City of Manchester

208 East Main St.
Manchester, Iowa 52057
319-927-3636

February 26, 1990

TO WHOM IT MAY CONCERN:

I, Karen K. Cole, City Clerk of the City of Manchester, Iowa do hereby certify that the following documents:

a. Resolution R-912-83
b. Resolution R-913-83
c. Minutes of the October 3, 1983 Council Meeting
d. Notice of Hearing on Resolution to Sell Real Property
e. Notice of Sale by City

are hereby attached and are true and exact copies of the minutes of the City Council of the City of Manchester, Iowa.

Karen K. Cole
Karen K. Cole, City Clerk

CITY OF MANCHESTER IOWA SEAL

Subscribed and Sworn to before me this 26th day of February, 1990.

Linda K. Tutton
Linda K. Tutton, Notary

LINDA K. TUTTON NOTARY PUBLIC SEAL

FILE No. 311-1904
RECORDING FEE $ 40.00
TRANSFER FEE $

FILED FOR RECORD THE 26 DAY OF February, 19 90 AT 4:34 O'CLOCK P. M. BOOK I PAGE 209

STATE OF IOWA, DELAWARE COUNTY
Joan Sheppard, Recorder
Misc.

STATE OF IOWA, Delaware County-ss.

I, Lenard E. Strasburg, being duly sworn depose and say that I am publisher of The Manchester Press, a newspaper published weekly in Manchester, in said county, and that the Notice of Hearing & Notice of Sale in the case of City of Manchester

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 28 day of September, A.D. 1983, and the last on the _____ day of _____, A.D. 19____

Publication fee, $7.80 - 11.56

Lenard E. Strasburg

Subscribed by Lenard E. Strasburg and by him sworn to before me, a notary public in and of Delaware county, Iowa this 11 day of October A.D. 1983

Witness my hand and seal the date last above written.

Charlotte Clay, Notary Public

NOTICE OF HEARING ON RESOLUTION TO SELL REAL PROPERTY

In accord with the provision of the 1983, Code of Iowa, Sections 362.3 and 364.7, you are hereby notified that at the regular council meeting of the City of Manchester, Iowa, held on September 19, 1983, a resolution was passed authorizing the City to sell certain real estate described as follows:

North Twenty two (22) feet of Lot Two (2) of Lewis Paxson Subdivision of Part of Lots One Hundred Ninety Eight (198) and One Hundred Ninety Nine (199), Manchester, Delaware County, Iowa. (Commonly known as Simmons Park)

That a public hearing will be held on said resolution for the sale of said property at the regular meeting of the City Council, in the Council Chambers at the City Office, Manchester, Iowa, on October 3, 1983 at 4:15 P.M.

Dated this 22nd day of September, 1983.

Karen K. Cole
City Clerk
P60-w1

NOTICE OF SALE BY CITY

The following described parcel of real estate which is no longer necessary, appropriate, required for the use of, profitable to or for the best interest of the City of Manchester, Iowa, is hereby offered for sale.

Said parcel is described as follows:

North Twenty-two (22) feet of Lot Two (2) Lewis Paxson Subdivision of Part of Lots One Hundred Ninety Eight (198) and One Hundred Ninety Nine (199), Manchester, Delaware County, Iowa. (Commonly known as Simmons Park)

Said sale shall be for cash and subject to general taxes after delivery of deed, subject to building and zoning ordinances, easements, restrictions, and covenants of record, if any.

The City of Manchester, Iowa, will convey by quit claim deed and will furnish evidence of title, but will pay no commission to brokers, and will not furnish completed abstracts for the property.

Bids for the above described property are hereby solicited. Said bids must be submitted in person or by a representative. The right to reject any and all bids is reserved by the City Council.

All bids must be stamped as to date and time of deposit with the City Office. All bids are to be sealed and deposited with the City Office, on or before 4:15 P.M., on the 3rd day of October, 1983. Said bids will be submitted to the City Council and will be opened and considered at the regular meeting of the City Council on the aforesaid date.

