDINANCE

WHEREAS, the City of CONRAD, Iowa, in the County of GRUNDY, and State of Iowa, is a municipal corporation duly organized and existing under the Constitution and Laws of the State of Iowa and having a Mayor-Council form of government; and

WHEREAS, the City Council of said municipality has this date enacted and the Mayor has signed Ordinance No. 128 granting to GENERAL TELEPHONE COMPANY OF THE MIDWEST, a Corporation, a franchise to construct, operate and maintain within said city a telephone system and to conduct a general telephone business therein; and

WHEREAS, to become effective a franchise of this nature requires ratification by the favorable vote of a majority of the legal electors of the municipality voting thereon at a general or special election and the interests of the public and the Company will best be served by a special election.

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of CONRAD, Iowa, that the question of granting GENERAL TELEPHONE COMPANY OF THE MIDWEST, its successors and assigns, the franchise provided in Ordinance No. 128 to construct, operate and maintain a telephone system in the City of CONRAD, Iowa, be submitted to a vote of the legal electors of the municipality at a special election hereby called to be held on the 12th day of AUGUST, 19 75, and the Mayor of the municipality is directed to give notice thereof to the County Commissioner of Elections and to provide said officer with a copy of the Franchise Ordinance.

PASSED, APPROVED and ADOPTED by the City Council of the City of CONRAD, Iowa, this 23rd day of JUNE, 19 75.

ATTEST:

Hazel Berry
City Clerk

Phil M. Jensen
MAYOR

Councilman BEEGHLY, then introduced and read a Resolution entitled "Resolution Calling a Special Election to Vote on Franchise Ordinance" and moved that said Resolution be adopted. The motion was seconded by Councilman SCHLEISMAN, and after due consideration the Mayor put the question on the motion. On roll call voting is as follows:

AYES: McLEAN, GRAHAM, BEEGHLY, ZEHR, SCHLEISMAN

NAYS: NONE

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

The meeting was called to order by the Mayor and upon roll call there were:

PRESENT: McLEAN, GRAHAM, BEEGHLY, ZEHR, SCHLEISMAN

ABSENT: NONE

At said meeting LYLE E. STAHL

representing GENERAL TELEPHONE COMPANY OF THE MIDWEST, a corporation, appeared in behalf of said Company and submitted an Ordinance granting a new franchise to the Company for its operation of a general telephone business in and about the city of CONRAD, Iowa, requesting the passage of said ordinance and the adoption of procedure calling a Special Election to consider and pass upon the granting thereof as provided by statute.

The proposed ordinance providing such new franchise was fully and distinctly read to the Council.

Motion by Councilman SCHLEISMAN, seconded by Councilman BEEGHLY, that for the purpose of considering this ordinance the rule requiring a full and distinct reading of an ordinance on two different days be dispensed with, that the reading be considered the second and final reading thereof and that said ordinance be placed upon its passage.

On roll call voting is as follows:

AYES: McLEAN, GRAHAM, BEEGHLY, ZEHR, SCHLEISMAN

NAYS: NONE

Motion carried.

Motion by Councilman GRAHAM, seconded by Councilman ZEHR, that said ordinance be approved, adopted and numbered 128, as follows:

PROCEEDINGS OF THE CITY COUNCIL

COUNCIL CHAMBERS CONRAD, IOWA

SPECIAL MEETING

The city council of the city of CONRAD Iowa,
met in special session at 7:00 o'clock P.M. on the 23rd day of
JUNE, 19 75, upon the call of the Mayor pursuant to the following
written notice given each member of the Council, to-wit:

"NOTICE OF SPECIAL MEETING OF THE
CITY COUNCIL OF CONRAD, IOWA

Notice is hereby given that a special meeting of the city
council of the city of CONRAD, Iowa, will be held
in the Council Chambers in said city at 7:00 o'clock
P.M. of the 23rd day of JUNE, 19 75, for the
purpose of considering an Ordinance granting to GENERAL
TELEPHONE COMPANY OF THE MIDWEST a renewal of
its franchise to erect, maintain and operate a general
telephone system or systems, local and long distance, in
said city and to use its streets, avenues, alleys, highways,
bridges and public places for such purposes; also to con-
sider a resolution calling a special election to submit said
Ordinance to the voters of the municipality and to take up
such other matters as may come before the Council.

W. H. Martin
Mayor of the city of CONRAD,
Iowa.

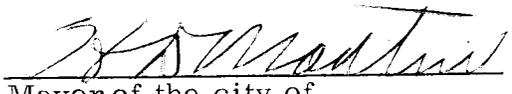
The undersigned, members of the city council of the city
of CONRAD, Iowa, hereby accept service of the
foregoing Notice of Special Council Meeting this 23rd day
of JUNE, 1975.

Lowell B. Schleisman
David E. Graham
James Zehr
Ronald Beeghly
Phil McLean

Said Notice bearing the acceptances of the members of the Council and/or
returns of service thereof is on file with the Clerk of the municipality and is
a part of its records.

NOTICE OF SPECIAL MEETING
OF THE CITY COUNCIL OF CONRAD, IOWA

Notice is hereby given that a special meeting of the city council of the city of CONRAD, Iowa, will be held in the Council Chambers in said city at 7:00 o'clock P.M. of the 23rd day of JUNE, 19 75, for the purpose of considering an Ordinance granting to GENERAL TELEPHONE COMPANY OF THE MIDWEST a renewal of its franchise to erect, maintain and operate a general telephone system or systems, local and long distance, in said city and to use its streets, avenues, alleys, highways, bridges and public places for such purposes; also to consider a resolution calling a special election to submit said Ordinance to the voters of the municipality and to take up such other matters as may come before the council.



Mayor of the city of
CONRAD, Iowa.

The undersigned members of the city council of the city of CONRAD, Iowa, hereby accept service of the foregoing Notice of Special Council Meeting this 9th day of JUNE, 19 75.



