

**City of Williamsburg  
210 West State Street  
PO Box 596  
Williamsburg IA 52361**

Regular Session  
February 14, 2005  
7:30 p.m.

Mayor pro-tem Kirkpatrick and council members Wanner, Greiner, Lortz, and Phillips were present. Mayor Armstrong was absent.

The Council received the January 2005 Police Department report.

The Council received the January 2005 Recreation Department report.

The Council received a letter from Jim Claypool expressing what a fine job that Traci Eckenrod, Recreation Director, and Nichole Winegarden, Assistant Recreation Director did in getting a basketball league together.

It was determined that there was adequate access to the sidewalk from both ends of the block for 708 Franklin Street.

It was the consensus of the council that the fire committee, the fire fighters and John Bushong should meet to discuss the fire station project.

It was the consensus of the council that the ambulance and first responders will stay in the same facility that they are currently housed in.

1. Motion by Phillips and seconded by Wanner to approve the consent agenda:

- (a) Minutes of the January 24, 2005 council meeting
  - (b) Bills as presented
  - (c) Treasurer's report
- All ayes. Motion carried.

2. Motion by Lortz and seconded by Greiner to authorize the Mayor to sign the police officer agreement with Mark Hartnett. All ayes. Motion carried.

3. Motion by Phillips and seconded by Wanner to pay down the holiday comp hours to eighty hours. All ayes. Motion carried.

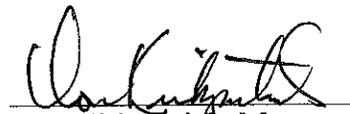
4. Motion by Wanner and seconded by Greiner to authorize Traci Eckenrod, Recreation Director, to purchase three spinning bikes. All ayes. Motion carried.

5. Motion by Phillips and seconded by Lortz to open a public hearing at 7:45 p.m. to issue revenue bonds. All ayes. Motion carried.

6. Motion by Phillips and seconded by Lortz to close the public hearing at 7:48 p.m. All ayes. Motion carried.

7. Motion by Phillips and seconded by Lortz to approve Resolution No. 10-02-05 – authorizing and providing for the issuance of not to exceed \$10,000,000 aggregate principal amount of independent and assisted living facility revenue refunding bonds. Roll call: ayes; GW, TP, PL, MG, DK. Motion carried.
8. Motion by Greiner and seconded by Phillips to set a public hearing for March 28, 2005 at 7:45 p.m. for the fire station street project. All ayes. Motion carried.
9. Motion by Lortz and seconded by Wanner to approve Resolution No. 11-02-05 providing for prepayment of general obligation corporate purpose bonds. Roll call: ayes; GW, TP, PL, MG, DK. Motion carried.
10. Motion by Phillips and seconded by Greiner to authorize Jenifer Karsten, City Clerk, to request a special census estimate. All ayes. Motion carried.
11. Motion by Lortz and seconded by Phillips to approve Resolution No. 09-02-05 to continue North Street. Roll call: ayes; GW, TP, PL, MG, DL. Motion carried.
12. Motion by Wanner and seconded by Greiner to approve Resolution No. 08-02-05 to continue Welsh Street. Roll call: ayes; GW, TP, PL, MG, DK. Motion carried.
13. Motion by Phillips and second by Wanner to authorize Jenifer Karsten, City Clerk, to purchase a copy machine for city hall. All ayes. Motion carried.
14. Motion by Greiner and seconded by Wanner to set a public hearing for the South Trunk Sewer project for March 28 at 8:00 p.m. Roll call: ayes; GW, TP, PL, MG, DK. Motion carried.
15. Motion by Greiner and seconded by Phillips to approve Resolution No.12-02-05 SRF loan and disbursement agreement. Roll call: GW, TP, PL, MG, DK. Motion carried.
16. Motion by Greiner and seconded by Wanner to authorize on call pay for public works employees while on call when the Public Works Director is not working. All ayes. Motion carried.
17. Motion by Wanner and seconded by Greiner to approve the Return to Work Program policy for Worker's Compensation. All ayes. Motion carried.
18. Motion by Phillips and seconded by Wanner to set a public hearing for the fiscal year 2006 budget for March 14 at 8:00 p.m. All ayes. Motion carried.
19. Motion by Wanner and seconded by Lortz to adjourn at 9:38 p.m. All ayes. Motion carried.

