

April 1, 2013
Regular Session

The Bellevue City Council met in regular session on April 1, 2013 in the Council Chambers at 6:30 p.m. with Mayor Christopher J. Roling presiding. The Pledge of Allegiance was recited by all present. The roll was called as follows:

PRESENT: Councilmembers Darla Lawson, Dan Blitgen, Allen Ernst, Gary Feuerbach and Tim Roth. Also present were City Administrator Loras Herrig, Assistant Chief Dennis Schroeder, Kevin Scholtes and Josh Klemme

ABSENT: None

APPROVAL OF AGENDA

Mayor Roling reviewed the Agenda and declared it approved.

CONSENT AGENDA

Feuerbach moved with a second by Lawson to approve the Consent Agenda. Motion carried unanimously.

- A. Approve minutes of 3-18-2013 Regular Session and 3-20-2013 Special Session
- B. Approve 6 month Class B Beer Permit with Outdoor Service Privilege Effective May 9, 2013 for the Bellevue Area Chamber of Commerce
- C. Approve 6 month Class B Beer Permit with Outdoor Service and Sunday Sales Privileges Effective May 1, 2013 for the Bellevue Community Club
- D. Approve Library Bills and Claims

SCHOLTES VARIANCE

Kevin Scholtes was present to ask if he could proceed with work on the addition to his home. The Council didn't have any concerns with proceeding with the inside construction. After discussion it was determined that the issue with the siding should be sent back to the Board of Adjustment. The Council requested the ordinance dealing with metal sided buildings be on the next agenda to discuss possible changes.

ORDINANCE NO. 390 ESTABLISHING A REQUIREMENT TO HAVE ALL BUILDINGS NUMBERED IN THE CITY OF BELLEVUE

Roth moved with a second by Ernst to approve the third and final reading and passage into law upon publication of Ordinance No. 390. Roll call vote carried.

AYES: Lawson, Ernst, Feuerbach and Roth

NAYS: Blitgen

ORDINANCE NO. 390

AN ORDINANCE ESTABLISHING A REQUIREMENT TO HAVE ALL BUILDINGS NUMBERED IN THE CITY OF BELLEVUE

Be it enacted by the Council of the City of Bellevue, Iowa:

SECTION 1. Purpose. The purpose of this Ordinance is to require that all buildings be numbered.

SECTION 2. Amendment. TITLE VI PHYSICAL ENVIRONMENT of the Bellevue Code of Ordinances (2009) is hereby amended to add CHAPTER 23 NUMBERING BUILDINGS, as follows:

TITLE VI PHYSICAL ENVIRONMENT

CHAPTER 23 NUMBERING BUILDINGS

6-23-1	BUILDINGS TO BE NUMBERED
6-23-2	BASE LINE ESTABLISHED
6-23-3	NUMBERING
6-23-4	SIZE AND TYPE OF NUMBERS
6-23-5	NUISANCE

6-23-1 BUILDINGS TO BE NUMBERED. All platted lots within the corporate city limits shall be numbered. The number assigned to such platted lot shall be affixed to all buildings now or hereafter erected thereon fronting any street or avenue. The owners or lessees of each such building shall cause the numbers to be placed and maintained on the building. This Ordinance shall apply to mobile homes whether or not the mobile home is located in a mobile home court.

6-23-2 BASE LINE ESTABLISHED. State Street and Riverview Street shall constitute the base line from which the numbering of platted lots and buildings from either side of said streets shall commence.

6-23-3 NUMBERING.

1. Odd numbers shall be assigned to platted lots and affixed to buildings situated on the north side of all streets running east and west and on the east side of all streets running north and south. Even numbers shall be assigned to platted lots and affixed to buildings situated on the south side of all streets running east and west and to the buildings situated on the west side of all streets running north and south. The numbering of buildings as odd or even shall alternate from one side of the street to the other side of the street.

2. Commencing at the Base Line defined in this Chapter, all numbers south of State Street shall be known and designated by the prefix "south" and all numbers north of State Street

shall be known and designated by the prefix "north". All numbers west of Riverview Street shall be known by the number and street name.

3. Commencing at the Base Line defined in this Chapter, the first blocks north or south of State Street shall be the "100" block, the second such blocks shall be the "200" block, and such consecutive numbering shall continue for each consecutive block thereafter.

4. Where locations are indicated by number above the ground floor, within the designated area, the additional number of one-half (1/2) shall be added to the last number.

5. The proper number assigned to any platted lot or to be affixed to any building under this Chapter shall be determined by the City Administrator.

6-23-4 SIZE AND TYPE OF NUMBERS. The numbers shall be displayed conspicuously not less than two and one-half inches (2 1/2") high by one inch (1") wide and shall be affixed to the first story front of all buildings, or the numbers may be painted on the front of the building, door, post, or other place on the premises where the same will be easily seen.

6-23-5 NUISANCE. The failure by an owner or lessee to place or maintain numbers on a building is hereby declared to be a nuisance. The nuisance shall be abated in the manner provided for in Title III Chapter 2 of this Code.

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

SECTION 4. *Severability.* 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 thereof not adjudged invalid or unconstitutional.

SECTION 5. *Effective Date.* This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved this _____ day of _____, 2013.

Christopher J. Roling, Mayor

Attest:

Loras Herrig, City Administrator

ORDINANCE NO. 391 AMENDING TITLE III COMMUNITY PROTECTION, CHAPTER 2 NUISANCES, SECTION 3-2-1 DEFINITIONS, OF THE BELELVUE CODE OF ORDINANCES (2009) TO PROHIBIT OUTDOOR WOOD BURNING FURNACES WITHIN THE CITY LIMITS

Ernst moved with a second by Feuerbach to approve the third and final reading and passage into law upon publication of Ordinance No. 391. Roll call vote carried unanimously.

ORDINANCE NO. 391

AN ORDINANCE AMENDING TITLE III COMMUNITY PROTECTION, CHAPTER 2 NUISANCES, SECTION 3-2-1 DEFINITIONS, OF THE BELLEVUE CODE OF ORDINANCES (2009) TO PROHIBIT OUTDOOR WOOD BURNING FURNACES WITHIN THE CITY LIMITS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVUE, IOWA, AS FOLLOWS:

SECTION 1. TITLE III COMMUNITY PROTECTION, CHAPTER 2 NUISANCES, SECTION 3-2-1 DEFINITIONS, of the Bellevue Code of Ordinances (2009) is hereby amended as follows:

o. Erecting or using any outdoor wood burning furnace which, by occasioning noxious exhalations, unreasonably offensive smells, air pollutant particulates, or other annoyances, is injurious and dangerous to the health, comfort and/or property of individuals or the public.

SECTION 2. *Repealer.* All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. *Severability.* 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 thereof not adjudged invalid or unconstitutional.

SECTION 4. *Effective Date.* This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved this _____ day of _____, 2013.

Christopher J. Roling, Mayor

Attest:

Loras Herrig, City Administrator

HOUSING DEVELOPMENT

Administrator Herrig questioned the Council's thoughts on providing incentives for housing development particularly gateway type homes. Information from the March 2011 Community

Housing Assessment was provided to the Council. Councilmember Ernst requested what BETA (Bellevue Economic and Tourism Association) has planned for development incentives.

RESOLUTION NO. 4-13 ESTABLISHING FEES FOR THE BELLEVUE MUNICIPAL SWIMMING POOL

Ernst moved with a second by Lawson to approve Resolution No. 04-13. Roll call vote carried unanimously.

RESOLUTION NO. 04-13

A RESOLUTION ESTABLISHING FEES FOR THE BELLEVUE MUNICIPAL SWIMMING POOL

WHEREAS, the City of Bellevue operates a Municipal Swimming Pool, and

WHEREAS, fees are charged for admission to the Municipal Swimming Pool to offset operating costs, and

WHEREAS, increasing operating costs require the admission fees to be increased.

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of Bellevue, Iowa that the following Municipal Swimming Pool Rates are established.

SEASON PASS:

Individual Pass: \$32.72 + \$2.28 Tax = \$35.00

Family Pass: \$70.10 + \$4.90 Tax = \$75.00

DAILY ADMISSION:

Child: \$2.11 + .14 Tax = \$2.25

Adult: \$3.04 + .21 Tax = \$3.25

Aerobics: \$50.00 per Season

Lessons: \$25.00 per Season

Lifeguard Certification \$50.00 (Includes CPR & Manuals)

Passed and approved this _____ day of _____, 2013.

City Administrator

Mayor

RESOLUTION NO. 09-13 REAPPOINTING CITY OFFICIALS FOR 2 YEAR TERMS TO END 7-1-2015

Blitgen moved with a second by Roth to approve Resolution No. 09-13. Roll call vote carried unanimously.

RESOLUTION NO. 09-13

A RESOLUTION REAPPOINTING CITY OFFICIALS FOR 2 YEAR TERMS TO END 7-1-2015

WHEREAS, the Code of Iowa and the Bellevue Municipal Code require the appointment of various City officials every 2 years, and

WHEREAS, the terms of appointment of City officials expires 7-1-2013, and

WHEREAS, it is the desire of the Bellevue City Council that individuals serving the City be reappointed for 2 year terms in accordance with local and state law.

NOW, THEREFORE, BE IT RESOLVED that the following individuals are hereby reappointed for 2 year terms to end 7-1-2015

City Administrator	Loras Herrig
Clerk/Treasurer	Janet Callaghan
Asst. Clerk	Cindy Blake
Police Chief	Lynn Schwager
City Attorney	Steve Kahler
Street Superintendent	Chuck Kueter
Fire Chief	Kent Clasen
Mayor Pro-Tem	Gary Feuerbach

Adopted by the Bellevue City Council this _____ day of _____, 2013.

City Administrator

Mayor

SIDEWALK ISSUES

A citizen requested the Council consider the installation of sidewalks particularly for safety reasons. Along Park Street between 7th and 12th Streets there are no sidewalks and many children walk in the street. Herrig was to research the situation further.

JACKSON COUNTY ECONOMIC ALLIANCE PROXY MEMBERS

Councilman Blitgen and Administrator Herrig volunteered to be proxy members for Lawson and Ernst in the event that they are unable to attend the meetings.

BETA PROXY REPRESENTATIVE

Councilman Feuerbach volunteered to be the proxy representative for Mayor Roling when he is unavailable for BETA meetings.

RESOLUTION NO. 10-13 AUTHORIZING THE ISSUANCE OF \$2,635,000 GENERAL OBLIGATION CORPORATE PURPOSE AND REFUNDING BONDS SERIES 2013A AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME

Lawson moved with a second by Feuerbach to approve Resolution No. 10-13. Roll call vote carried unanimously.

RESOLUTION NO. 10-13

Resolution authorizing the issuance of \$2,635,000 General Obligation Corporate Purpose and Refunding Bonds, Series 2013A, and providing for the levy of taxes to pay the same

WHEREAS, the City of Bellevue (the “City”), in Jackson County, State of Iowa, has heretofore proposed to enter into a General Obligation Loan Agreement (the “Loan Agreement”) pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the costs, to that extent, of constructing street and storm sewer improvements and of refunding the outstanding balances of its General Obligation Corporate Purpose Notes, dated September 1, 2006 (the “2006 Notes”); its General Obligation Corporate Purpose Notes, dated May 29, 2009 (the “May, 2009 Notes”); its General Obligation Corporate Purpose Notes, dated November 24, 2009 (the “November, 2009 Notes”); its General Obligation Street Improvement and Refunding Note, dated September 15, 2011 (the “2011 Note”) and its General Obligation Storm Sewer Improvements Note, dated June 1, 2012 (the “2012 Note”) (the May, 2009 Notes, the November, 2009 Notes, the 2011 Note and the 2012 Note are all herein referred to as the “Outstanding Local Bank Notes”); and has published notice of the proposed action and has held a hearing thereon; and

WHEREAS, on March 18, 2013, the Council approved a Bond Purchase Agreement with Northland Securities, Minneapolis, MN (the “Purchaser”) for the sale of \$2,635,000 General Obligation Corporate Purpose and Refunding Bonds, Series 2013A (the “Bonds”) to be issued in evidence of the City’s obligation under the Loan Agreement; and

WHEREAS, it is now necessary to take final action for the issuance of the Bonds and it is also necessary to authorize calling the outstanding Notes for redemption prior to maturity;

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

Section 1. The Bonds are hereby authorized to be issued in evidence of the obligation of the City under the Loan Agreement, in the total aggregate principal amount of \$2,635,000, to be dated April 15, 2013, in the denomination of \$5,000 each, or any integral multiple thereof, maturing on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2014	\$220,000	1.25%	2019	\$375,000	1.25%
2015	\$440,000	1.25%	2020	\$305,000	1.45%
2016	\$385,000	1.25%	2021	\$130,000	1.65%
2017	\$375,000	1.25%	2022	\$35,000	1.80%
2018	\$370,000	1.25%			

Section 2. Bankers Trust Company, Des Moines, Iowa, is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the “Registrar” or the “Paying Agent.” The City shall enter into an agreement (the “Registrar/Paying Agent Agreement”) with the Registrar, in substantially the form as has been placed on file with the Council; the Mayor and City Clerk are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the City, and the Registrar/Paying Agent Agreement is hereby approved.

The City reserves the right to prepay part or all of the principal of the Bonds maturing in each of the years 2021 and 2022, prior to and in any order of maturity on June 1, 2020, or on any date thereafter upon terms of par and accrued interest.

If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the City’s registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing December 1, 2013. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners

or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the City Clerk, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the name of the owners on the registration books of the City kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the City upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 3. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York (“DTC”). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the “Participants”). In the event that DTC determines not to continue to act as securities depository for the Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement Bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement Bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interests in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not

receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 4. The Bonds shall be in substantially the following form:

(Form of Bond)

UNITED STATES OF AMERICA
STATE OF IOWA JACKSON COUNTY
CITY OF BELLEVUE

**GENERAL OBLIGATION CORPORATE PURPOSE AND REFUNDING BOND,
SERIES 2013A**

No. _____

\$ _____

RATE	MATURITY DATE	DATE	CUSIP
____%	June 1, ____	April 15, 2013	____

The City of Bellevue (the “City”), in Jackson County, State of Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.
New York, NY

or registered assigns, the principal sum of

THOUSAND DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of Bankers Trust Company, Des Moines, Iowa (hereinafter referred to as the “Registrar” or the “Paying Agent”), with interest on said sum, until paid, at the rate per annum specified above, from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing December 1, 2013, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date, and shall be paid to the registered owner at the address shown on such registration books. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Registrar.

This Bond is one of a series of General Obligation Corporate Purpose and Refunding Bonds, Series 2013A (the “Bonds”) issued by the City in the aggregate principal amount of \$2,635,000, to evidence its obligation under a certain loan agreement, dated as of April 15, 2013 (the “Loan Agreement”), entered into by the City for the purpose of constructing street and storm sewer improvements and refunding the outstanding balances of City General Obligation Notes.

The Bonds are issued pursuant to and in strict compliance with the provisions of Chapters 76 and 384 of the Code of Iowa, 2013, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the City Council adopted and approved on April 1, 2013, authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of the Bonds (the “Resolution”), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The City reserves the right to prepay part or all of the principal of the Bonds maturing in each of the years 2021 and 2022, prior to and in any order of maturity on June 1, 2020, or on any date thereafter upon terms of par and accrued interest.

If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. All of such Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on this Bond as the same will respectively become due; that the faith, credit, revenues and resources and all the real and personal property of the City are irrevocably pledged for the prompt payment hereof, both principal and interest; and that the total indebtedness of the City, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the City of Bellevue, Iowa, by its City Council, has caused this Bond to be executed with the duly authorized facsimile signature of its Mayor and attested with the duly authorized facsimile signature of its City Clerk, as of April 15, 2013.

CITY OF BELLEVUE, IOWA

By (DO NOT SIGN)

Mayor

Attest:

(DO NOT SIGN)
City Clerk

Registration Date: (Registration Date)

REGISTRAR’S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Resolution.

BANKERS TRUST COMPANY
Des Moines, Iowa
Registrar

By _____
(Authorized Signature)

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	- as tenants in common	UTMA _____
TEN ENT	- as tenants by the entireties	(Custodian)
JT TEN	- as joint tenants with right of survivorship and not as tenants in common	As Custodian for _____
		(Minor)
		under Uniform Transfers to Minors Act

		(State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer
this Bond on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

(Signature guarantee must be provided in accordance
with the prevailing standards and procedures of the
Registrar and Transfer Agent. Such standards and
procedures may require signatures to be guaranteed by
certain eligible guarantor institutions that participate in
a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must
correspond with the name of the registered owner as
it appears on this Bond in every particular, without
alteration or enlargement or any change whatever.

Section 5. The Bonds shall be executed as herein provided as soon after the adoption
of this resolution as may be possible, and thereupon they shall be delivered to the Registrar for
registration, authentication and delivery to or on behalf of the Purchaser, upon receipt of the loan
proceeds, and all action heretofore taken in connection with the Loan Agreement is hereby
ratified and confirmed in all respects.

Section 6. Bankers Trust Company, Des Moines, Iowa, as Registrar and Paying
Agent for the Series 2006 Notes, is hereby authorized to take all action necessary to call the
outstanding balance of the Series 2006 Notes for redemption as of June 1, 2014 (the
“Redemption Date”), and is further authorized and directed to give notice of such redemption by
sending notice by electronic means to each of the registered owners of the outstanding balance of
the Series 2006 Notes to be redeemed at the addresses shown on the City’s registration books,
not less than 30 days prior to the Redemption Date.

Section 7. It is hereby determined that the City shall enter into an escrow agreement
(the “Escrow Agreement”) with the Registrar, as Escrow Agent, in such form as has been
presented to the Council. The Escrow Agreement is hereby approved and the Mayor and City
Auditor are hereby authorized and directed to execute the Escrow Agreement on behalf of the
City. A portion of the proceeds of the Bonds shall be deposited and invested in accordance with
the terms of the Escrow Agreement, and, as set forth therein, when timely, shall be used to fund
the redemption of the outstanding Series 2006 Notes.

Section 8. The City Clerk, as the Registrar and Paying Agent for the Outstanding
Local Bank Notes, is hereby authorized to take all action necessary to call the outstanding

balance of the Outstanding Local Bank Notes for redemption as of April 16, 2013, and is further authorized and directed to give notice of such redemption to each of the holders of the Local Bank Notes.

Section 9. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the City in each of the years while the Bonds are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the City the following direct annual tax for collection in each of the following fiscal years, to-wit:

For collection in the fiscal year beginning July 1, 2014,
sufficient to produce the net annual sum of \$471,510;

For collection in the fiscal year beginning July 1, 2015,
sufficient to produce the net annual sum of \$411,010;

For collection in the fiscal year beginning July 1, 2016,
sufficient to produce the net annual sum of \$396,198;

For collection in the fiscal year beginning July 1, 2017,
sufficient to produce the net annual sum of \$386,510;

For collection in the fiscal year beginning July 1, 2018,
sufficient to produce the net annual sum of \$386,885;

For collection in the fiscal year beginning July 1, 2019,
sufficient to produce the net annual sum of \$312,198;

For collection in the fiscal year beginning July 1, 2020,
sufficient to produce the net annual sum of \$132,775;

For collection in the fiscal year beginning July 1, 2021,
sufficient to produce the net annual sum of \$35,630.

Section 10. A certified copy of this resolution shall be filed with the County Auditor of Jackson County, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Any amount received by the City as accrued interest on the Bonds shall be deposited into such special account and used to pay interest due on the Bonds on the first interest payment date.

Section 11. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and

when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

The City hereby pledges the faith, credit, revenues and resources and all of the real and personal property of the City for the full and prompt payment of the principal of and interest on the Bonds.

Section 12. It is the intention of the City that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The City hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 13. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, an underwriter has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 14. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved April 1, 2013.

Mayor

Attest:

City Clerk

LIBRARY BILLS AND CLAIMS

The following Bills and Claims were paid as authorized:

Baker & Taylor	Library Books	369.79
Demco	Office Supplies	161.41
Ia. Communications Network	Telephone	8.47
Lampe True Value	Operating Supplies	19.47
Marian Meyer	Reimbursement	688.59
Midwest Business	Computer/Copier Exp.	66.58
Petty Cash	Misc./Postage	66.75
Windstream	Telephone Exp.	56.32

ADJOURNMENT

As there was no further business to come before the Council, Feuerbach moved with a second by Ernst to adjourn at 7:30 p.m. Motion carried unanimously.

City Clerk

Mayor