Karen K. Cole
City Clerk
P60-w1

RESOLUTION R-912-83

It was moved by Councilman Gibbs and seconded by Councilman Cook to approve R-912-83 as follows:

R-912-83

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA that the City Council hold a Public Hearing on October 3, 1983 at 4:15 P.M. on the proposed sale of the following described property commonly known as the Simmons Park property:

North twenty two (22) feet of Lot Two (2) of Lewis Paxson Subdivision of Part of Lots One Hundred Ninety Eight (198) and One Hundred Ninety Nine (199), Manchester, Delaware County, Iowa.

Following the Public Hearing, the Council will receive bids for the sale of said property. City reserves the right to reject any or all bids.

Passed and Approved this 19th day of September, 1983.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

ON CALL OF ROLL: AYES: Gibbs, Cook, Swift NAYS: Ferden, Hauser

RESOLUTION R-913-83

It was moved by Councilman Ferden and seconded by Councilman Cook to approve R-913-83 as follows:

R-913-83

RESOLUTION DIRECTING THE SALE OF AN INTEREST IN REAL PROPERTY FOLLOWING THE PUBLIC HEARING AND RECEIPT OF BIDS

Whereas, the City Council has held on this date a Public Hearing on the sale of the 'Simmons Park Property' and all interested parties having been heard, and Bids for said property received and considered,

BE IT HEREBY RESOLVED by the Council of the City of Manchester, Iowa:

On behalf of the City, the Mayor shall contract to sell and shall deed the property described as follows:

The North twenty two (22) feet of Lot Two (2) of Lewis Paxson Subdivision of Part of Lots One Hundred Ninety Eight (198) and One Hundred Ninety Nine (199), Manchester, Delaware County, Iowa

to Marvin Waterhouse for the sum of seven thousand three hundred twenty-five dollars ($7,325.00). The City Clerk shall co-sign all such contracts and deeds.

The City of Manchester, Iowa will provide a Quit Claim Deed to the Purchaser, but will not furnish complete abstracts of title for the property.

The deed shall be delivered 30 days after the date of this Resolution unless an appeal on this action has been made to District Court. Action on this Resolution shall be final upon purchaser of the Deed giving evidence to the Clerk that the Deed has been recorded, and such fact to be noted on the official record of this Resolution.

This resolution shall be in force and effect upon its passage and approval as provided by law.

Passed by the Council the 3rd day of October, 1983 and approved this 3rd day of October, 1983.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

ON CALL OF ROLL: AYES: Ferden, Cook, Gibbs NAYS: Hauser

Deed Recorded November 3, 1983 - Book 44, Page 14, Delaware County Recorder

Karen K. Cole

Karen K. Cole, City Clerk

REGULAR MEETING OF THE COUNCIL OF THE CITY OF MANCHESTER, IOWA

October 3, 1983 4:00 P.M.

PRESENT: Milt L. Kramer, Mayor COUNCILMEN: Hauser, Gibbs, Cook, Ferden
ABSENT: Swift

The meeting was called to order by Milt L. Kramer, Mayor.

It was moved by Councilman Ferden and seconded by Councilman Cook to approve the agenda as presented.
ON CALL OF ROLL: AYES: Ferden, Cook, Hauser, Gibbs NAYS: None

It was moved by Councilman Cook and seconded by Councilman Hauser to approve the minutes of the September 19, 1983 Council Meeting.
ON CALL OF ROLL: AYES: Cook, Hauser, Ferden, Gibbs NAYS: None

It was moved by Councilman Gibbs and seconded by Councilman Ferden to approve the payment of the following bills for the month ending September 30, 1983:

Payroll Account	Payroll	24,348.44
Northeast Ia Tech Instit	Seminar	35.50
Steve's D-x	Deposit refund	20.00
Marcia Pech	Deposit refund	20.00
Cook Electric Ltd Wtr A/C	Deposit refund	20.00
Diane Brandenburg Wtr A/C	Deposit refund	20.00
Donald Chambers Estate	Deposit refund	5.00
IWPCA	Registrations	44.00
Edwin Feldman Jr.	Deposit refund	20.00
First State Bank	Investment	255,000.00
Blue Cross Blue Shield	Group Ins - Oct	5,524.35
Nancy Richmond Wtr A/C	Deposit refund	20.00
Steven Reth Wtr A/C	Deposit refund	20.00
Glen Robinson	Deposit refund	20.00
Steve Koering Wtr A/C	Deposit refund	20.00
Steve Hubler	Deposit refund	20.00
May Hosford	Deposit refund	20.00
Jerry Leonard	Deposit refund	20.00
K & L Swine	Deposit refund	20.00
Wm O'Connell	Deposit refund	20.00
Tom Greve	Deposit refund	20.00
Kenneth Mott	Deposit refund	20.00
Walter Krey	Deposit refund	20.00
Kim D. Leinbach	Meeting Expenses	93.57
Postmaster	Postage	111.80
Kim D. Leinbach	Life Jackets for Pool	46.61

ON CALL OF ROLL: AYES: Gibbs, Ferden, Cook, Hauser NAYS: None

It was moved by Councilman Cook and seconded by Councilman Gibbs that Ordinance No. 281-83 An Ordinance Amending Chapter 17 "Motor Vehicles & Traffic" and Chapter 25 "Streets & Sidewalks" be hereby adopted.
ON CALL OF ROLL: AYES: Cook, Gibbs, Hauser, Ferden NAYS: None

ORDINANCE NO. 281-83
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA, THAT CHAPTER 17, "MOTOR VEHICLES AND TRAFFIC" AND CHAPTER 25, "STREETS AND SIDEWALKS" OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, IOWA, BE, AND HEREBY ARE, AMENDED AS FOLLOWS:

SECTION 1. CHAPTER 17, MOTOR VEHICLES AND TRAFFIC, Article IV. Parking, DIVISION 1. GENERALLY is herewith amended by adding a new Section 17-137 Emergency snow routes, thereto:

"The purpose of this Section is to regulate parking upon the streets of Manchester, Iowa, while providing for the orderly and efficient removal of snow and ice from said streets and enforcement of these regulations.

Following are the streets within the City of Manchester, Iowa, designated as emergency snow routes:

1. East and West Main Street from the east corporate limits west to west corporate limits;

2. North and South Franklin Street from the north corporate limits south to and including the intersection of East Marion Street;

3. South Fifth Street from the south corporate limits north to and including the intersection of West Marion Street;

4. West Marion Street from and including its intersection with South Fifth Street east to and including its intersection with South Franklin Street;

5. North and South Brewer Street from and including its intersection with East Union Street south to and including its intersection with Bailey Drive;

6. North New Street from and including its intersection with East Union Street north to and including its intersection with East Acers Street;

7. Bailey Drive from and including its intersection with East Main Street south to the south corporate limits;

8. East Delaware Street from and including its intersection with South Franklin Street east to and including its intersection with South Brewer Street;

9. East Fayette Street from and including its intersection with North Franklin Street east to and including its intersection with North Brewer Street;

10. North and South Madison Street from and including its intersection with East Fayette Street south to and including its intersection with East Delaware Street;

11. North and South Tama Street from and including its intersection with East Fayette Street south to and including its intersection with East Delaware Street;

12. North River Street from and including its intersection with West Butler Street south to and including its intersection with West Main Street;

13. West Butler Street from and including its intersection with North River Street east to and including its intersection with North Franklin Street;

14. East Prospect Street from and including its intersection with North Franklin Street east to and including its intersection with North Sherman Street;

15. North Sherman Street from and including its intersection with East Prospect Street north to and including its intersection with East Clara Avenue;

16. East Clara Avenue from and including its intersection with North Sherman Street east to and including its intersection with North Doctor Street;

17. North Doctor Street from and including its intersection with East Clara Avenue north to and including its intersection with East Acres Street;

18. East Acers Street from and including its intersection with Doctor Street west to and including its intersection with North Franklin Street.

It shall be unlawful for any person to park or to attempt to park or to allow a vehicle to remain on a snow route within the City of Manchester:

(a) At any time when snow removal operations are in progress and before such operations have resulted in the removal or clearance of snow from such snow routes.