  
Jenifer Karsten  
City Clerk/Treasurer

  
Don Kirkpatrick, Mayor pro tem

ACCO	#0500354 LIQUID CHLORINE	592.40
ACE HARDWARE INC	#0500227 BOOSTER STA. CHL	289.80
ALLIANT ENERGY	SUPPLIES	233.86
APEX OFFICE SUPPLY	ELECTRIC	19,526.23
ARCHITECTURAL DIGEST	REC SUPPLIES #3685900	12.00
ARK PEST CONTROL	AQUATIC SUP #3685900	76.43
AVALON NETWORKS INC	LIB-PERIODICAL	29.95
	FIRE STAT/LIB/CITY HALL	40.00
	CITY WEB SITE	14.95
	REC CTR INTERNET	19.95
BELLAND PLUMBING & HEATI	FIRE DEPT INTERNET	19.95
BRENNON, ALISHA	INSTALL PUMP/CITY HALL B	294.89
BRODART, CO.	AQUATIC CTR FURNACE MAIN	73.08
CAPPER, ALYSSA	OFFICIATING 12 GAMES	120.00
CASEYS GENERAL STORE	LIB-SUPPLIES	33.07
CEDAR RAPIDS WELDING	POLICE GAS	120.00
	#103175 ACETYLENE	307.70
CENTRAL IOWA DISTRIBUTIN	SUPPLIES	9.30
	#142276 SUPPLIES	30.34
CHARLES CAPPER FORD INC	SWEeping COMP #142385	56.75
CIRRUS IMAGING SUPPLY CO	SWEeping COMP #142386	75.00
CLUBB, DELBERT	PD EXPLORER	75.00
CLUBB, RALPH	COMPUTER	480.88
COTTAGE LIVING	INS REIMB	55.00
COX SANITATION & RECYCLI	INS REIMB	21.50
	PERIODICAL	135.95
DANS OVERHEAD DOORS & MO	REC CNTR	16.00
DAVIDSON TITLES INC	#232896 SHOP OPENER	3,125.00
DRISCOLL WELDING	LIB-BOOKS #95927	72.00
ED M FIELD EQUIPMENT CO I	REC CTR SCREENS	242.88
EDDY WALKER EQUIP CO	FIRE DEPT #0120157	26.95
GALLS INC	#8071 SNOW REMOVL MOUNTG	79.04
	MARK CLOTHING #57525695	158.00
	SPIKES #575335030	60.48
	MIKE CLOTHING ALLOWANCE	611.56
	MARK CLOTHING ALLOWANCE	279.55
	STAFF SHIRTS #3191	68.95
GRAND SLAM SPORTS	#3190 YOUTH LEAGUE JERSE	186.55
HANSON LIBRARY PETTY CAS	LIB-POSTAGE	46.37
HANSON, LORETTA	DRUG REIMB	113.30
HAWKINS INC	#DM113856 CONTAINER	352.90
INGRAM BOOK COMPANY	LIB-BOOKS	1,131.00
INSPIRED HOUSE	LIB-VIDEOS	67.37
IOWA COUNTY RECORDER	LIB-PERIODICAL	683.34
	HISTORICAL COMMISSION	20.00
IOWA COUNTY TIRE & SERVI	ORD 493 REZONE MAXWELL	882.48
IOWA PAPER & CHEMICAL	SUNSET AVE RES 5-1-05	343.10
	TIRE REPAIR/SNOPLow TIRE	24.95
	#65048 REC CTR	17.00
		7.00
		124.18
		429.20

IOWA PRISON INDUSTRIES  
 IOWA TELECOM  
 KEYSTONE LABORATORIES  
 KOCH BROTHERS  
 LAREYS  
 LILLIS INSURANCE AGENCY  
 LL WINDOW CLEANING  
 MALLOY, BROOKE  
 MARTIN EQUIPMENT OF IA I  
 MPC NEWSPAPERS  
 MULTI COUNTY OIL  
 NATIONAL WATERWORKS INC  
 NIDEY PETERSON ERDAHY &

STREET SIGNS #352723  
 PHONE  
 H2O TEST #2500158  
 LIB-COPIER  
 #32005 CITY HALL  
 #32006 CITY HALL  
 SNOW PLOW  
 CITY HALL WINDOWS#365761  
 OFFICIATING 12 GAMES  
 MOVING TRACTOR  
 BD ADJ/CNCIL MIN/GEN REC  
 GASOLINE  
 H2O SUPPLIES #2034859  
 BD ADJ/P&Z  
 COUNCIL MEETINGS  
 STREETS  
 POLICE  
 REC DEPT  
 SOUTH TRUNK  
 MISC  
 TREADMILL REPAIR #235  
 REC QTRLY ELEVATOR MAINT  
 REC CNTR #262165  
 #473233 & #4980359  
 #5101366 CITY HALL  
 #4759809 CITY HALL  
 #4774874 CITY HALL  
 #5162531 CITY HALL  
 POLICE  
 SALT/SAND  
 JS NOTARY RENEWAL  
 2/05 CLEANING #103071  
 INS/DRUG REIMB  
 TO CLOSE H2O ACCT #32430  
 SEWER TEST  
 ELECTRIC  
 MARK HARTNET TESTING  
 01/05 UTILITY SALES TAX  
 01/05 REC CNTR SALES TAX  
 CELL PHONE  
 #919932 WWTP  
 DOG/BOARD  
 PAY REQ #5 CHG ORD #5  
 #148729 STREETS PARTS  
 SUPPLIES  
 SEWER/SUPPLIES  
 REC CTR  
 2004 LABOR  
 OFFICIATING 12 GAMES

244.75  
 1,164.63  
 40.00  
 81.79  
 53.87  
 53.87  
 158.00  
 30.00  
 120.00  
 893.54  
 338.11  
 1,381.83  
 40.88  
 232.50  
 487.50  
 22.50  
 247.50  
 37.50  
 202.50  
 457.50  
 162.50  
 108.40  
 92.03  
 1.50  
 143.98  
 9.38  
 46.58  
 88.23  
 40.44  
 7,269.51  
 30.00  
 337.00  
 694.08  
 11.83  
 405.00  
 1,002.89  
 1,200.00  
 1,762.79  
 1,152.14  
 1,159.62  
 97.85  
 12.00  
 6,470.45  
 14.72  
 45.93  
 35.28  
 24.88  
 1,109.25  
 120.00

NO SWEAT SERVICE  
 OKEEFE ELEVATOR CO INC  
 PALOS SPORTS  
 QUILL CORP  
 OWEST  
 S & G MATERIALS  
 SECRETARY OF STATE  
 SERVICEMASTER BY LINDHAR  
 SPRATT, JULIE  
 STRONG, LADONNA  
 TESTAMERICA INC  
 TIP RURAL ELECTRIC COOP  
 TREASURER STATE OF IOWA

US CELLULAR  
 USA BLUE BOOK  
 VETERINARY MEDICAL CENTE  
 WENDLER ENGINEERING & CO  
 WILLIAMSBURG AUTO PARTS  
 WILLIAMSBURG CARQUEST  
 WILLIAMSBURG FOODS  
 WILLIAMSBURG RURAL FIRE  
 WITTE, KELSEY

254.99

*REC stored*

*Jacqie Phillips*

DATE 2/10/2005

CITY OF WILLIAMSBURG  
CLAIMS REGISTER REPORT

GRAND TOTALS EXPENDED 59,909.09 LIQUID ACCRUAL

	EXPENDED	LIQUID	ACCRUAL
RECAP TOTALS			
FUND TOTALS			
001 GENERAL	12,410.90		
002 RECREATION	10,649.00		
003 LIBRARY	2,652.99		
110 ROAD USE TAX	14,424.12		
303 2004 STATE/WEISH CONSTRUCTION	6,470.45		
306 2004 TRUNK SEWER PROJECT	6,202.50		
600 WATER	6,970.45		
610 SEWER	6,128.68		
****	59,909.09		

254.88  
60164.03

*Marcia Spener*

*Paul H. H.*

*Thomas St. Kellogg*

*Ed McL*

*David Campbell*

MINUTES TO ADOPT RESOLUTION  
PROVIDING FOR PREPAYMENT OF  
BONDS

(435483-7)

Williamsburg, Iowa

February 14, 2005

The City Council of Williamsburg, Iowa, met at the city hall, in the City, at 7:30 o'clock p.m., on February 14, 2005. The meeting was called to order by the Mayor pro tem and the roll being called, there were present the Mayor pro tem, in the chair, and the following named Council Members.

Present: Wanner, Phillips, Lortz, Greiner, Kirkpatrick.

Absent: \_\_\_\_\_.

Council Member Lortz introduced the resolution next hereinafter set out and moved that said resolution be adopted; seconded by Council Member Wanner and after due consideration thereof by the Council, the Mayor pro tem put the question on the motion and, the roll being called, the following named Council Members voted:

Ayes: Wanner, Phillips, Lortz, Greiner, Kirkpatrick.

Nays: \_\_\_\_\_.

Whereupon, the Mayor pro tem declared the resolution duly adopted, as follows:

RESOLUTION NO. 11-02-05

Resolution providing for prepayment of \$205,000 General Obligation Corporate Purpose Bonds, dated August 1, 1999, and for prepayment of \$60,000 General Obligation Corporate Purpose Bonds, dated September 1, 1997

WHEREAS, \$850,000 General Obligation Corporate Purpose Bonds, dated August 1, 1999 (the "Series 1999 Bonds"), were issued by this Council pursuant to a resolution passed and approved on July 26, 1999, under which the right was reserved to the City to call and prepay all of the Series 1999 Bonds maturing in each of the years 2006 to 2009, inclusive, as a whole or from time to time in part prior to and in inverse order of their maturity on terms of par and accrued interest on any interest payment date on or after June 1, 2005, provided notice shall have first been given by mailing written notice by certified mail to each of the registered owners of the Series 1999 Bonds to be redeemed at the addresses shown on the City's registration books, not less than 30 nor more than 60 days prior to the date set for such redemption and prepayment; and

WHEREAS, \$1,010,000 General Obligation Corporate Purpose Bonds, dated September 1, 1997 (the "Series 1997 Bonds"), were issued by this Council pursuant to a resolution passed and approved on August 25, 1997, under which the right was reserved to the City to call and prepay all of the Series 1997 Bonds maturing in each of the years 2002 to 2007, inclusive, as a whole or from time to time in part prior to and in inverse order of their maturity on terms of par and accrued interest on any interest payment date on or after June 1, 2001, provided notice shall have first been given by mailing written notice by certified mail to each of the registered owners of the Series 1997 Bonds to be redeemed at the addresses shown on the City's registration books, not less than 30 nor more than 60 days prior to the date set for such redemption and prepayment; and

WHEREAS, the City has determined to call and prepay the outstanding Series 1999 Bonds scheduled to mature in each of the years 2006 to 2009, inclusive, in the aggregate amount of \$205,000 as of June 1, 2005; and

WHEREAS, the City has determined to call and prepay the outstanding Series 1997 Bonds scheduled to mature in each of the years 2006 and 2007, in the aggregate amount of \$60,000 as of June 1, 2005; and

WHEREAS, prior to calling the aforementioned Series 1999 Bonds and the Series 1997 Bonds for redemption, provision must be made for giving notice thereof as aforesaid;

NOW, THEREFORE, Be It and It Is Hereby Resolved and ordered by the City Council of Williamsburg, Iowa, as follows:

Section 1: The Series 1999 Bonds in the total aggregate principal amount of \$205,000, and scheduled to mature, as follows:

<u>Maturity Date</u>	<u>Principal Amount</u>
2006	\$45,000
2007	\$50,000
2008	\$50,000
2009	\$60,000

shall be called for redemption and prepaid as of June 1, 2005, on terms of par and accrued interest to such date of prepayment.

Section 2: The Series 1997 Bonds in the total aggregate principal amount of \$60,000, and scheduled to mature, as follows:

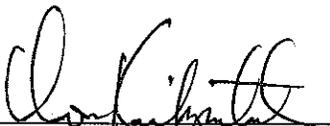
<u>Maturity Date</u>	<u>Principal Amount</u>
2006	\$30,000
2007	\$30,000

shall be called for redemption and prepaid as of June 1, 2005, on terms of par and accrued interest to such date of prepayment.

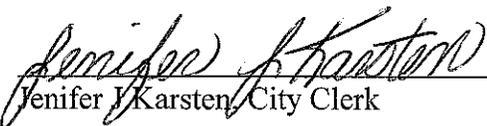
Section 3: First American Bank, Urbandale, Iowa (the "Registrar"), is hereby authorized and directed to give written notice of such redemption by certified mail to each of the registered owners of the Series 1999 Bonds and the Series 1997 Bonds to be redeemed at the addresses shown on the City's registration books, not less than 30 nor more than 60 days prior to the date set for such redemption and prepayment, as provided in the resolutions authorizing the issuance of the Series 1999 Bonds and Series 1997 Bonds.

Section 4: All resolutions or orders or parts thereof, to the extent the same may be in conflict herewith, are hereby repealed.

Passed and approved on February 14, 2005.

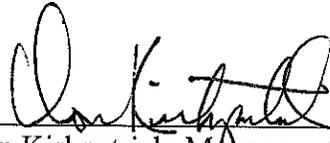
  
\_\_\_\_\_  
Don Kirkpatrick, Mayor pro tem

Attest:

  
\_\_\_\_\_  
Jenifer J. Karsten, City Clerk

•••••

On motion and vote, the meeting adjourned.

  
\_\_\_\_\_  
Don Kirkpatrick, Mayor pro tem

Attest:

  
\_\_\_\_\_  
Jennifer J Karsten, City Clerk

STATE OF IOWA  
COUNTY OF IOWA  
CITY OF WILLIAMSBURG

SS:

I, the undersigned, City Clerk of the aforementioned City, do hereby certify that the transcript hereto attached is a true, correct and complete copy of all the records of the City's Council relating to the prepayment of the City's \$205,000 General Obligation Corporate Purpose Bonds, dated August 1, 1999, and the City's \$60,000 General Obligation Corporate Purpose Bonds, dated September 1, 1997, and directing the giving of notice of redemption thereof.

WITNESS MY HAND and the seal of the City hereto affixed this 14th day of February 2005.

  
\_\_\_\_\_  
Jenifer J. Karsten, City Clerk

(Seal)

HEARING, AUTHORIZATION AND  
ISSUANCE PROCEEDINGS

Williamsburg, Iowa

February 14, 2005

The City Council of Williamsburg, Iowa, met in regular session on February 14, 2005, at 7:30 p.m., at the City Hall in Williamsburg, Iowa. The meeting was called to order by the Mayor and the roll being called, there were present the Mayor and the following named Council Members:

Present: Wanner, Phillips, Lortz, Greiner, Kirkpatrick

Absent: \_\_\_\_\_

The City Council investigated and found that notice of intention to issue revenue bonds or notes in the principal amount not to exceed \$10,000,000 to refund prior bonds for Williamsburg Retirement Community, Inc. had, as directed by the City Council, been duly given according to law.

This being the time and place specified in the notice for the conduct of a public hearing on the proposal to issue such revenue bonds or notes, the Mayor announced that all local residents attending the hearing would now be given an opportunity to express their views for or against the proposal to issue the revenue bonds or notes. The following local residents attending the hearing expressed their views as follows:

The following local residents who had submitted written comments prior to the hearing expressed their views in such written comments as follows:

N/A

After all local residents who appeared at the hearing who desired to do so had expressed their views for or against the proposal to issue the revenue bonds or notes, Council Member Phillips introduced the following resolution and moved its adoption, seconded by Council Member Lortz; and after due consideration thereof by the Council, the Mayor pro tem put the question on the motion and upon the roll being called, the following named Council Members voted:

Ayes: Wanner, Phillips, Lortz, Greiner, Kirkpatrick

Nays: \_\_\_\_\_

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

RESOLUTION No. 10-02-05

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$10,000,000 AGGREGATE PRINCIPAL AMOUNT OF INDEPENDENT AND ASSISTED LIVING FACILITY REVENUE REFUNDING BONDS (WILLIAMSBURG RETIREMENT COMMUNITY, INC. PROJECT), IN ONE OR MORE SERIES, OF THE CITY OF WILLIAMSBURG, IOWA, FOR THE PURPOSE OF LENDING THE PROCEEDS THEREOF TO THE BORROWER; THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY AND THE BORROWER PROVIDING FOR THE REPAYMENT OF THE LOAN OF THE PROCEEDS OF SAID BONDS AND THE SECURING OF SAID REPAYMENT OBLIGATION; THE SALE OF SAID BONDS; THE EXECUTION OF AN ASSIGNMENT AND PLEDGE AGREEMENT; AND THE EXECUTION OF OTHER DOCUMENTS RELATED THERETO.

WHEREAS, the City of Williamsburg, in the County of Iowa, State of Iowa (the "Issuer"), is an incorporated municipality authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, 2005, as amended (the "Act") to issue revenue bonds or notes for a project located within or within eight miles of the Issuer for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, or any interest therein, suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization"), to refund any bonds issued pursuant to the Act, and to retire any existing indebtedness on a facility for a Tax Exempt Organization; and

WHEREAS, the Issuer has been requested by Williamsburg Retirement Community, Inc. d/b/a Highland Ridge (the "Borrower"), a Tax Exempt Organization, to issue its revenue bonds or notes in one or more series, in an aggregate principal amount not to exceed \$10,000,000 (the "Bonds") pursuant to the Act, for the purpose of (a) refunding a previous issue of Independent and Assisted Living Facility Revenue Bonds, Series 2002 (Williamsburg Retirement Community, Inc. Project) (the "Series 2002 Bonds") and a previous issue of Independent and Assisted Living Facility Revenue Bonds, Series 2003 (Williamsburg Retirement Community, Inc. Project) (the "Series 2003 Bonds," and together with the Series 2002 Bonds, the "Prior Bonds") originally issued by the Issuer to finance the costs of constructing and furnishing a housing complex containing approximately 50 independent living units and 47 assisted living units located 100 Village View Circle, Williamsburg, Iowa, and to pay costs associated with the issuance of the Prior Bonds, and (b) paying costs of issuance and certain other costs associated with the issuance of the Bonds; and

WHEREAS, the Issuer has determined that the amount necessary to defray all or a portion of the cost of the foregoing will require the issuance by the Issuer of the Bonds, pursuant to the provisions of the Act, and it is proposed that the Issuer loan the proceeds of the Bonds to the Borrower pursuant to a Loan Agreement between the Issuer and the Borrower pursuant to which loan payments will be made by the Borrower in amounts sufficient to pay the principal of and interest and premium, if any, on the Bonds, as and when the same shall be due; and

WHEREAS, the Bonds, if issued, shall be a limited obligation of the Issuer, and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, and the principal of and interest and premium, if any, on the Bonds shall be payable solely out of the revenues derived from the aforementioned Loan Agreement or otherwise as provided therein; and

