

MINUTES OF MEETING TO SET DATE  
FOR ELECTION

439235-7

West Branch, Iowa

March 2, 2015

The City Council of the City of West Branch, Iowa, met at the City Hall, in the City, at 7:00 o'clock p.m., on March 2, 2015. The meeting was called to order and there were present the Mayor and the following named Council Members:

Present: Jordan Ellyson, Colton Miller, Mary Beth Stevenson, Brian Pierce, Tim Shields.

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

The Council took up and considered the matter of calling a special election on the proposition of entering into a general obligation loan agreement and issuing bonds to borrow money for the purpose of paying the cost, to that extent, of undertaking the West Branch Park Improvements Project.

Council Member Brian Pierce introduced and moved the adoption of the resolution next hereinafter set out, seconded by Council Member Tim Shields. After due consideration of the resolution by the Council, the Mayor put the question upon the motion and the roll being called, the following named Council Members voted:

Ayes: Pierce, Shields, Ellyson, Miller, Stevenson.

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

Whereupon, the Mayor declared the motion duly carried and the resolution adopted in substantially the following form:

RESOLUTION NO. 1278

Resolution calling an election on the proposition of entering into a loan agreement and issuing bonds for the purpose of undertaking the West Branch Park Improvements Project

WHEREAS, it is deemed advisable that the City of West Branch, Iowa (the "City"), enter into a loan agreement and issue bonds in an amount not exceeding \$4,000,000 to provide funds to pay the cost, to that extent, of undertaking the West Branch Park Improvements Project, including ball diamonds; volleyball courts; lighting improvements; playground equipment; concessions, restroom and shelter facilities; recreation trails; landscaping; parking lots; and the installation of related public infrastructure improvements (hereinafter referred to as the "Project"); and

WHEREAS, pursuant to Chapter 384 of the Code of Iowa, before the City may enter into the loan agreement and issue bonds for such purpose, the City must hold a special election upon such proposition and receive a favorable vote from at least 60% of the total votes cast at such special election;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa, as follows:

Section 1. A special municipal election is hereby called and ordered to be held in and for the City on November 3, 2015, at which there will be submitted to the voters of the City the following proposition:

*Shall the City of West Branch, in Cedar and Johnson Counties, Iowa, enter into a loan agreement and issue bonds in an amount not exceeding \$4,000,000 for the purpose of paying the cost, to that extent, of undertaking the West Branch Park Improvements Project, including ball diamonds; volleyball courts; lighting improvements; playground equipment; concessions, restroom and shelter facilities; recreation trails; landscaping; parking lots; and the installation of related public infrastructure improvements?*

Section 2. The County Commissioner of Elections for Cedar County and the County Commissioner of Elections for Johnson County are each hereby authorized and requested to issue proclamations and notices of the election on the proposition and of the time and place thereof and to take all other actions necessary pursuant to state law to conduct the election.

Section 3. All of the foregoing matters are adopted and resolved by this Council, and the City Clerk is hereby directed to give written notice thereof by submitting a copy of this resolution to the Cedar County Commissioner of Elections and the Johnson County Commissioner of Elections, each of whom has the duty to conduct this election, for approval, ratification and confirmation to the extent required by Iowa law, and each County Commissioner of Elections shall signify such approval, ratification and confirmation and shall order the election to be conducted in the manner set forth herein by signing the order attached to this resolution.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved March 2, 2015.

  
\_\_\_\_\_  
Mayor

Attest:

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

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On motion and vote, the meeting adjourned.

  
\_\_\_\_\_  
Mayor

Attest:

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

ORDER REGARDING CONDUCT OF ELECTION

As County Auditor of Cedar County, Iowa, I do hereby approve, ratify and confirm all action taken by the City Council of the City of West Branch, Iowa, incorporated in the attached and foregoing resolution, adopted on March 2, 2015, by such Council, and as Commissioner of this election, do hereby order that the special election referred to in such resolution shall be administered and conducted in the manner provided in such resolution and as required by state law.

WITNESS MY HAND this 24<sup>th</sup> day of March, 2015.

Cari Smith  
County Auditor of Cedar County, Iowa

ORDER REGARDING CONDUCT OF ELECTION

As County Auditor of Johnson County, Iowa, I do hereby approve, ratify and confirm all action taken by the City Council of the City of West Branch, Iowa, incorporated in the attached and foregoing resolution, adopted on March 2, 2015, by such Council, and as Commissioner of this election, do hereby order that the special election referred to in such resolution shall be administered and conducted in the manner provided in such resolution and as required by state law.

WITNESS MY HAND this 11 day of March, 2015.

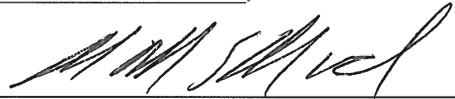
*Francis Wapert by Anne J. Rowland*  
County Auditor of Johnson County, Iowa *Deputy Auditor*

STATE OF IOWA  
CEDAR AND JOHNSON COUNTIES      SS:  
CITY OF WEST BRANCH

I, the undersigned, City Clerk of the City of West Branch, do hereby certify that as such Clerk I have in my possession or have access to the complete corporate records of the City and of its officials and that I have carefully compared the transcript hereto attached with those corporate records and that the transcript hereto attached is a true, correct and complete copy of all of the corporate records in relation to the calling of a special election on the proposition of entering into a loan agreement to borrow money for the purpose of undertaking the West Branch Park Improvements Project, and that the transcript hereto attached contains a true, correct and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time in relation to the loan agreement.

I do further certify that on the 24<sup>th</sup> day of MARCH, 2015 (being prior to 5:00 p.m. at least 46 days before the election), I caused written notice of the proposed date of election to be mailed or delivered to the Cedar County Commissioner of Elections and the Johnson County Commissioner of Elections, and did thereafter receive written approval from each Commissioner of such date.

WITNESS MY HAND this 24<sup>th</sup> day of MARCH, 2015.

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