(b) Whenever the Mayor or his/her designee finds, on the basis of falling snow, sleet or freezing rain or on the basis of a forecast for the same, that weather conditions have created or are likely to create hazardous road conditions or road conditions impeding or likely to impede the free movement of fire, health, police, emergency or other vehicular traffic vital to the health, safety or welfare of the City of Manchester, he/she may declare that the emergency snow routes are in effect and thereby prohibit parking or the stopping of vehicles on designated snow routes. While the snow emergency is in effect no person

shall park or allow to remain parked any vehicle on any portion of a snow route. Said prohibition shall remain in effect until snow removal has been completed or until terminated by announcement of the Mayor or his/her designee in the manner prescribed within this section. Notice of the declaration of a snow emergency including a parking ban on snow routes shall be given to the public by means of public service broadcasts or telecasts from stations with a normal operating range covering the City of Manchester and may be further announced in the newspaper when feasible. A parking prohibition so made shall not go into effect until at least one hour after notification is given to radio-television stations and/or newspaper (if applicable). Termination of such a parking ban shall become effective immediately upon announcement in the same manner as herein prescribed.

Any vehicle parked upon any street in violation of this section may be removed to the vehicle pound by the police department."

SECTION 2. CHAPTER 25, STREETS AND SIDEALKS, Article III. Sidewalks is herewith amended by adding a new Sec. 25-40. Unlawful to deposit snow and ice upon public property:

"It shall be unlawful for any person to remove snow/ice accumulations from private premises and to deposit same upon any public highway, street, alley and/or commons within the City of Manchester, except such person may deposit snow/ice accululations upon the parking contiguous to the property owned or occupied by such person but only in such a manner that the snow/ice accumulations are not placed upon traveled portion of highway, street, alley or commons within the City. However, those property owners located within the central business district, boundaries of which are delineated in Sec. 7-6 of Chapter 7 of this Code, are exempt from these provisions for removal of sno/ice accumulations from sidewalks only."

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part not adjudged invalid or unconstitutional.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS FINAL PASSAGE AND APPROVAL AS PROVIDED BY LAW.

PASSED AND APPROVED BY THE CITY COUNCIL ON THE 3RD DAY OF OCTOBER, 1983.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

(STATE OF IOWA)
(DELAWARE COUNTY) SS.

I, Karen K. Cole, City Clerk of the City of M anchester, Iowa do hereby certify that Ordinance No. 281-83 was duly published on the 12th day of October, 1983 in the Manchester Press, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

Karen K. Cole

Karen K. Cole, City Clerk

It was moved by Councilman Gibbs and seconded by Councilman Hauser to approve the following bills to be paid from the 1982-83 Wastewater Treatment Fund:

Dielman Inc.	Railroad ties	104.00
Farm Fleet Supplies	Tile	142.80
City of Manchester	Work at WWTP	940.60

ON CALL OF ROLL: AYES: Gibbs, Hauser, Ferden, Cook NAYS: None

4:15 P.M. date and time set for a public hearing on the proposed sale of the 'Simmons Park' property. Mayor Kramer asked if anyone present wished to be heard regarding the sale of said property. Councilman Hauser asked and was advised that if the building was demolished, four parking spaces could be added in that area. There being no others wishing to be heard, Mayor Kramer declared the hearing closed at 4:18 P.M.

At this time, Mayor Kramer asked if anyone wished to submit a bid for the sale of the 'Simmons Park' Property. Two bids were submitted and the City Clerk was instructed to open and read aloud those bids as follows:

David Teske	$5,200.00
Marvin Waterhouse	$7,325.00

It was moved by Councilman Gibbs and seconded by Councilman Hauser to take the bids received under consideration until the next meeting October 17, 1983
ON CALL OF ROLL: AYES: Gibbs,Hauser NAYS: Ferden, Cook
Motion failed to pass.

It was moved by Councilman Ferden and seconded by Councilman Cook to approve R-913-83 A Resolution Directing the Sale of An Interest in Real Property Following the Public Hearing (See Resolution Book)
ON CALL OF ROLL: AYES: Ferden, Cook, Gibbs NAYS: Hauser

At 4:30 P.M., it was moved by Councilman Cook and seconded by Councilman Ferden that the meeting be adjourned.
ON CALL OF ROLL: AYES: Cook, Ferden, Gibbs, Hauser NAYS: None

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk