

# Official Canvass

of Votes Cast at the  
*CITY OF BUSSEY*  
SPECIAL ELECTION  
*Electric Franchise (Iowa Power)*

December 9 1986

MARION County, Iowa

Section 50.24, Code

IOWA POWER AND LIGHT COMPANY

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ELECTRIC FRANCHISE PROCEEDINGS

CITY OF BUSSEY, IOWA

ORDINANCE NO. 86-3

EFFECTIVE DATE 12-9-86

MINUTES OF  
 PROCEEDINGS RELATING TO THE ADOPTION OF  
 FRANCHISE ORDINANCE NO. 86-3  
 BUSSEY, IOWA

The City Council of the City of Bussey, Iowa, met in regular session on September 8, 1986 at the City Hall, Bussey, Iowa.

The meeting was called to order at 7:00 o'clock P.M. by the Mayor, Millard W. Gist, who presided as chairman, and the proceedings were recorded by Clarice W. Sams, City Clerk.

The following members of the Council were present:

Dale M. Bassett	Dave Wilson
Kenneth Cingle	
Craig Bonnett (arrived at 7:32 P.M.)	

The following were absent:

Mark Wilson

Councilman Cingle moved to approve the minutes of the previous meeting and the agenda. The motion was seconded by Councilman Wilson. The vote on the motion was as follows:

Yeas: Bassett	Nays: None
Cingle	
Wilson	

Also present at this meeting were Dennis Blasberg and Tim Cox who arrived at 7:10 P.M.

Councilman Cingle moved to approve renewal of a Class C Beer Permit for Bussey General Store. Councilman Wilson seconded the motion. The vote on the motion was as follows:

Yeas: Cingle	Nays: Bassett
Wilson	

Councilman Cingle moved to approve a Five Year Property Tax Exemption Program for New Industry. Councilman Bassett

seconded the motion. The vote on the motion was as follows:

Yeas: Cingle	Nays: None
Bassett	
Wilson	

Mayor Gist discussed the water accounts in the country.

Deputy Tim Cox presented the law enforcement report.

One citation was issued this month. Deputy Cox explained the need for alcohol level test equipment. The cost for a new unit is \$400. He will check on a used model.

The Fire Department reported no fires this month. The fire truck was driven in the Lovilia Fall Festival parade.

The Water Department reported five water breaks. After discussion it was agreed that the City is responsible for replacement of water shut off valves.

City Clerk Clarice W. Sams presented the Financial Report. Councilman Wilson moved to approve the Financial Report. Councilman Cingle seconded the motion. The vote on the motion was as follows:

Yeas: Wilson	Nays: None
Cingle	
Bassett	

Councilman Bassett moved to approve the monthly bills totaling \$7,855.74. Councilman Cingle seconded the motion. The vote on the motion was as follows:

Yeas: Wilson	Nays: None
Cingle	
Bassett	

Councilman Bonnett arrived at 7:32 P.M.

Councilman Bassett presented for the Council's consideration and caused to be read Ordinance No. 86-3 entitled:

"An Ordinance granting unto Iowa Power and Light Company, its successors and assigns, the right, franchise and privilege

for a period of twenty-five (25) years from and after the adoption and approval hereof, to acquire, construct, operate and maintain in the City of Bussey, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use; to use and occupy the public streets, highways, avenues, alleys, bridges and public places for such purposes; and prescribing the terms and conditions thereof," and moved that it be voted on for passage. The motion was seconded by Councilman Wilson. Following consideration of Ordinance No. 86-3 by the Council, the Mayor put the question upon the motion and the roll being called. The vote on the motion was as follows:

Yeas: Bassett

Nays: None

Cingle

Bonnett

Wilson

Whereupon, the Mayor declared the motion duly adopted and declared that Ordinance No. 86-3 had been given its initial passage.

Councilman Cingle moved that the statutory rule requiring that a franchise ordinance be considered and voted on for passage at two Council Meetings prior to the meeting at which it is to be finally passed be suspended; that Ordinance No. 86-3 be regarded as having been considered and voted on for passage at two prior Council meetings; and that said Ordinance be placed upon its final passage. The motion was seconded by Councilman Bassett. Upon roll call, the vote on the motion was as follows:

Yeas: Wilson

Nays: None

Bassett

Cingle

Bonnett

Whereupon, the Mayor declared the motion duly adopted and Ordinance No. 86-3 was placed upon its final passage.

Councilman Wilson moved that Ordinance No. 86-3, entitled "An Ordinance granting unto Iowa Power and Light Company, its successors and assigns, the right, franchise and privilege for a period of twenty-five (25) years from and after the adoption and approval hereof, to acquire, construct, operate and maintain in the City of Bussey, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use; to use and occupy the public streets, highways, avenues, alleys, bridges and public places for such purposes; and prescribing the terms and conditions thereof," be approved and adopted. The motion was seconded by Councilman Bonnett. Upon roll call, the vote on the motion was as follows:

Yeas: Cingle	Nays: None
Bassett	
Wilson	
Bonnett	

Whereupon, the Mayor declared Ordinance No. 86-3 duly approved and adopted.

Councilman Cingle introduced and caused to be read Resolution No. 86-7 entitled, "Resolution calling Special Election on the matter of granting an electric franchise to Iowa Power and Light Company and directing publication of Ordinance No. 86-3" and moved its adoption. Councilman Bassett seconded the motion. After due consideration of the Resolution by the Council, the Mayor put the question upon the motion and the roll being called, the vote on the motion was as follows:

Yeas: Wilson	Nays: None
Bonnett	
Cingle	
Bassett	

Whereupon, the Mayor declared the Resolution duly adopted.

There being no further business to come before the meeting, upon motion regularly made, seconded and adopted it was adjourned at 7:55 P.M.

  
MAYOR

Attest:

  
CITY CLERK

(OFFICIAL SEAL)





AFFIDAVIT OF PUBLICATION

STATE OF IOWA )  
 ) SS  
 Marion COUNTY )

I, Jay K. Brooks, of Knoxville,  
Marion County, Iowa, being first duly sworn on oath,  
depose and say, to-wit:

That I am the Editor and Publisher of the Knoxville Express,  
a newspaper printed and published in the City of Knoxville,  
Marion County, Iowa, the same being a legal newspaper pub-  
lished at least once weekly, printed wholly in the English language, pub-  
lished regularly and mailed through the post office of current entry for  
more than two years and which has had for more than two years a bona fide  
paid circulation recognized by the postal laws of the United States, and  
having general circulation in the City of Bussey and  
Marion County, and that the minutes of the proceedings  
of the meeting of the City Council of the City of Bussey,  
Iowa, held September 8, 19 86 (including ~~the written notice of~~  
~~FRANCHISE ORDINANCE~~, Franchise Ordinance No. 86-3 and a Resolution entitled  
No. 867  
"Resolution calling Special Election on the matter of granting an electric  
franchise to Iowa Power and Light Company and directing publication of  
Ordinance No. 86-3"), a copy of which is annexed and made a part hereof,  
were correctly published in said newspaper on the 17th day of  
September, 19 86.

Jay K. Brooks  
Publisher

Subscribed and sworn to before me this 17th day of September,  
19 86.



Louise Kuntz  
Notary Public in and for the State  
of Iowa

Fee \$ 123.91

MINUTES OF PROCEEDINGS RELATING TO THE ADOPTION OF FRANCHISE ORDINANCE NO. 86-3 BUSSEY, IOWA

The City Council of the City of Bussey, Iowa, met in regular session on September 8, 1986 at the City Hall, Bussey, Iowa.

The meeting was called to order at 7:00 o'clock P.M. The Mayor, Millard W. Gist, who presided as chairman, and the proceedings were recorded by Clarence W. Sams, City Clerk.

The following members of the Council were present: Dale M. Bassett, Dave Wilson, Kenneth Cingle, Craig Bonnett (arrived at 7:32 P.M.)

The following were absent: Mark Wilson.

Councilman Cingle moved to approve the minutes of the previous meeting and the agenda. The motion was seconded by Councilman Wilson. The vote on the motion was as follows: Yeas: Bassett, Cingle, Wilson. Nays: None.

Also present at this meeting were Dennis Blasberg and Tim Cox who arrived at 7:10 P.M.

Councilman Cingle moved to approve renewal of a Class C Beer Permit for Bussey General Store. Councilman Wilson seconded the motion. The vote on the motion was as follows: Yeas: Cingle, Wilson. Nays: Bassett.

Councilman Cingle moved to approve a Five Year Property Tax Exemption Program for New Industry. Councilman Bassett seconded the motion. The vote on the motion was as follows: Yeas: Cingle, Bassett, Wilson. Nays: None.

Mayor Gist discussed the water accounts in the country.

Deputy Tim Cox presented the law enforcement report. One citation was issued this month. Deputy Cox explained the need for alcohol level test equipment. The cost for a new unit is \$400. He will check on a used model.

The Fire Department reported no fires this month. The fire truck was driven in the Lovilia Fall Festival parade.

The Water Department reported five water breaks. After discussion it was agreed that the City is responsible for replacement of water shut off valves.

City Clerk Clarence W. Sams presented the Financial Report. Councilman Wilson moved to approve the Financial Report. Council Cingle seconded the motion. The vote on the motion was as follows: Yeas: Wilson, Cingle, Bassett. Nays: None.

Councilman Bassett moved to approve the monthly bills totaling \$7,855.74. Councilman Cingle seconded the motion. The vote on the motion was as follows: Yeas: Wilson, Cingle, Bassett. Nays: None.

Councilman Bonnett arrived at 7:32 P.M.

Councilman Bassett presented for the Council's consideration and caused to be read Ordinance No. 86-3 entitled:

"An Ordinance granting unto Iowa Power and Light Company, its successors and assigns, the right, franchise and privilege for a period of twenty-five (25) years from and after the adoption and approval hereof, to acquire, construct, operate and maintain in the City of Bussey, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use; to use and occupy the public streets, highways, avenues, alleys, bridges and public places for such purposes; and prescribing the terms and conditions thereof," and moved that it be voted on for passage. The motion was seconded by Councilman Wilson. Following consideration of Ordinance No. 86-3 by the Council, the Mayor put the question upon the motion and the roll being called. The vote was as follows: Yeas: Bassett, Cingle, Bonnett, Wilson. Nays: None.

Whereupon, the Mayor declared the motion duly adopted and declared that Ordinance No. 86-3 had been given its initial passage.

Councilman Cingle moved that the statutory rule requiring that a franchise ordinance be considered and voted on for passage at two Council Meetings prior to the meeting at which it is to be finally passed be suspended; that Ordinance No. 86-3 be regarded as having been considered and voted on for passage at two prior Council meetings; and that said Ordinance be placed upon its final passage. The motion was seconded by Councilman Bassett. Upon roll call, the vote on the motion was as follows: Yeas: Wilson, Bassett, Cingle, Bonnett. Nays: None.

Whereupon, the Mayor declared the motion duly adopted and Ordinance No. 86-3 was placed upon its final passage.

Councilman Wilson moved that Ordinance 86-3, entitled "An Ordinance granting unto Iowa Power and Light Company, its successors and assigns, the right, franchise and privilege for a period of twenty-five (25) years from and after the adoption and approval hereof, to acquire, construct, operate and maintain in the City of Bussey, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use; to use and occupy the public streets, highways, avenues, alleys, bridges and public places for such purposes; and prescribing the terms and conditions thereof," be approved and adopted. The motion was seconded by Councilman Bonnett. Upon roll call, the vote on the motion was as follows: Yeas: Cingle, Bassett, Wilson, Bonnett. Nays: None.

Whereupon, the Mayor declared Ordinance No. 86-3 duly approved and adopted.

Councilman Cingle introduced and caused to be read Resolution No. 86-7 entitled, "Resolution calling Special Election on the matter of granting an electric franchise to Iowa Power and Light Company and directing publication of Ordinance No. 86-3" and moved its adoption. Councilman Bassett seconded the motion. After due consideration of the Resolution by the Council, the Mayor put the question upon the motion and the roll being called, the vote on the motion was as follows: Yeas: Wilson, Bonnett, Cingle, Bassett. Nays: None.

Whereupon, the Mayor declared the Resolution duly adopted.

There being no further business to come before the meeting, upon motion regularly made, seconded and adopted it was adjourned at 7:55 P.M.

Millard W. Gist MAYOR

Attest: Clarence W. Sams CITY CLERK

ORDINANCE NO. 86-3 AN ORDINANCE GRANTING UNTO IOWA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE AND PRIVILEGE FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE ADOPTION AND APPROVAL HEREOF, TO ACQUIRE, CONSTRUCT, OPERATE AND MAINTAIN IN THE CITY OF BUSSEY, IOWA, THE NECESSARY FACILITIES FOR THE PRODUCTION, DISTRIBUTION, TRANSMISSION AND SALE OF ELECTRIC ENERGY FOR PUBLIC AND PRIVATE USE; TO USE AND OCCUPY THE PUBLIC STREETS, HIGHWAYS, AVENUES, ALLEYS, BRIDGES AND PUBLIC PLACES FOR SUCH PURPOSES; AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUSSEY IOWA:

Section 1. That Iowa Power and Light Company, a corporation, its successors and assigns, be and it is hereby granted and vested with the right, franchise and privilege for a period of twenty-five (25) years from and after the adoption and approval hereof, as provided by law, to acquire, construct, operate and maintain in the City of Bussey, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use and to construct and maintain along,

upon, across and under the streets, highways, avenues, alleys, bridges and public places the necessary fixtures and equipment for such purpose.

Section 2. This franchise shall not be exclusive and shall not restrict in any manner the right of the City Council or any other governing body of the City in the exercise of any regulatory power which it may now have, or hereafter be authorized or permitted, by the laws of the State of Iowa.

Passed by the City Council of the City of Bussey, Iowa, this 8th day of September, 1986.

Millard W. Gist Mayor

Attest: Clarence W. Sams City Clerk

RESOLUTION NO. 86-7 RESOLUTION CALLING SPECIAL ELECTION ON THE MATTER OF GRANTING AN ELECTRIC FRANCHISE TO IOWA POWER AND LIGHT COMPANY AND DIRECTING PUBLICATION OF ORDINANCE NO. 86-3

WHEREAS, the City Council of the City of Bussey, Iowa, did on the 8th day of September, 1986, pass Ordinance No. 86-3, entitled: "An Ordinance granting unto Iowa Power and Light Company, its successors and assigns, the right, franchise and privilege for a period of twenty-five (25) years from and after the adoption and approval hereof, to acquire, construct, operate and maintain in the City of Bussey, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use; to use and occupy the public streets, highways, avenues, alleys, bridges and public places for such purposes; and prescribing the terms and conditions thereof"; and

WHEREAS, under the laws of the State of Iowa any electric franchise granted by the City of Bussey, Iowa, to be effective, must be submitted to the voters of said City at an election and approved at said election by a majority of those voting thereon; and

WHEREAS, it is now the intent and desire of the City Council of the City of Bussey, Iowa, to submit the question of granting an electric franchise to Iowa Power and Light Company to the voters of said City at a Special Election; NOW THEREFORE, BE IT RESOLVED, by the City Council of Bussey, Iowa as follows:

Section 1. That a Special Election is hereby called and ordered to be held in the City of Bussey, Iowa, on December 9, 1986, at which election there will be submitted to the qualified electors of the city for final ratification and approval the following proposition, to-wit:

SHALL THE FOLLOWING PUBLIC MEASURE, AS SET FORTH IN THE FOLLOWING ORDINANCE, BE ADOPTED?

ORDINANCE NO. 86-3 AN ORDINANCE GRANTING UNTO IOWA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE AND PRIVILEGE FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE ADOPTION AND APPROVAL HEREOF, TO ACQUIRE, CONSTRUCT, OPERATE AND MAINTAIN IN THE CITY OF BUSSEY, IOWA, THE NECESSARY FACILITIES FOR THE PRODUCTION, DISTRIBUTION, TRANSMISSION AND SALE OF ELECTRIC ENERGY FOR PUBLIC AND PRIVATE USE; TO USE AND OCCUPY THE PUBLIC STREETS, HIGHWAYS, AVENUES, ALLEYS, BRIDGES AND PUBLIC PLACES FOR SUCH PURPOSES; AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUSSEY IOWA:

Section 1. That Iowa Power and Light Company, a corporation, its successors and assigns, be and it is hereby granted and vested with the right, franchise and privilege for a period of twenty-five (25) years from and after the adoption and approval hereof, as provided by law, to acquire, construct, operate and maintain in the City of Bussey, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use and to construct and maintain along, upon, across and under the streets, highways, avenues,

alleys, bridges and public places the necessary fixtures and equipment for such purposes.

Section 2. This franchise shall not be exclusive and shall not restrict in any manner the right of the City Council or any other governing body of the City in the exercise of any regulatory power which it may now have, or hereafter be authorized or permitted, by the laws of the State of Iowa.

Passed by the City Council of the City of Bussey, Iowa, this 8th day of September, 1986.

Millard W. Gist Mayor

Attest: Clarence W. Sams City Clerk

Section 2. That the Commissioner of Elections of Marion County, Iowa, is hereby authorized and directed to publish notice of said Special Election once in The Knoxville Express, a legal newspaper, printed wholly in the English language, as defined by Section 618.3 of the Code of Iowa (which newspaper is published in Knoxville, Iowa, and of general and substantial circulation in Bussey, Iowa, there being no legal newspaper published in Bussey, Iowa) not less than four clear days nor more than twenty days prior to the date of said election.

Section 3. That the voting place or places for said election, and the hours the polls shall be opened and closed, shall be as set out in the notice of said election to be prepared and approved by said County Commissioner of Elections.

Section 4. That said Special Election shall be conducted by the Commissioner of Elections of Marion County, Iowa, and the results thereof shall be canvassed by the County Board of Supervisors and certified by said County Commissioner of Elections to the Mayor and this Council, in the manner prescribed by law.

Section 5. That the expense of said Special Election shall be paid by Iowa Power and Light Company.

Section 6. That the City Clerk is hereby directed to publish Ordinance No. 86-3 in The Knoxville Express, a legal newspaper, printed wholly in the English language, as defined by Section 618.3 of the Code of Iowa, published in the City of Knoxville, Iowa, and of general circulation in Bussey, Iowa on September 17, 1986.

Section 7. That the City Clerk is hereby authorized and directed, in behalf of the City Council of Bussey, Iowa, to deliver or send to the Commissioner of Elections of Marion County, Iowa, a certified copy of this Resolution, which shall constitute notice to said Commissioner of said Special Election and the date for which it has been called. The City Clerk shall cause such certified copy of this Resolution to be received by the County Commissioner of Elections at least thirty days in advance of the date for which said Special Election has been called.

PASSED AND APPROVED, this 8th day of September, 1986.

Millard W. Gist Mayor

Attest: Clarence W. Sams City Clerk

ORDINANCE NO. 86-3

AN ORDINANCE GRANTING UNTO IOWA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE AND PRIVILEGE FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE ADOPTION AND APPROVAL HEREOF, TO ACQUIRE, CONSTRUCT, OPERATE AND MAINTAIN IN THE CITY OF BUSSEY, IOWA, THE NECESSARY FACILITIES FOR THE PRODUCTION, DISTRIBUTION, TRANSMISSION AND SALE OF ELECTRIC ENERGY FOR PUBLIC AND PRIVATE USE; TO USE AND OCCUPY THE PUBLIC STREETS, HIGHWAYS, AVENUES, ALLEYS, BRIDGES AND PUBLIC PLACES FOR SUCH PURPOSES; AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUSSEY, IOWA:

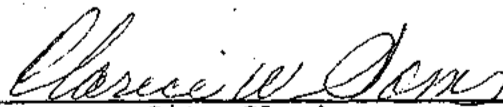
Section 1. That Iowa Power and Light Company, a corporation, its successors and assigns, be and it is hereby granted and vested with the right, franchise and privilege for a period of twenty-five (25) years from and after the adoption and approval hereof, as provided by law, to acquire, construct, operate and maintain in the City of Bussey, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use and to construct and maintain along, upon, across and under the streets, highways, avenues, alleys, bridges and public places the necessary fixtures and equipment for such purposes.

Section 2. This franchise shall not be exclusive and shall not restrict in any manner the right of the City Council or any other governing body of the City in the exercise of any regulatory power which it may now have, or hereafter be authorized or permitted, by the laws of the State of Iowa.

Passed by the City Council of the City of Bussey, Iowa, this 8th day of September, 1986.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk  
(OFFICIAL SEAL)

IP2-49 [M]

Electric 7



## RESOLUTION NO. 86-7

RESOLUTION CALLING SPECIAL ELECTION ON THE MATTER  
OF GRANTING AN ELECTRIC FRANCHISE TO IOWA POWER  
AND LIGHT COMPANY AND DIRECTING PUBLICATION OF  
ORDINANCE NO. 86-3.

WHEREAS, the City Council of the City of Bussey, Iowa, did on the 8th day of September, 1986, pass Ordinance No. 86-3, entitled: "An Ordinance granting unto Iowa Power and Light Company, its successors and assigns, the right, franchise and privilege for a period of twenty-five (25) years from and after the adoption and approval hereof, to acquire, construct, operate and maintain in the City of Bussey, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use; to use and occupy the public streets, highways, avenues, alleys, bridges and public places for such purposes; and prescribing the terms and conditions thereof"; and

WHEREAS, under the laws of the State of Iowa any electric franchise granted by the City of Bussey, Iowa, to be effective, must be submitted to the voters of said City at an election and approved at said election by a majority of those voting thereon; and

WHEREAS, it is now the intent and desire of the City Council of the City of Bussey, Iowa, to submit the question of granting an electric franchise to Iowa Power and Light Company to the voters of said City at a Special Election; NOW THEREFORE,

BE IT RESOLVED, by the City Council of Bussey, Iowa, as follows:

Section 1. That a Special Election is hereby called and ordered to be held in the City of Bussey, Iowa, on December 9, 1986, at which election there will be submitted to the qualified electors of the City for final ratification and approval the following proposition, to-wit:

SHALL THE FOLLOWING PUBLIC MEASURE,  
AS SET FORTH IN THE FOLLOWING ORDINANCE,  
BE ADOPTED?

ORDINANCE NO. 86-3

AN ORDINANCE GRANTING UNTO IOWA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE AND PRIVILEGE FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE ADOPTION AND APPROVAL HEREOF, TO ACQUIRE, CONSTRUCT, OPERATE AND MAINTAIN IN THE CITY OF BUSSEY, IOWA, THE NECESSARY FACILITIES FOR THE PRODUCTION, DISTRIBUTION, TRANSMISSION AND SALE OF ELECTRIC ENERGY FOR PUBLIC AND PRIVATE USE; TO USE AND OCCUPY THE PUBLIC STREETS, HIGHWAYS, AVENUES, ALLEYS, BRIDGES AND PUBLIC PLACES FOR SUCH PURPOSES; AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUSSEY, IOWA:

Section 1. That Iowa Power and Light Company, a corporation, its successors and assigns, be and it is hereby granted and vested with the right, franchise and privilege for a period of twenty-five (25) years from and after the adoption and approval hereof, as provided by law, to acquire, construct, operate and maintain in the City of Bussey, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use and to construct and maintain along, upon, across and under the streets, highways, avenues, alleys, bridges and public places the necessary fixtures and equipment for such purposes.

Section 2. This franchise shall not be exclusive and shall not restrict in any manner the right of the City Council or any other governing body of the City in the exercise of any regulatory power which it may now have, or hereafter be authorized or permitted, by the laws of the State of Iowa.

Passed by the City Council of the City of Bussey  
Iowa, this 8th day of September, 1986.

(signed) Millard W. Gist  
Mayor

Attest:

(signed) Clarice W. Sams  
City Clerk

Section 2. That the Commissioner of Elections of Marion  
County, Iowa, is hereby authorized and directed to publish notice of said  
Special Election once in The Knoxville Express, a legal newspaper,  
printed wholly in the English language, as defined by Section 618.3 of the  
Code of Iowa ~~(which newspaper is published in and of general circulation~~  
~~in the City of~~ Knoxville, Iowa, and of general and substantial circula-  
tion in Bussey, Iowa, there being no legal newspaper published  
in Bussey, Iowa) not less than four clear days nor more  
than twenty days prior to the date of said election.

Section 3. That the voting place or places for said election, and the  
hours the polls shall be opened and closed, shall be as set out in the no-  
tice of said election to be prepared and approved by said County Commissioner  
of Elections.

Section 4. That said Special Election shall be conducted by the Com-  
missioner of Elections of Marion County, Iowa, and the  
results thereof shall be canvassed by the County Board of Supervisors and  
certified by said County Commissioner of Elections to the Mayor and this  
Council, in the manner prescribed by law.

Section 5. That the expense of said Special Election shall be paid by  
Iowa Power and Light Company.

Section 6. That the City Clerk is hereby directed to publish Ordinance  
No.86-3 in The Knoxville Express, a legal news-  
paper, printed wholly in the English language, as defined by Section 618.3  
of the Code of Iowa, published in the City of Knoxville, Iowa,

in Bussey, Iowa  
and of general circulation ~~therein~~, on September 17, 1986, ~~or~~  
~~by posting the same onXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ ~~XXXXXXXXXXXXXXXXXXXX~~ ~~XXXXXXXXXXXXXXXXXXXX~~  
~~places in the city which have been permanently designated by ordinance.~~

Section 7. That the City Clerk is hereby authorized and directed, in behalf of the City Council of Bussey, Iowa, to deliver or send to the Commissioner of Elections of Marion County, Iowa, a certified copy of this Resolution, which shall constitute notice to said Commissioner of said Special Election and the date for which it has been called. The City Clerk shall cause such certified copy of this Resolution to be received by the County Commissioner of Elections at least thirty days in advance of the date for which said Special Election has been called.

PASSED AND APPROVED, this 8th day of September, 1986.

M. Mark W. Gist  
Mayor

Attest:

Clarence W. Adams  
City Clerk

(OFFICIAL SEAL)



## CERTIFICATE OF CITY CLERK

I, Clarice W. Sams, being the duly appointed, qualified and acting City Clerk of the City of Bussey, Iowa, do hereby certify that the foregoing is a true copy of a Resolution No. 86-7 entitled, "Resolution calling Special Election on the matter of granting an electric franchise to Iowa Power and Light Company and directing publication of Ordinance No. 86-3" as adopted and passed by the City Council of the City of Bussey, Iowa, at a regular meeting held on September 8, 1986; that said Resolution was on the same day signed by the Mayor and City Clerk; and that said Resolution has been recorded in the corporate records of said City, as required by law.

  
City Clerk

(OFFICIAL SEAL)

AFFIDAVIT OF PUBLICATION

STATE OF IOWA )  
 ) SS  
MARION COUNTY )

I, Jay K. Brooks, of Knoxville,  
Marion County, Iowa, being first duly sworn on oath,  
depose and say, to-wit:

That I am the Editor and Publisher of the Knoxville Express,  
a newspaper printed and published in the City of Knoxville,  
Marion County, Iowa, the same being a legal news-  
paper published at least once weekly, printed wholly in the English  
language, published regularly and mailed through the post office of  
current entry for more than two years and which has had for more than  
two years a bona fide paid circulation recognized by the postal laws  
of the United States, and having general circulation in the City of  
Bussey and Marion County,  
and that the Ordinance, a copy of which is annexed and made a part  
hereof, was correctly published in said newspaper on the 17th  
day of September, 19 86.

Jay K. Brooks  
Publisher

Subscribed and sworn to before me this 17th day of September,  
19 86.



Louise Kuntz  
Notary Public in and for the State  
of Iowa

Fee \$ 19.13

IP2-49 [M]

ORDINANCE NO. 86-3  
AN ORDINANCE GRANTING UNTO IOWA  
POWER AND LIGHT COMPANY, ITS  
SUCCESSORS AND ASSIGNS, THE RIGHT,  
FRANCHISE AND PRIVILEGE FOR A  
PERIOD OF TWENTY-FIVE (25) YEARS  
FROM AND AFTER THE ADOPTION AND  
APPROVAL HEREOF, TO ACQUIRE,  
CONSTRUCT, OPERATE AND MAINTAIN IN  
THE CITY OF BUSSEY, IOWA, THE  
NECESSARY FACILITIES FOR THE  
PRODUCTION, DISTRIBUTION, TRANS-  
MISSION AND SALE OF ELECTRIC  
ENERGY FOR PUBLIC AND PRIVATE USE;  
TO USE AND OCCUPY THE PUBLIC  
STREETS, HIGHWAYS, AVENUES, ALLEYS,  
BRIDGES AND PUBLIC PLACES FOR SUCH  
PURPOSES; AND PRESCRIBING THE  
TERMS AND CONDITIONS THEREOF.  
BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF BUSSEY IOWA:  
Section 1. That Iowa Power and Light Company, a  
corporation, its successors and assigns, be and it is hereby  
granted and vested with the right, franchise and privilege  
for a period of twenty-five (25) years from and after the  
adoption and approval hereof, as provided by law, to  
acquire, construct, operate and maintain in the City of  
Bussey, Iowa, the necessary facilities for the production,  
distribution, transmission and sale of electric energy for  
public and private use and to construct and maintain along,  
upon, across and under the streets, highways, avenues,  
alleys, bridges and public places the necessary fixtures and  
equipment for such purposes.  
Section 2. This franchise shall not be exclusive and  
shall not restrict in any manner the right of the City  
Council or any other governing body of the City in the  
exercise of any regulatory power which it may now have,  
or hereafter be authorized or permitted, by the laws of the  
State of Iowa.  
Passed by the City Council of the City of Bussey, Iowa,  
this 8th day of September, 1986.  
Millard W. Gist  
Mayor  
Attest:  
Clarice W. Sams  
City Clerk

Electric 14

ORDER OF COUNTY COMMISSIONER OF ELECTIONS

WHEREAS, the undersigned Ralph De Cook, as Commissioner of Elections of Marion County, Iowa, has received and examined a certified copy of the Resolution of the City Council of the City of Bussey, Iowa, adopted on September 8, 1986, calling a special election in said City for submission of Franchise Ordinance No. 86-3 to the qualified electors of said City for final ratification and approval:

NOW THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. All action taken by the City Council of Bussey, Iowa, in respect to such special election and incorporated in said Resolution is hereby approved, ratified, and confirmed in all respects, and the undersigned, as County Commissioner of Elections, will proceed to give the required notice of said special election and to prepare the necessary ballots, election registers, and all other supplies for proper conduct of said special election.

2. The date of December 9, 1986, is hereby expressly approved as the date for said election, and it is hereby acknowledged that the undersigned received a certified copy of said Resolution from the City Clerk of Bussey, Iowa, at least thirty days in advance of said date.

3. At said election, the precinct or precincts (being the same as heretofore designated in conformity with law), the polling place or places and the method or methods of voting shall be as follows:

<u>PRECINCT</u>	<u>POLLING PLACE</u>	<u>METHOD OF VOTING: PAPER BALLOT OR VOTING MACHINE</u>
City of Bussey, Iowa	Bussey City Hall Bussey, Iowa	Voting Machine

4. At said election the polls shall be open from 12 o'clock noon until 8:00 P.M.

5. The election boards named from the election board panels and the respective designated chairpersons thereof shall be as follows:

(insert below the names of the election board members for each precinct)

PRECINCT

MEMBERS OF ELECTION BOARD

City of Bussey, Iowa

Sandra Smith

, Chairperson

Imogene Fall

Wanda Stillwell

, Chairperson

, Chairperson

(insert below the names of the members of the election board of the absentee ballot and special voters precinct)

MEMBERS OF THE ELECTION BOARD OF THE ABSENTEE BALLOT AND SPECIAL VOTERS PRECINCT

Ralph De Cook

, Chairperson

Marge Andrews

Ila Williams

6. The notice of said special election shall be published on November 26, 1986, in the Journal-Express\*, a legal news paper, printed wholly in the English language, as defined by Section 618.3 of the Code of Iowa, published in Knoxville, Marion County, Iowa, and of general and substantial circulation in the City of Bussey, Iowa.

7. The Board of Supervisors of Marion County, Iowa shall meet at 9:00 A.M. on the first Monday after the day of said election, unless said Monday is a holiday, in which case the provisions of Section 4.1 of the Code of Iowa shall control, and shall open and canvass the tally lists and shall prepare an abstract of said election results pursuant to the provisions of Section 50.24 of the Code of Iowa.

Done and Ordered this

25 day of Nov, 1986

  
Commissioner of Elections of

(OFFICIAL SEAL)

Marion County, Iowa

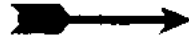
\* Formerly known as the Knoxville Express

## NOTICE OF ELECTION

Notice is hereby given of the Special Election in and for the City of Bussey, Iowa, to be held December 9, 1986. At which time the Qualified Electors of the City of Bussey will Vote For or Against a Public Measure to approve an Ordinance to Grant a Franchise to the Iowa Power and Light Company for a period of 25 years. The full text of this measure is found on the Sample Ballot which is Published herewith as part of this Notice. The Polling Place is Bussey City Hall, the Voting hours are 12:00 Noon till 8:00 P.M.

**NOTICE TO THE VOTERS**

For an Affirmative Vote on each of the Public Measures submitted upon this ballot, turn down the voting lever over the word **YES**, for a Negative Vote, turn down the voting lever over the word **NO**. The entire text of each of these Public measures is on display on the lefthand side, inside the curtain of this machine.



**PUBLIC MEASURE A**

AN ORDINANCE GRANTING UNTO IOWA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE AND PRIVILEGE FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE ADOPTION AND APPROVAL HEREOF, TO ACQUIRE, CONSTRUCT, OPERATE AND MAINTAIN IN THE CITY OF BUSSEY, IOWA, THE NECESSARY FACILITIES FOR THE PRODUCTION, DISTRIBUTION, TRANSMISSION AND SALE OF ELECTRIC ENERGY FOR PUBLIC AND PRIVATE USE; TO USE AND OCCUPY THE PUBLIC STREETS, HIGHWAYS, AVENUES, ALLEYS, BRIDGES AND PUBLIC PLACES FOR SUCH PURPOSES; AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.


SHALL THIS MEASURE BE ADOPTED?

**YES      NO**

**Precinct No. 1  
Bussey City Hall**

**OFFICIAL BALLOT  
SPECIAL PUBLIC MEASURE ELECTION  
CITY OF BUSSEY, IOWA  
DEC. 9, 1986**

County Commissioner of Elections



*Robert M. Cook*  
County Commissioner of Elections

## CERTIFICATE

I, Ralph DeCook, do hereby certify that I am now and was at the time hereinafter mentioned the duly qualified and acting Commissioner of Elections of Marion County, Iowa, and that the foregoing is a true and correct copy of the Notice of Special Election which I, as such Commissioner, caused to be published on November 26, 1986, in the Journal Express\*, a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and having general and substantial circulation in the City of Mussey, Iowa.

  
Commissioner of Elections of

(OFFICIAL SEAL)

Marion County, Iowa

\*Formerly known as the Knoxville Express



AFFIDAVIT OF PUBLICATION

STATE OF IOWA )  
 ) SS  
MARION COUNTY )

I, Jay Brooks, of Knoxville,  
Marion County, Iowa, being first duly sworn on oath,

depose and say, to-wit:

That I am the Editor and Publisher of the Journal-Express \*  
\_\_\_\_\_, a newspaper printed and published in the City of  
Knoxville, Marion County, Iowa, the  
same being a legal newspaper published at least once weekly, printed  
wholly in the English language, published regularly and mailed  
through the post office of current entry for more than two years  
and which has had for more than two years a bona fide paid circula-  
tion recognized by the postal laws of the United States, and having  
general and substantial circulation in the City of Bussey  
and Marion County, and that the notice, a copy of  
which is annexed and made a part hereof, was correctly published  
in said newspaper on the 26th day of November, 1986.

Jay Brooks  
Publisher

Subscribed and sworn to before me this 5 day of  
December, 1986.

 LOUISE KUNTZ

Louise Kuntz  
Notary Public in and for the  
State of Iowa

Fee \$ 130.00

\*Formerly known as the Knoxville Express

**NOTICE TO THE VOTERS**

For an Affirmative Vote on each of the Public Measures submitted upon this ballot, turn down the voting lever over the word **YES**, for a Negative Vote, turn down the voting lever over the word **NO**. The entire text of each of these Public measures is on display on the lefthand side, inside the curtain of this machine.



**PUBLIC MEASURE A**

AN ORDINANCE GRANTING UNTO IOWA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE AND PRIVILEGE FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE ADOPTION AND APPROVAL HEREOF, TO ACQUIRE, CONSTRUCT, OPERATE AND MAINTAIN IN THE CITY OF BUSSEY, IOWA, THE NECESSARY FACILITIES FOR THE PRODUCTION, DISTRIBUTION, TRANSMISSION AND SALE OF ELECTRIC ENERGY FOR PUBLIC AND PRIVATE USE; TO USE AND OCCUPY THE PUBLIC STREETS, HIGHWAYS, AVENUES, ALLEYS, BRIDGES AND PUBLIC PLACES FOR SUCH PURPOSES; AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

SHALL THIS MEASURE BE ADOPTED?

SAMPLE BALLOT

**YES**

**NO**

**Precinct No. 1  
Bussey City Hall**

**OFFICIAL BALLOT  
SPECIAL PUBLIC MEASURE ELECTION  
CITY OF BUSSEY, IOWA  
DEC. 9, 1986**

County Commissioner of Elections

**Notice of Election**

Notice is hereby given of the Special Election in and for the City of Bussey Iowa, to be held Decemeber 9, 1986. At which time the Qualified Electors of the City of Bussey will Vote For or Against a Public Measure to approve an Ordinance to Grant a Franchise to the Iowa Power and Light Company for a period of 25 years. The full text of this measure is found on the Sample Ballot which is Published herewith as part of this Notice. The Polling Place is Bussey City Hall, the Voting hours are 12:00 Noon till 8 P.M.

Ralph DeCook,  
County Commissioner  
of Elections  
W48

COPY

COPY

**OFFICIAL SAMPLE BALLOT**  
**SPECIAL PUBLIC MEASURE ELECTION**  
**CITY OF BUSSEY, IOWA**  
**DEC. 9, 1986**

Attention Voters: For an Affirmative Vote on any question Voted on this Ballot make an X or Check mark after the word YES. For a negative Vote make a similar mark after the word NO.

SHALL THE FOLLOWING PUBLIC MEASURE BE ADOPTED?

YES	
NO	

ORDINANCE NO. 86-3

AN ORDINANCE GRANTING UNTO IOWA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE AND PRIVILEGE FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE ADOPTION AND APPROVAL HEREOF, TO ACQUIRE, CONSTRUCT, OPERATE AND MAINTAIN IN THE CITY OF BUSSEY, IOWA, THE NECESSARY FACILITIES FOR THE PRODUCTION, DISTRIBUTION, TRANSMISSION AND SALE OF ELECTRIC ENERGY FOR PUBLIC AND PRIVATE USE; TO USE AND OCCUPY THE PUBLIC STREETS, HIGHWAYS, AVENUES, ALLEYS, BRIDGES AND PUBLIC PLACES FOR SUCH PURPOSES; AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUSSEY, IOWA:

Section 1. That Iowa Power and Light Company, a corporation, its successors and assigns, be and it is hereby granted and vested with the right, franchise and privilege for a period of twenty-five (25) years from and after the adoption and approval hereof, as provided by law, to acquire, construct, operate and maintain in the City of Bussey, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use and to construct and maintain along, upon, across and under the streets, highways, avenues, alleys, bridges and public places the necessary fixtures and equipment for such purposes.

Section 2. This franchise shall not be exclusive and shall not restrict in any manner the right of the City Council or any other governing body of the City in the exercise of any regulatory power which it may now have, or hereafter be authorized or permitted, by the laws of the State of Iowa.

Passed by the City Council of the City of Bussey, Iowa, this 8th day of September, 1986.

*Millard W. Gist*

Mayor

Millard W. Gist

Attest:

*Clarice W. Sams*

City Clerk

Clarice W. Sams

*Raymond Cook*

County Commissioner of Elections

**OFFICIAL SAMPLE BALLOT  
SPECIAL PUBLIC MEASURE ELECTION  
CITY OF BUSSEY, IOWA**

**DEC. 9, 1986**

**ALL PRECINCTS**

Election Official \_\_\_\_\_



**Ralph De Cook  
County Commissioner of Elections**

COPY

COPY

COPY

**NOTICE TO THE VOTERS**

For an Affirmative Vote on each of the Public Measures submitted upon this ballot, turn down the voting lever over the word **YES**, for a Negative Vote, turn down the voting lever over the word **NO**. The entire text of each of these Public measures is on display on the lefthand side, inside the curtain of this machine.



**PUBLIC MEASURE A**

AN ORDINANCE GRANTING UNTO IOWA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE AND PRIVILEGE FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE ADOPTION AND APPROVAL HEREOF, TO ACQUIRE, CONSTRUCT, OPERATE AND MAINTAIN IN THE CITY OF BUSSEY, IOWA, THE NECESSARY FACILITIES FOR THE PRODUCTION, DISTRIBUTION, TRANSMISSION AND SALE OF ELECTRIC ENERGY FOR PUBLIC AND PRIVATE USE; TO USE AND OCCUPY THE PUBLIC STREETS, HIGHWAYS, AVENUES, ALLEYS, BRIDGES AND PUBLIC PLACES FOR SUCH PURPOSES: AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF. SHALL THIS MEASURE BE ADOPTED?

**YES NO**

**Precinct No. 1  
Bussey City Hall**

**OFFICIAL BALLOT  
SPECIAL PUBLIC MEASURE ELECTION  
CITY OF BUSSEY, IOWA  
DEC. 9, 1986**

County Commissioner of Elections

SAMPLE OF VOTING MACHINE INSERT AND  
 SAMPLE OF BALLOT FOR ABSENTEE AND SPECIAL VOTERS

SPECIAL ELECTION IN THE CITY OF BUSSEY, IOWA

December 9, 1986


(Attach here an actual sample of the )  
 (entire voting machine insert [in black )  
 (ink on clear, white material] used for )  
 (the election. )

(Attach here an actual sample of the )  
 (ballot [of some color other than )  
 (white] for absentee and special )  
 (voters in such manner that the )  
 (descriptive words and the facsimile )  
 (signature of the Commissioner of )  
 (Elections of Marion County, )  
 (Iowa, on the reverse side may be in- )  
 (spected. )

CERTIFICATE  
 OF  
 COUNTY COMMISSIONER OF ELECTIONS

I, Ralph DeCook, the Commissioner of Elections  
 of Marion County, Iowa, hereby certify as follows:  
 That the first attachment hereinabove is a true and correct copy of the  
 insert used in the voting machines at the Special Election of the City  
 of Bussey, Iowa, held on December 9  
 1986, and that said insert contains in the largest type possible the

summary, prepared by me, of the public measure submitted at said Special Election; that the second attachment hereinabove is a true and correct copy of the official ballot approved by me for use, and used, by absentee and special voters in such Special Election, and that the face of a sample of such ballot, setting forth the entire public measure, was displayed prominently in at least two places within each voting precinct and on the left-hand side inside the curtain of each voting machine used at said Special Election, ~~and that the appropriate precinct was correctly identified on all voting machine inserts and the back of all ballots for absentee and special voters used.~~

  
Commissioner of Elections of  
Marion County, Iowa

(OFFICIAL SEAL)

FILED

12-16-86  
Clarence W. Jones  
 City Clerk

## CERTIFICATE OF COUNTY COMMISSIONER OF ELECTIONS

Honorable Mayor and  
 City Council Members  
 of the City of Bussey, Iowa  
 City Hall  
Bussey, Iowa

Gentlemen:

I, Ralph De Cook, the Commissioner of  
 Elections of Marion County, Iowa, do hereby certify  
 that attached hereto is a duplicate of the abstract of votes pre-  
 pared by the Marion County Board of Supervisors,  
 acting as the County Board of Canvassers, containing said can-  
 vassers' abstract of the votes cast on the public question sub-  
 mitted at the special election of the City of Bussey,  
 Iowa, held December 9, 19 86, and said canvassers' de-  
 claration of the result of said election on such question.

The canvass showed that the number of ballots cast on the  
 question of approval of Ordinance No. 86-3, the number  
 of votes for and against said question, and the number of ballots  
 cast blank or defectively marked with respect to said question  
 were as follows:

	<u>Ballots Cast</u>	<u>Votes For</u>	<u>Votes Against</u>	<u>Blank or Defective</u>
Ordinance No. <u>86-3</u>	<u>14</u>	<u>11</u>	<u>03</u>	<u>00</u>

The County Board of Supervisors has accordingly determined and  
 declared that Ordinance No. 86-3 was duly ratified and  
 approved.

Dated: December 15, 19 86.

(OFFICIAL SEAL)

Ralph De Cook  
 Commissioner of Elections of  
Marion County, Iowa



ABSTRACT OF VOTES

IT IS HEREBY CERTIFIED THAT on the 15th day of December, A.D., 1986, the undersigned Members of the Marion County Board of Supervisors and ex-officio County Board of Canvassers met as the County Board of Canvassers, as provided by law, at the Courthouse in the City of Knoxville, Marion County, Iowa, and canvassed the vote of the Special Election of the City of Bussey, Iowa, held on the 9th day of December, A.D., 1986, and that the following is a true and correct abstract of the votes cast on the public question submitted at said Special Election as shown by the tally lists:

Upon the question of approval of Ordinance No. 86-3, granting to Iowa Power and Light Company, its successors and assigns, an electric franchise in the City of Bussey, Iowa, for a period of twenty-five (25) years from and after the adoption and approval thereof: There were cast

Fourteen ( 14 ) ballots, of which  
Eleven ( 11 ) votes were cast

"Yes", for the Ordinance,  
Three ( 03 ) votes were cast

"No", against the Ordinance, and  
No ( 00 ) ballots were cast

blank or defectively marked, the vote by precinct or precincts being as follows:

<u>PRECINCTS</u>	<u>VOTES "YES"</u>	<u>VOTES "NO"</u>	<u>BLANK OR DEFECTIVE</u>	<u>TOTAL</u>
City of Bussey, Iowa	11	03	00	14


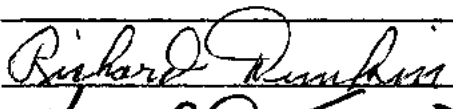

ABSENTEE BALLOT AND SPECIAL VOTERS PRECINCT

There were No Absent, Challenged or Disabled Voter Ballots Cast

The undersigned canvassers have therefore determined and do hereby declare the result of the election on said question to be that Ordinance No. 86-3, granting to Iowa Power and Light Company, its successors and assigns, an electric franchise in the City of Bussey, Iowa, for a period of twenty-five (25) years from and after the adoption and approval thereof, was duly ratified and approved.

IN TESTIMONY WHEREOF, We have hereunto set our hands and caused this to be attested by the Clerk of the Board of Supervisors of Marion County, Iowa, with the seal of said County.

Done at Knoxville, the county seat of said county, this 15th day of December, A.D., 19 86.


	Chairman
	
	

Members of the Board of Supervisors and ex-officio County Board of Canvassers

(OFFICIAL SEAL)

CANVASSERS

Attest:

  
County Auditor, Clerk of the Board of Supervisors, and Commissioner of Elections of Marion County, Iowa

## CLERK'S CERTIFICATE

I, Clarice W. Sams, being the duly appointed, qualified and acting Clerk of the City of Bussey, Iowa, do hereby certify that the foregoing is a true and correct copy of the Certificate of the Commissioner of Elections of Marion County, Iowa, with attached duplicate of abstract of votes, received by the Mayor and City Council of the City of Bussey, Iowa, on \_\_\_\_\_, 19\_\_\_\_, and placed on file on said date in the records of the City of Bussey, Iowa.

Clarice W. Sams  
City Clerk


(OFFICIAL SEAL)

CERTIFICATE OF  
COUNTY COMMISSIONER OF ELECTIONS

I, Ralph DeCook, the Commissioner of Elections of Marion County, Iowa, do hereby certify as follows with respect to the Special Election of the City of Bussey, Iowa, held December 9, 1986, at which Ordinance No86-3 was submitted to the qualified electors of said City: That said election was legally held and conducted pursuant to law under my supervision as County Commissioner of Elections; that the required ballot information has been submitted in permissible form to the Iowa Campaign Finance Disclosure Commission; that the entire public measure was printed and displayed prominently in at least two places within the voting precinct and on the left-hand side inside the curtain of each voting machine, and that said printing was in conformity with the provisions of Chapter 49 of the Iowa Code; that the undersigned Commissioner of Elections of Marion County, Iowa, provided for the polling place two sample ballots arranged in the form of a diagram showing the entire front of the voting machine as it appeared after the official ballot was arranged for voting on election day, and that said sample ballots were open to public inspection at the polling place during the day of the election; that the persons appointed as members of the election board of the precinct comprised of the City of Bussey, Iowa, for said election served as the members of said election board for said election and performed all of their duties in connection with said election in the manner prescribed by law; that a member of said election board marked the names of the voters on the election register in the manner prescribed by law; that immediately following the closing of the polls the members of said election board locked the voting machine(s) against voting, opened the counting compartments in

the presence of all persons lawfully within the polling place, and canvassed the vote in the manner prescribed by law; that prior to leaving the polling place, said election board members set forth the result of their canvass on a voting machine return and tally sheet and prepared and signed the certificate of election officials and canvass appearing on the reverse side of the voting machine return and tally sheet in the manner prescribed by law; that the election register and the aforesaid voting machine return and tally sheet, with the said certificate thereon duly signed, were delivered by a member of said election board to the Commissioner of Elections of Marion County, Iowa, as required by law; that the persons appointed by me as members of the election board of the absentee ballot and special voters precinct served as the members thereof for said election and performed all of their duties in connection with said election in the manner prescribed by law; that the Marion County Board of Supervisors performed its canvass in the manner prescribed by law and upon conclusion thereof delivered the original tally lists to me, that I filed said original tally lists and recorded in the election book the abstract of votes prepared by said County Board of Supervisors, and that said tally lists and abstract of votes shall be preserved as required by law; and that, in full conformity with the law, I have received all ballots, election registers, declarations of eligibility, and other materials for preservation and safekeeping, and that the same shall be preserved as prescribed by law.


(OFFICIAL SEAL)

  
 Commissioner of Elections of  
Marion County, Iowa

## CERTIFICATE OF PAYMENT OF COSTS

The undersigned Ralph DeCook, being the duly qualified and acting Commissioner of Elections of Marion County, Iowa, Marion County Auditor, and Clerk of the Marion County Board of Supervisors, and the undersigned Clarice W. Sams, being the duly qualified and acting City Clerk of the City of Bussey, Iowa, do hereby acknowledge and certify that Iowa Power and Light Company has paid in full all costs and expenses, including the costs of the notice, incurred in holding a special election of the City of Bussey, Iowa, on December 9, 19 86, upon the proposition of granting an electric franchise to Iowa Power and Light Company.

(OFFICIAL SEAL)

  
 Commissioner of Elections of  
Marion County, Iowa,  
Marion County Auditor,  
 and Clerk of the Marion  
 County Board of Supervisors

(OFFICIAL SEAL)

  
 City Clerk



# IOWA POWER AND LIGHT COMPANY

666 Grand Avenue  
P.O. Box 657  
Des Moines, Iowa 50303  
515-281-2900

FILED

*January 27, 1987*  
*Clarice W. Sams*  
City Clerk

January 5, 1987

Honorable Mayor Gist  
and City Council Members  
City Hall  
Bussey, IA 50044

Honorable Mayor and Council Members:

Iowa Power and Light Company hereby accepts Ordinance No. 86-3 granting to Iowa Power and Light Company, its successors and assigns, an electric franchise for a period of twenty-five (25) years, which franchise ordinance was adopted by the City Council of Bussey, Iowa on the 8th day of September, 1986, and approved by the voters of Bussey, Iowa, at an election held on December 9, 1986.

Dated this 5th day of January, 1987.

Sincerely,

IOWA POWER AND LIGHT COMPANY

By *LK Vabrisk*  
Executive Vice President

### CLERK'S CERTIFICATE

I, *Clarice Sams*, do hereby certify that the foregoing is a true and correct copy of the instrument filed by Iowa Power and Light Company on *January 27th*, 1987, accepting Franchise Ordinance No. 86-3.

*Clarice Sams*  
City Clerk

In Testimony Whereof, we have hereunto set our hands and caused this to be attested to and sealed by the  
County Auditor of said County this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

*H. Peak*  
*Richard Dumbare*  
*James D. Grant*

MEMBERS OF THE BOARD OF  
SUPERVISORS AND EX-OFFICIO  
BOARD OF CO. CANVASSERS.

( L. S. )

ATTEST:

\_\_\_\_\_, Clerk, Board of Supervisors.





FOR TREASURER

(Draw Down Rule to Separate Offices)

FOR RIVERFRONT  
COMMISSIONER AND/OR  
PARK COMMISSIONER

PUBLIC MEASURE

QUESTION

QUESTION

QUESTION

**PUBLIC MEASURE A**

AN ORDINANCE GRANTING UNTO IOWA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE AND PRIVILEGE FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE ADOPTION AND APPROVAL HEREOF, TO ACQUIRE, CONSTRUCT, OPERATE AND MAINTAIN IN THE CITY OF BUSSEY, IOWA, THE NECESSARY FACILITIES FOR THE PRODUCTION, DISTRIBUTION, TRANSMISSION AND SALE OF ELECTRIC ENERGY FOR PUBLIC AND PRIVATE USE; TO USE AND OCCUPY THE PUBLIC STREETS, HIGHWAYS, AVENUES, ALLEYS, BRIDGES AND PUBLIC PLACES FOR SUCH PURPOSES; AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

SHALL THIS MEASURE BE ADOPTED?

YES N

YES

NO

*Total Votes Cast 114*

*11*

*03*

**OFFICIAL SAMPLE BALLOT**  
**SPECIAL PUBLIC MEASURE ELECTION**  
**CITY OF BUSSEY, IOWA**  
**DEC. 9, 1986**

Attention Voters; For an Affirmative Vote on any question Voted on this Ballot make an X or Check mark after the word YES. For a negative Vote make a similar mark after the word NO.

SHALL THE FOLLOWING PUBLIC MEASURE BE ADOPTED?

YES	
NO	

ORDINANCE NO. 86-3

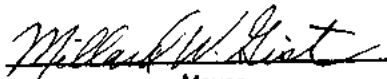
AN ORDINANCE GRANTING UNTO IOWA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE AND PRIVILEGE FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE ADOPTION AND APPROVAL HEREOF, TO ACQUIRE, CONSTRUCT, OPERATE AND MAINTAIN IN THE CITY OF BUSSEY, IOWA, THE NECESSARY FACILITIES FOR THE PRODUCTION, DISTRIBUTION, TRANSMISSION AND SALE OF ELECTRIC ENERGY FOR PUBLIC AND PRIVATE USE: TO USE AND OCCUPY THE PUBLIC STREETS, HIGHWAYS, AVENUES, ALLEYS, BRIDGES AND PUBLIC PLACES FOR SUCH PURPOSES: AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUSSEY, IOWA:

Section 1. That Iowa Power and Light Company, a corporation, its successors and assigns, be and it is hereby granted and vested with the right, franchise and privilege for a period of twenty-five (25) years from and after the adoption and approval hereof, as provided by law, to acquire, construct, operate and maintain in the City of Bussey, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use and to construct and maintain along, upon, across and under the streets, highways, avenues, alleys, bridges and public places the necessary fixtures and equipment for such purposes.

Section 2. This franchise shall not be exclusive and shall not restrict in any manner the right of the City Council or any other governing body of the City in the exercise of any regulatory power which it may now have, or hereafter be authorized or permitted, by the laws of the State of Iowa.

Passed by the City Council of the City of Bussey, Iowa, this 8th day of September, 1986.



Mayor

Millard W. Gist

Attest:



City Clerk

Clarice W. Sams



County Commissioner of Elections

**OFFICIAL SAMPLE BALLOT  
SPECIAL PUBLIC MEASURE ELECTION  
CITY OF BUSSEY, IOWA**

**DEC. 9, 1986**

**ALL PRECINCTS**

Election Official \_\_\_\_\_



**Ralph De Cook  
County Commissioner of Elections**

**NOTICE TO THE VOTERS**

For an Affirmative Vote on each of the Public Measures submitted upon this ballot, turn down the voting lever over the word **YES**, for a Negative Vote, turn down the voting lever over the word **NO**. The entire text of each of these Public measures is on display on the lefthand side, inside the curtain of this machine.



**PUBLIC MEASURE A**

AN ORDINANCE GRANTING UNTO IOWA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE AND PRIVILEGE FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM AND AFTER THE ADOPTION AND APPROVAL HEREOF, TO ACQUIRE, CONSTRUCT, OPERATE AND MAINTAIN IN THE CITY OF BUSSEY, IOWA, THE NECESSARY FACILITIES FOR THE PRODUCTION, DISTRIBUTION, TRANSMISSION AND SALE OF ELECTRIC ENERGY FOR PUBLIC AND PRIVATE USE; TO USE AND OCCUPY THE PUBLIC STREETS, HIGHWAYS, AVENUES, ALLEYS, BRIDGES AND PUBLIC PLACES FOR SUCH PURPOSES; AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF.

SHALL THIS MEASURE BE ADOPTED?

**YES      NO**

**Precinct No. 1  
Bussey City Hall**

**OFFICIAL BALLOT  
SPECIAL PUBLIC MEASURE ELECTION  
CITY OF BUSSEY, IOWA  
DEC. 9, 1986**

County Commissioner of Elections