WHEREAS, pursuant to published notice of intention, this City Council has conducted a public hearing, as required by Section 419.9 of the Act and Section 147(f) of the Internal Revenue Code, and this City Council deems it necessary and advisable to proceed with the issuance of the Bonds and the loan of the proceeds of the Bonds to the Borrower; and

WHEREAS, the Borrower has arranged for the sale of the Bonds to U.S. Bank National Association, Cedar Rapids, Iowa (the "Lender");

NOW, THEREFORE, IT IS RESOLVED by the City Council of the Issuer, as follows:

Section 1. In order to refund the Prior Bonds, an Independent and Assisted Living Facility Revenue Refunding Bond (Series 2005A) (Williamsburg Retirement Community, Inc. Project) in an aggregate principal amount of \$4,000,000 (the "Series 2005A Bond") and an Independent and Assisted Living Facility Revenue Refunding Bond, Series 2005B (Williamsburg Retirement Community, Inc. Project) in an aggregate principal amount of \$6,000,000 (the "Series 2005B Bond," and together with the Series 2005A Bond, the "Bonds"), are hereby authorized and ordered to be issued by the Issuer in substantially the form as has been presented to and considered by this Council and containing substantially the terms and provisions set forth therein. The Series 2005A Bond will bear an initial interest rate of not to exceed 3.00% per annum as may be determined by the Borrower and the Lender on or prior to the date of issuance and delivery of the Series 2005A Bond. The Series 2005B Bond will bear an initial interest rate of not to exceed 4% per annum as may be determined by the Borrower and the Lender prior to the issuance thereof and as adjusted from time to time as provided in the Series 2005B Bond. The execution and delivery of the Bonds by the Mayor and City Clerk shall constitute approval thereof by the Issuer and the Mayor and City Clerk are hereby authorized and directed to approve such amount and rates, within the foregoing limits by and on behalf of the Issuer.

Section 2. The Issuer shall loan to the Borrower the proceeds of the Bonds pursuant to a Loan Agreement in substantially the form as has been presented to and considered by this Council (the "Loan Agreement") and containing substantially the terms and provisions set forth therein, and the Mayor and the City Clerk are hereby authorized and directed to execute and deliver the Loan Agreement with such changes, modifications, deletions or additions as deemed appropriate by bond counsel.

Section 3. Pursuant to an Assignment and Pledge Agreement (the "Pledge Agreement") to be entered into between the Issuer and the Lender, the Issuer, among other things, will grant to the Lender a security interest in all of the Issuer's rights, title and interest in and to the Loan Agreement, including, but not limited to, the right to receive Loan Repayments (as defined in the Loan Agreement). The Mayor and City Clerk are hereby authorized and directed to execute and deliver the Pledge Agreement with such changes, modifications, deletions or additions as deemed appropriate by bond counsel.

Section 4. The Bonds will be a special limited obligation of the Issuer. The Bonds shall not be payable from or charged upon any funds other than the revenues pledged to the payment thereof, nor shall the Issuer be subject to any liability thereon. No holder of the Bonds shall ever have the right to compel any exercise of the taxing power of the Issuer to pay the Bonds or the interest thereon, nor to enforce payment thereof against any property of the Issuer. The Bonds shall not constitute a debt of the Issuer within the meaning of any constitutional or statutory limitation.

Section 5. The Loan Agreement, the Pledge Agreement and the Bonds are hereby made a part of this Resolution as though fully set forth herein and are hereby approved in substantially the forms presented to the City Council. The Mayor and City Clerk are authorized and directed to execute, acknowledge, and deliver said documents on behalf of the Issuer with such changes, insertions and omissions therein as the Borrower, the Lender and bond counsel may deem appropriate, such execution to be conclusive evidence of approval of such documents in accordance with the terms hereof.

Section 6. The Mayor and City Clerk are authorized and directed to execute and deliver all other documents which may be required under the terms of the Loan Agreement, Pledge Agreement, or by bond counsel, and to take any other action as may be required or deemed appropriate for the performance of the duties imposed thereby to carry out the purposes thereof.

Section 7. The Issuer finds, determines, and declares that for purposes of Section 265(b)(3)(C) of the Code, the Bonds shall be treated as "qualified tax exempt obligations" and shall not be taken into account for purposes of the \$10,000,000 limitation of tax-exempt obligations issued by the City in any calendar year because (i) the principal amount of the Bonds does not exceed the outstanding principal amount of the Prior Bonds; (ii) the average maturity

date of the Bonds is not later than the average maturity date of the Prior Bonds; (iii) the maturity date of the Bonds is not later than the date which is 30 years after the date of the issuance of the Prior Bonds; (iv) the Prior Bonds were qualified tax-exempt obligations; and (v) the refunding of the Prior Bonds with proceeds of the Bonds is a current refunding and not an advance refunding.

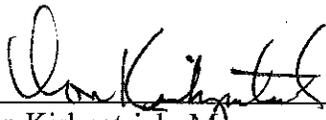
Section 8. That the provisions of this Resolution are hereby declared to be separable and if any action, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

Section 9. All resolutions or parts thereof in conflict herewith are repealed, to the extent of such conflict.

Section 10. That this Resolution shall become effective immediately upon its passage and approval.

Passed and approved February 14, 2005.

CITY OF WILLIAMSBURG, IOWA

  
\_\_\_\_\_  
Don Kirkpatrick, Mayor pro tem

Attest:

  
\_\_\_\_\_  
Jenifer J. Karsten, City Clerk

\* \* \*

On motion and vote, the meeting adjourned.



**Resolution No. 08-02-05**  
**City of Williamsburg, Iowa**

**Resolution naming city street.**

WHEREAS, Chapter 177 of the Ordinances of the City of Williamsburg provides for the naming of streets by resolution of the city council, and

WHEREAS, it is the desire of the City Council to name certain streets, and

WHEREAS, we Murray Armstrong, Mayor and Jenifer J Karsten, City Clerk/Treasurer of the City of Williamsburg, Iowa do hereby certify that the foregoing Resolution was adopted (introduced by Kirkpatrick and seconded by Phillips, roll call: ayes; GW, TP, PL, MG, DK) by the City Council of the City of Williamsburg, Iowa, at a meeting held on the 14th day of February 2005, five members of the council present, and

NOW, THEREFORE, be it resolved by the Williamsburg City Council as follows:

Section 1. The real estate described as follows:

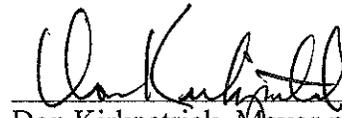
That portion of County Road F46, and associated right-of-way, beginning At or near the southeast corner of the SW ¼ SE ¼ of Section 8 Township 79 North, Range 10 West, extending west to the SW corner of said SW ¼ SE ¼

is a continuation of Welsh Street and said continuation shall be named and shall hereinafter be referred to as Welsh Street

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 14<sup>th</sup> day of February 2005.

  
Jenifer J Karsten, City Clerk/Treasurer

  
Don Kirkpatrick, Mayor pro tem

**Resolution No. 09-02-05  
City of Williamsburg, Iowa**

**Resolution naming city street.**

WHEREAS, Chapter 177 of the Ordinances of the City of Williamsburg provides for the naming of streets by resolution of the city council, and

WHEREAS, it is the desire of the City Council to name certain streets, and

WHEREAS, we Don Kirkpatrick, Mayor pro-tem and Jenifer J Karsten, City Clerk/Treasurer of the City of Williamsburg, Iowa do hereby certify that the foregoing Resolution was adopted (introduced by Lortz and seconded by Phillips, roll call: ayes; GW, TP, PL, MG, DK) by the City Council of the City of Williamsburg, Iowa, at a meeting held on the 14th day of February 2005, five members of the council present, and

NOW, THEREFORE, be it resolved by the Williamsburg City Council as follows:

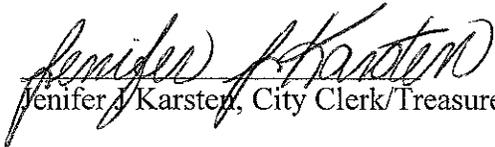
Section 1. The real estate described as follows:

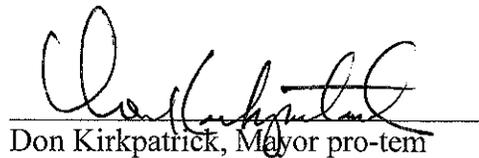
Thirty-three feet either side of the north line of the SE ¼ of Section 8 Township 79 North Range 10 West

is a continuation of North Street and said continuation shall be named and shall hereinafter be referred to as North Street

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 14<sup>th</sup> day of February 2005.

  
Jenifer J. Karsten, City Clerk/Treasurer

  
Don Kirkpatrick, Mayor pro-tem

MINUTES TO SET DATE FOR HEARING  
ON ENTERING INTO A LOAN AND  
DISBURSEMENT AGREEMENT

435483-18 (N/D)

(Sewer Revenue)

Williamsburg, Iowa

February 14, 2005

The City Council of the City of Williamsburg, Iowa, met on February 14, 2005, at 7:30 o'clock p.m., at the city hall, in the City. The Mayor pro tem presided and the roll was called showing the following members of the Council present and absent:

Present: Wanner, Phillips, Lortz, Greiner, Kirkpatrick

Absent: \_\_\_\_\_.

Council Member Greiner introduced a resolution hereinafter next set out and moved its adoption, seconded by Council Member Phillips; and after due consideration thereof by the Council, the Mayor pro tem put the question upon the adoption of the said resolution and the roll being called, the following named Council Members voted:

Ayes: Wanner, Phillips, Lortz, Greiner, Kirkpatrick

Nays: \_\_\_\_\_.

Whereupon, the Mayor pro tem declared the resolution duly adopted as follows:

RESOLUTION NO. 12-02-05

To fix a date for a public hearing on a loan and disbursement agreement for a Sewer Improvement Project

WHEREAS, the City of Williamsburg (the "City"), in the County of Iowa, State of Iowa, did heretofore establish a Municipal Sanitary Sewer System (the "Utility") in and for the City which has continuously supplied sanitary sewer service in and to the City and its inhabitants since its establishment; and

WHEREAS, the management and control of the Utility are vested in the City Council (the "Council") and no board of trustees exists for this purpose; and

WHEREAS, the City now proposes to enter into a sewer revenue loan and disbursement agreement (the "Agreement") in a principal amount not to exceed \$900,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the cost, to that extent, of constructing improvements and extensions to the Utility, and it is necessary to fix a date of meeting of the Council at which it is proposed to take action to enter into the Agreement and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Williamsburg, Iowa, as follows:

Section 1. This Council shall meet on the 28<sup>th</sup> day of February, 2005, at the city hall, in the City, at 7:45 o'clock p.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Agreement.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than four nor more than twenty days before the meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE  
PROCEEDINGS TO ENTER INTO A LOAN AND DISBURSEMENT AGREEMENT  
IN A PRINCIPAL AMOUNT NOT TO EXCEED \$900,000

(SEWER REVENUE)

The City Council of the City of Williamsburg, Iowa, will meet on the 28<sup>th</sup> day of February, 2005, at the city hall, in the City, at 7:45 o'clock p.m., for the purpose of instituting proceedings and taking action to enter into a loan and disbursement agreement (the "Agreement") and borrow money in a principal amount not to exceed \$900,000, for the purpose of paying the cost, to that extent, of constructing improvements and extensions to the Municipal Sanitary Sewer System.

The Agreement will not constitute a general obligation of the City, nor will it be payable in any manner by taxation but, together with any additional obligations of the City as may be hereafter issued and outstanding from time to time ranking on a parity therewith, will be payable solely and only from the Net Revenues of the Municipal Sanitary Sewer System of the City.

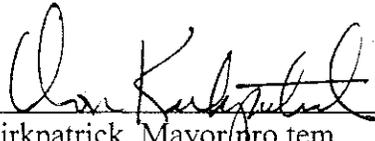
At the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Agreement. After receiving objections, the City may determine to enter into the Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Williamsburg, Iowa.

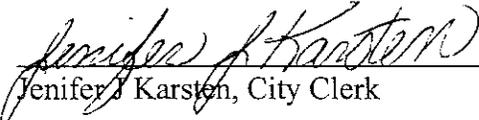
Jenifer Karsten  
City Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

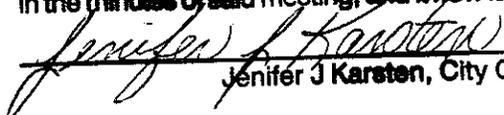
Passed and approved this February 14, 2005.

  
\_\_\_\_\_  
Don Kirkpatrick, Mayor pro tem

Attest:

  
\_\_\_\_\_  
Jenifer J Karsten, City Clerk

**CERTIFICATION: I hereby certify that the foregoing is a true and correct copy of a resolution of the City of Williamsburg adopted at a meeting of said public body, duly called and held on the 14<sup>th</sup> day of February, 2005, a quorum being present, as said resolution remains of record in the minutes of said meeting, and it now is in full force and effect.**

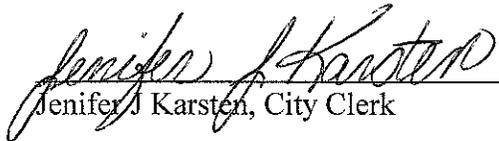
  
\_\_\_\_\_  
Jenifer J Karsten, City Clerk

••••

On motion and vote, the meeting adjourned.

  
\_\_\_\_\_  
Don Kirkpatrick, Mayor pro tem

Attest:

  
\_\_\_\_\_  
Jennifer J. Karsten, City Clerk

STATE OF IOWA  
COUNTY OF IOWA  
CITY OF WILLIAMSBURG

SS:

I, the undersigned, Clerk of the aforementioned City, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to fixing a date for hearing on the City Council's proposal to take action in connection with a loan and disbursement agreement.

WITNESS MY HAND and the seal of the City hereto affixed this 14<sup>th</sup> day of February 2005.

  
Jennifer Karsten, City Clerk

(Seal)

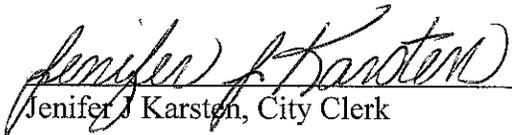
STATE OF IOWA  
COUNTY OF IOWA           SS:  
CITY OF WILLIAMSBURG

I, the undersigned City Clerk, do hereby certify that the aforementioned City is organized and operating under the provisions of Title IX of the Code of Iowa and not under any special charter and that such City is operating under the Mayor-Council form of government and that there is not pending or threatened any question or litigation whatsoever touching the incorporation of the City, the inclusion of any territory within its limits or the incumbency in office of any of the officials hereinafter named.

And I do further certify that the following named parties are officials of the City as indicated:

<u>Murray Armstrong</u>	,	Mayor
<u>Jenifer J Karsten</u>	,	Clerk/Treasurer
<u>Gary Wanner</u>	,	Council Member
<u>Theresa Phillips</u>	,	Council Member
<u>Paul Lortz</u>	,	Council Member
<u>Marcia Greiner</u>	,	Council Member
<u>Don Kirkpatrick</u>	,	Council Member

WITNESS MY HAND and the seal of the City hereto affixed this 14th day of February 2005.

  
\_\_\_\_\_  
Jenifer J Karsten, City Clerk

(Seal)

STATE OF IOWA  
 COUNTY OF IOWA                      SS:  
 CITY OF WILLIAMSBURG

I, the undersigned, City Clerk of the City of Williamsburg, Iowa (the "City"), do hereby certify that the City established the Municipal Sanitary Sewer System (the "Utility") and that the Utility has been in continuous operation by the City since its establishment as aforesaid in supplying sanitary sewer service to the City and its inhabitants.

I further certify that the management and control of the Utility are vested in the Council of the City, and that no board of trustees exists which has any part of the control and management of such Utility.

I further certify that the City has no bonds or other obligations of any kind now outstanding which are secured by and payable from the revenues derived from the operation of the Utility, except as follows:

Date	Type	Amount	Maturity
June 2004	GO	\$22,560	2014

**(Attach here a separate sheet listing any outstanding obligations of the City secured by and payable from the revenues of the Utility excluding the proposed issue.)**

I further certify that the annual earnings and annual operating expenses in connection with the operation of the Utility for each of the years indicated have been as follows:

Fiscal Year Ending	Gross Revenues	Operation and Maintenance Expenses (do not include Bond Debt Service and Capital Expense Items)	Net Revenues from Operation Before Payment of Capital Expenditures and Bond Debt Service	Capital Expenditures	Bond Debt Service
2001	\$404,315	\$257,235	\$147,080	\$ _____	\$20,798
2002	\$399,045	\$185,665	\$213,380	\$ _____	\$20,108
2003	\$490,335	\$278,037	\$212,298	\$ _____	\$19,418
2004	\$421,819	\$269,961	\$151,858	\$ _____	\$17,970
2005 (projected to end of fiscal year)	\$466,888	\$336,572	\$130,316	\$ _____	\$36,311

I do further certify that the rates which were in effect for services furnished to customers by the Utility during the aforementioned fiscal years were as follows:

Commencing October 16, 1999 \$3.00 per 1,000 gallons water used

Commencing July 16, 2002 \$3.25 per 1,000 gallons water used

WILLIAMSBURG CITY ORDINANCE #472

An Ordinance amending the ordinances of the City of Williamsburg, Iowa County, Iowa.

The City council of the City of Williamsburg, State of Iowa, does ordain as follows:

SECTION ONE

Title III, Chapter 99, Section 99.04, shall be amended by deleting said section and replacing with the following:

3. Each contributor shall pay an additional user charge rate in accordance with the following schedule:
  - a. Commencing July 16, 2002, each contributor shall pay an additional \$.25 per 1,000 gallons or a total of \$3.25 per 1,000 gallons.

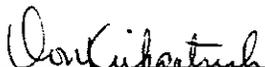
SECTION TWO

All ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

SECTION THREE

This ordinance shall take effect and be enforced after its passage and adoption by the City Council of the City of Williamsburg, Iowa and publication as required by law.

Passed and approved by the City Council of the City of Williamsburg, Iowa this 22<sup>nd</sup> day of April 2002.

  
\_\_\_\_\_  
Don Kirkpatrick Mayor pro-tem

Attest:

  
\_\_\_\_\_  
Jennifer J. Karsten, City Clerk

WILLIAMSBURG CITY ORDINANCE No. 486

An Ordinance amending the ordinances of the City of Williamsburg, Iowa County, Iowa.

The City Council of the City of Williamsburg, State of Iowa, does ordain as follows:

SECTION ONE

Title III, Chapter 99, Paragraph 99.04(3) of the Code of Ordinances of the City of Williamsburg shall be amended by deleting said paragraph and replacing with the following:

3. Each contributor shall pay an additional user charge rate in accordance with the following schedule:
  - A. Commencing August 1, 2005, each contributor shall pay an additional \$.25 per 1,000 gallons or a total of \$3.50 per 1,000 gallons.
  - B. Commencing July 1, 2006, each contributor shall pay an additional \$.25 per 1,000 gallons or a total of \$3.75 per 1,000 gallons.
  - C. Commencing July 1, 2007, each contributor shall pay an additional \$.25 per 1,000 gallons or a total of \$4.00 per 1,000 gallons.
  - D. Commencing July 1, 2008, each contributor shall pay an additional \$.25 per 1,000 gallons or a total of \$4.25 per 1,000 gallons.

SECTION TWO

All ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

SECTION THREE

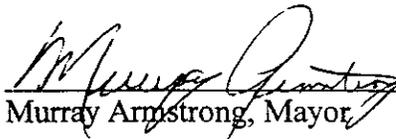
This ordinance shall take effect and be enforced after its passage and adoption by the City Council of the City of Williamsburg, Iowa and publication as required by law.

Passed and approved by the City Council of the City of Williamsburg, Iowa this 23rd day of August 2004.

1<sup>st</sup> reading August 9, 2004  
2<sup>nd</sup> reading August 23, 2004  
3<sup>rd</sup> reading waived

Attest:

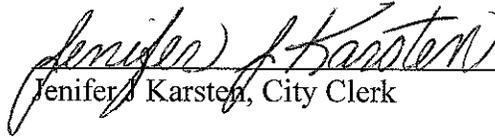
  
Jenifer J. Karsten, City Clerk

  
Murray Armstrong, Mayor

I do further certify that attached hereto is a true, correct and complete copy of the present rate ordinance for the Utility.

**(Attach here a copy of the current rate ordinance).**

WITNESS MY HAND and the seal of the City this 14th day of February 2005.

  
\_\_\_\_\_  
Jenifer J. Karsten, City Clerk

(Seal)

PROOF OF PUBLICATION

State of Iowa, Iowa County: SS

I, Jolene Demro being duly sworn, do depose and say that I am Assistant to the Publisher of The Journal Tribune, of Iowa County, a weekly newspaper of general circulation, published at Williamsburg, Iowa County, Iowa, and that I am personally cognizant of the matters herein contained; that the annexed notice was published in said paper in its weekly edition on the following consecutive date(s):

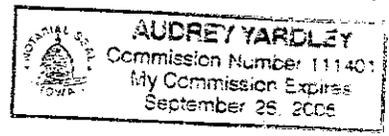
Feb 17, 2005

Publication fee \$ 16.80

Jolene Demro  
Subscribed in my presence, and sworn to before me by the said

Jolene Demro  
the 18 day of Feb 2005  
Audrey Yardley

Notary Public



**NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A LOAN AND DISBURSEMENT AGREEMENT IN A PRINCIPAL AMOUNT NOT TO EXCEED \$900,000 (SEWER REVENUE)**

The City Council of the City of Williamsburg, Iowa, will meet on the 28th day of February, 2005, at the City Hall, in the City, at 7:45 o'clock p.m., for the purpose of instituting proceedings and taking action to enter into a loan and disbursement agreement (the "Agreement") and borrow money in a principal amount not to exceed \$900,000, for the purpose of paying the cost, to that extent, of constructing improvements and extensions to the Municipal Sanitary Sewer System.

The Agreement will not constitute a general obligation of the City, nor will it be payable in any manner by taxation but, together with any additional obligations of the City as may be hereafter issued and outstanding from time to time ranking on a parity therewith, will be payable solely and only from the Net Revenues of the Municipal Sanitary Sewer System of the City.

At the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Agreement. After receiving objections, the City may determine to enter into the Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Williamsburg, Iowa:

JT-8-1t

Jennifer Karsten, city clerk

**(PLEASE NOTE: Please do not date and return this certificate until you have received the publisher's affidavit and have verified that the notice was published on the date indicated in the affidavit, but please return all other completed pages to us as soon as they are available.)**

STATE OF IOWA  
COUNTY OF IOWA  
CITY OF WILLIAMSBURG

SS:

I, the undersigned, Clerk of the aforementioned City, do hereby certify that pursuant to the resolution of its Council fixing a date of meeting at which it is proposed to take action to enter into a loan and disbursement agreement, the notice, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND and the seal of the City hereto affixed this 17th day of February 2005.

  
\_\_\_\_\_  
Jenifer J. Karsten, City Clerk

(Seal)

**(Attach here the publisher's original affidavit with clipping of the notice, as published.)**