

“User Charge Ordinance” means (a) with respect to the Sewerage Subsystem, Ordinance No. 11310 adopted on October 6, 1997, and (b) with respect to the Waterworks Subsystem, Ordinance No. 11609 adopted on March 17, 2003, each as amended, supplemented, consolidated or replaced and approved by DNR.

ARTICLE II

AUTHORIZATION OF BONDS

Section 201. Authorization of Bonds. The Bonds are authorized and directed to be issued in the Original Principal Amount for the purposes of this Ordinance.

Section 202. Security for Bonds.

(a) The Bonds are special, limited obligations of the City payable solely from, and secured by a pledge of, the Net Revenues. The taxing power of the City is not pledged to the payment of the Bonds. The Bonds do not constitute a general obligation of the City or an indebtedness of the City within the meaning of any constitutional, statutory or charter provision, limitation or restriction.

(b) The Bonds are junior and subordinate to the Outstanding Senior Sewer Bonds with respect to payment of principal and interest from the Sewer Net Revenues. In the event of any default in the payment of the Outstanding Senior Sewer Bonds, the Sewer Net Revenues will be applied solely to the payment of the principal of and interest on the Outstanding Senior Sewer Bonds until the default is cured.

(c) The Bonds are junior and subordinate to the Outstanding Senior Water Bonds with respect to payment of principal and interest from the Water Net Revenues. In the event of any default in the payment of the Outstanding Senior Water Bonds, the Water Net Revenues will be applied solely to the payment of the principal of and interest on the Outstanding Senior Water Bonds until the default is cured.

Section 203. Description of Bonds. The Bonds consist of fully registered bonds without coupons, numbered from R-1 consecutively upward, in the denomination of \$5,000 or any integral multiple of \$5,000. The Bonds will be issued in substantially the form of Exhibit B and will be registered, transferred and exchanged as provided in Section 206. The Bonds are dated the Dated Date as set forth on the Bonds. The Bonds will become due on the dates and in the principal amounts and will bear interest at the rates as set forth in the Certificate of Final Terms. Interest is computed on the basis of a 360-day year of twelve 30-day months from the Dated Date or from the most recent Interest Payment Date to which interest has been paid or provided for and is payable on each Interest Payment Date.

Section 204. Designation of Paying Agent. The Trustee is designated as the City’s paying agent for the payment of the Bonds and bond registrar for the registration, transfer and exchange of Bonds (the “Paying Agent”). The Paying Agent will not be paid any additional fees for its services under this Ordinance.

Section 205. Method and Place of Payment of Bonds.

(a) Payment of the Bonds will be made with any coin or currency that is legal tender for the payment of debts due the United States of America on the payment date.

(b) Each payment of principal of and redemption premium, if any, payable on each Bond will be made at maturity or upon earlier redemption to the Owner shown in the Bond Register at the maturity or optional redemption date of each Bond, upon presentation and surrender of the Bond at the principal office of the Paying Agent. The principal of and redemption premium, if any, and interest on the Bonds is payable by electronic transfer in immediately available federal funds to a bank in the continental United States of America pursuant to instructions from any Owner received by the Paying Agent prior to the Record Date.

(c) The Paying Agent will keep a record of payment of principal of, redemption premium, if any, and interest on all Bonds and, at least annually at the request of the City, will forward a copy or summary of the record of payments to the City.

Section 206. Registration, Transfer and Exchange of Bonds.

(a) The City will cause the Paying Agent to keep the Bond Register. Each Bond when issued will be registered in the name of the Owner on the Bond Register. Bonds will be transferred and exchanged only upon the Bond Register.

(b) Upon surrender of any Bond at the principal office of the Paying Agent, the Paying Agent will transfer or exchange the Bond for a new Bond or Bonds in any authorized denomination of the same maturity and in the same aggregate principal amount as the Bond which was presented for transfer or exchange. All Bonds presented for transfer or exchange must be accompanied by a written instrument of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Paying Agent, duly executed by the Owner or by the Owner's authorized agent. All Bonds presented for transfer or exchange must be surrendered to the Paying Agent for cancellation.

(c) For every exchange or transfer of Bonds the City or the Paying Agent may levy a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid for the exchange or transfer. The person requesting the exchange or transfer must pay the charge. Payment of the charge is a condition precedent to the exchange or transfer.

(d) The City and the Paying Agent will treat the person in whose name any Bond is registered as the absolute owner of the Bond, whether or not payment of the Bond is overdue, for the purpose of receiving payment of the principal of, redemption premium, if any, and interest on the Bond and for all other purposes. All payments made to any Owner or upon the Owner's order will be valid and effectual to satisfy and discharge the City's liability for payment of the Bond to the extent of the sum or sums paid. Neither the City nor the Paying Agent will be affected by any notice to the contrary.

(e) At reasonable times and under reasonable rules established by the Paying Agent, the Owners of 25% or more in principal amount of the Outstanding Bonds, or their representative designated in a manner satisfactory to the Paying Agent, may inspect and copy the Bond Register.

Section 207. Execution, Authentication and Delivery of Bonds.

(a) Each Bond must be signed by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the City Clerk, and have the official seal of the City affixed or imprinted. If any officer whose manual or facsimile signature appears on any Bond ceases to be an officer before the delivery of any Bond signed by the officer, the manual or facsimile signature on the Bond will be valid and sufficient for all purposes of this Ordinance.

(b) The Mayor and the City Clerk are directed to prepare and execute the Bonds as specified in this Article, and when executed, to deliver the Bonds to the Paying Agent for authentication. Upon authentication, the Paying Agent will deliver the Bonds to the Owner, upon payment of the purchase price for the Bonds.

(c) Each Bond will be authenticated by any authorized officer or employee of the Paying Agent. No Bond is entitled to any security or benefit under this Ordinance or is valid or obligatory for any purpose until authenticated by the Paying Agent.

Section 208. Mutilated, Destroyed, Lost and Stolen Bonds.

(a) If (i) any mutilated Bond is surrendered to the Paying Agent, or the City and the Paying Agent receive evidence to their satisfaction of the mutilation, destruction, loss or theft of any Bond, and (ii) there is delivered to the City and the Paying Agent security or indemnity as required by them, in the absence of notice to the City or the Paying Agent that the Bond has been acquired by a bona fide purchaser, the City will execute and the Paying Agent will register and deliver, in exchange for or in lieu of any mutilated, destroyed, lost or stolen Bond, a new Bond of the same maturity and of like tenor and principal amount. If the Bond has become or is about to become due, the City may pay the Bond instead of issuing a new Bond.

(b) Upon the issuance of any new Bond under this Section, the City may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge imposed and any other expenses (including the fees and expenses of the Paying Agent) connected with the issuance of the Bond.

(c) Every new Bond issued pursuant to this Section in lieu of any mutilated, destroyed, lost or stolen Bond will constitute a replacement of the prior obligation of the City, whether or not the mutilated, destroyed, lost or stolen Bond is enforceable by anyone at any time, and will be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Bonds.

Section 209. Cancellation and Destruction of Bonds Upon Payment. All Bonds which have been paid or redeemed or which have otherwise been surrendered to the Paying Agent, either at or before maturity, will be cancelled immediately upon the payment or redemption and the Paying Agent's receipt of the Bonds. The Paying Agent will periodically destroy cancelled Bonds. The Paying Agent will execute a certificate in duplicate describing the destroyed Bonds and file an executed counterpart of the certificate with the City.

Section 210. Sale and Terms of the Bonds; Authorization and Execution of Documents. The Bonds will be sold to the Owner under the terms of the Purchase Agreement. The City is authorized to enter into the Purchase Agreement and the Revolving Fund Agreement, in substantially the forms presented to the Governing Body. The Mayor is authorized to execute the Purchase Agreement and the Revolving Fund Agreement for and on behalf of and as the act and deed of the City, with changes approved by the Mayor, which approval will be conclusively evidenced by the Mayor's execution of the Purchase Agreement and the Revolving Fund Agreement. The Mayor is further authorized and directed to approve the purchase price for the Bonds, the principal amounts by maturity, the interest rates and the other final terms of the Bonds, including applicable redemption provisions, subject to the limitations set forth in Exhibit A, and in that connection, to execute and deliver the Certificate of Final Terms for and on behalf of and as the act and deed of the City, which approval will be conclusively evidenced by the Mayor's execution of the Certificate of Final Terms. Upon execution, the Certificate of Final Terms will be attached to this Ordinance as Exhibit C. The Mayor is further authorized and directed to execute the Closing Certificate and other documents, certificates and instruments that are necessary or desirable to carry out the intent of this Ordinance. The City Clerk is authorized and directed to attest the execution of the Purchase Agreement, the Revolving Fund Agreement, the Closing Certificate, and such other documents, certificates and instruments that are necessary or desirable to carry out the intent of this Ordinance.

Section 211. Administrative Fee and Other Fees; Revolving Fund Loan.

(a) Subject to Section 202, the City will pay to the Trustee for deposit in the Administrative Expense Fund, within 30 days after receipt of a statement from the Trustee (i) the Administrative Fee, (ii) the City's Allocable Portion of the Master Trustee's Disclosure Fee, and (iii) the City's Allocable Portion of the Trustee's Fee.

(b) The City is authorized to receive the Revolving Fund Loan under the terms of the Revolving Fund Agreement. By this Ordinance, the City assigns the proceeds of the Revolving Fund Loan, as and when received, to the Authority.

ARTICLE III

REDEMPTION OF BONDS

Section 301. Mandatory Sinking Fund Redemption. The Term Bonds set forth in the Certificate of Final Terms will be redeemed in part on the dates and in the principal amounts set forth in the Certificate of Final Terms, at a redemption price equal to 100% of the principal amount redeemed plus accrued interest to the redemption date.

Section 302. Optional Redemption. At the option of the City, certain Bonds may be called for redemption and payment prior to maturity in whole or in part on the dates and at the redemption prices set forth in the Certificate of Final Terms. Bonds will be optionally redeemed in part in integral multiples of \$5,000 from the maturities selected by the City with the prior written consent of the Owner. Upon redemption, the sinking fund redemption amounts for each Term Bond will be proportionately reduced

(unless otherwise directed by the City with the prior written consent of the Owner), subject to rounding to integral multiples of \$5,000. The City will give written notice to the Trustee designating the amount of each maturity redeemed and the reduction in each sinking fund redemption amount, subject to verification by the Trustee. In exercising its option to redeem the Bonds, the City will deposit with the Paying Agent, prior to the redemption date, an additional premium equal to 30-days' interest on the Bonds to be redeemed.

Section 303. Identification of Redeemed Bonds. The redemption of the Bonds in part will be reflected in the records maintained by the Paying Agent.

Section 304. Notice of Redemption. The Paying Agent will give notice of optional redemption, unless waived, by mailing a redemption notice by regular mail at least 45 days prior to the date fixed for optional redemption, to the Owner of each Bond to be redeemed at the address shown on the Bond Register. If notice of redemption has been given or waived, the Bonds or portions of Bonds called for redemption will become due and payable on the redemption date at the redemption price specified in the notice. No notice of mandatory sinking fund redemption is required to be given.

ARTICLE IV

RATIFICATION OF FUNDS AND ACCOUNTS

Section 401. Ratification of Funds and Accounts.

(a) The separate funds and accounts created in, or ratified and confirmed by, the Outstanding Senior Sewer Bond Ordinance, the Outstanding Senior Water Bond Ordinance and the Combined System Ordinance known respectively as the:

- (1) Combined Waterworks and Sewerage System Revenue Fund (the "Revenue Fund");
- (2) Combined Waterworks and Sewerage System Operation and Maintenance Account (the "Operation and Maintenance Account");
- (3) Principal Accounts, Interest Accounts and Debt Service Accounts under the Outstanding Senior Sewer Bond Ordinance (collectively the "Outstanding Senior Sewer Bond Debt Service Account");
- (3a) Principal Accounts, Interest Accounts and Debt Service Accounts under the Outstanding Senior Water Bond Ordinance (collectively the "Outstanding Senior Water Bond Debt Service Account");
- (4) Reserve Accounts under the Outstanding Senior Sewer Bond Ordinance (collectively the "Outstanding Senior Sewer Bond Debt Service Reserve Account");
- (4a) Reserve Accounts under the Outstanding Senior Water Bond Ordinance (collectively the "Outstanding Senior Water Bond Debt Service Reserve Account");
- (5) Combined Waterworks and Sewerage System Depreciation and Replacement Account (the "Depreciation and Replacement Account"); and
- (6) Combined Waterworks and Sewerage System Surplus Account (the "Surplus Account");

are hereby ratified and confirmed.

(b) While any of the Outstanding Senior Sewer Bonds or Outstanding Senior Water Bonds are outstanding:

- (1) the Revenue Fund will consist of a Sewerage System Account and a Waterworks Account;

(2) the Operation and Maintenance Account will consist of a Sewerage System Subaccount (formerly the Operation and Maintenance Account under the Outstanding Senior Sewer Bond Ordinance) and a Waterworks System Subaccount (formerly the Operation and Maintenance Account under the Outstanding Senior Water Bond Ordinance); and

(3) the Depreciation and Replacement Account will consist of a Sewerage System Subaccount (formerly the Depreciation and Replacement Account under the Outstanding Senior Sewer Bond Ordinance) and a Waterworks System Subaccount (formerly the Depreciation and Replacement Account under the Outstanding Senior Water Bond Ordinance).

Section 402. Administration of Funds and Accounts. The funds and accounts described in clauses (a)(1), (2), (5) and (6) of Section 401 will be maintained and administered by, or on behalf of, the City under this Ordinance while any of the Bonds and any Parity Bonds are outstanding. The funds or accounts described in clauses (a)(3), (3a), (4) and (4a) of Section 401 will be maintained and administered by the City while any of the Outstanding Senior Sewer Bonds and Outstanding Senior Water Bonds, as applicable, are outstanding. The accounts and subaccounts described in paragraph (b) of Section 401 will be maintained and administered by the City while any of the Outstanding Senior Sewer Bonds and Outstanding Senior Water Bonds are outstanding.

Section 403. Acknowledgment of Accounts.

(a) The City acknowledges the creation of the following accounts for the City held by the Trustee under the Indenture:

- (1) Construction Account;
- (2) Reserve Account;
- (3) State Match Portion Debt Service Account;
- (4) Leveraged Portion Debt Service Account;
- (5) Principal Account; and
- (6) Interest Account.

(b) The City further acknowledges that certain amounts will be transferred to the Costs of Issuance Fund and the Administrative Expense Fund under the Indenture in satisfaction of certain City obligations under this Ordinance, the Purchase Agreement and the Revolving Fund Agreement.

ARTICLE V

APPLICATION OF BOND PROCEEDS

Section 501. Disposition of Bond Proceeds. The proceeds received from the sale of the Bonds, including any premium and accrued interest, will be deposited simultaneously with the delivery of the Bonds as set forth in the Closing Certificate.

Section 502. Assignment and Application of Moneys in the Construction Account.

(a) By this Ordinance, the City assigns the proceeds of the Bonds held in the Construction Account to the Owner to secure the City's obligations under this Ordinance. Moneys in the Construction Account will be disbursed to the City for the sole purpose of paying the cost of extending and improving the System in accordance with the plans and specifications prepared by the Consulting Engineer, previously approved by the Governing Body and DNR and on file in the office of the City Clerk, including any alterations in or amendments to the plans and specifications approved by the Governing Body and DNR with the advice of the Consulting Engineer.

(b) Requisitions will be submitted for withdrawals from the Construction Account in accordance with Article III of the Purchase Agreement.

ARTICLE VI

APPLICATION OF REVENUES

Section 601. Revenue Fund.

(a) The City covenants and agrees that from and after the delivery of the Bonds, all Revenues derived and collected by the City will be deposited into the Revenue Fund when received. The Revenues will be segregated from all other moneys, revenues, funds and accounts of the City. The Revenue Fund will be administered and applied solely for the purposes and in the manner provided in this Ordinance, the Outstanding Senior Sewer Bond Ordinance, the Outstanding Senior Water Bond Ordinance and any Parity Ordinance.

(b) While any of the Outstanding Senior Sewer Bonds and Outstanding Senior Water Bonds are outstanding, the City will deposit all Sewer Revenues in the Sewerage System Account of the Revenue Fund and all Water Revenues will be deposited into the Waterworks Account of the Revenue Fund.

Section 602. Application of Moneys in Funds and Accounts. The provisions of this Section are applicable while any of the Outstanding Senior Sewer Bonds and Outstanding Senior Water Bonds remain outstanding.

(a) The City will apply moneys in the Revenue Fund on the dates, in the amounts and in the order as follows:

(1) on the first day of each month, (A) from the Sewerage System Account, to the Sewerage System Subaccount of the Operation and Maintenance Account, an amount sufficient to pay the estimated cost of operating and maintaining the Sewerage Subsystem during the month, and (B) from the Waterworks Account, to the Waterworks Subaccount of the Operation and Maintenance Account, an amount sufficient to pay the estimated cost of operating and maintaining the Waterworks Subsystem during the month;

(2) from the Sewerage System Account, on the dates required under the Outstanding Senior Sewer Bond Ordinance, to the Outstanding Senior Sewer Bond Debt Service Account and the Outstanding Senior Sewer Bond Debt Service Reserve Account, the amounts required under the Outstanding Senior Sewer Bond Ordinance;

(2a) from the Waterworks Account, on the dates required under the Outstanding Senior Water Bond Ordinance, to the Outstanding Water Sewer Bond Debt Service Account and the Outstanding Senior Water Bond Debt Service Reserve Account, the amounts required under the Outstanding Senior Water Bond Ordinance;

(3) on the 25th day of each month, the following amounts to the Trustee for credit to the Interest Account and the Principal Account:

(A) to the Interest Account, on June 25, 2007 and each monthly payment date to and including December 25, 2007, 1/7 of the amount of interest on the Bonds due on January 1, 2008 less accrued interest, if any, deposited to the Interest Account; and on January 25, 2008 and each monthly payment date thereafter 1/6 of the amount of interest due on the Bonds on the next Interest Payment Date, with these monthly payments to be reduced as follows:

(I) the balance in the State Match Portion Debt Service Account and the Leveraged Portion Debt Service Account on an Interest Payment Date after the payment of the principal of and interest due on the Authority Bonds on the Interest Payment Date will be credited against the next succeeding monthly payment or payments; and

(II) the projected investment earnings on the Construction Account and the Reserve Account for the current Interest Period and actual investment earnings for the prior Interest Period reduced by estimated earnings for the preceding Interest Period that were previously credited, as set forth in the Trustee's semiannual notice to the City, will be credited in equal installments against the monthly payments due prior to the next Interest Payment Date; and

(B) to the Principal Account, on June 25, 2007 and each monthly payment date to and including December 25, 2007, 1/7 of the amount of principal due on the Bonds on January 1, 2008, and on January 25, 2008 and each monthly payment date thereafter, 1/12 of the principal due on the Bonds on the next succeeding principal payment date, whether at maturity or upon mandatory sinking fund redemption. If the Initiation of Operation specified in the certificate delivered by the City under Section 3.5 of the Purchase Agreement is earlier than the expected Initiation of Operation on the City's signature page to the Purchase Agreement, (i) the first monthly installment of principal will be paid no later than the monthly payment date which is not more than 12 months after the Initiation of Operation, and (ii) on the monthly payment date which is not more than 20 years after the Initiation of Operation, all remaining unpaid principal installments will be paid;

(4) on the dates required by Section 211(a), to the Trustee, for deposit to the Administrative Expense Fund, the amount required to pay the Administrative Fee, the City's Allocable Portion of the Trustee's Fee and the City's Allocable Portion of the Master Trustee's Disclosure Fee;

(5) on the first day of each month, if the Trustee has withdrawn moneys from the Reserve Account (other than investment earnings or the amount transferred from the Reserve Account upon the payment of principal on the Bonds), to the Reserve Account all available moneys until the Reserve Account has been replenished;

(6) on the first day of each month, to the applicable subaccount of the Depreciation and Replacement Account, the amount required by the applicable User Charge Ordinance (if the Outstanding Senior Sewer Bonds or the Outstanding Senior Water Bonds are outstanding, any deposits made pursuant to this paragraph are subject to the applicable restrictions in the Outstanding Senior Sewer Bond Ordinance or the Outstanding Senior Water Bond Ordinance); and

(7) on the first day of each month the remaining balance to the Surplus Account.

(b) Except as provided in Section 603, (1) moneys in the Sewerage System Subaccount of the Depreciation and Replacement Account will be used by the City for the purpose of making replacements and repairs to the Sewerage Subsystem in order to keep the Sewerage Subsystem in good repair and working order and to assure the continued effective and efficient operation of the Sewerage Subsystem, and (2) moneys in the Waterworks Subaccount of the Depreciation and Replacement Account will be used by the City for the purpose of making replacements and repairs to the Waterworks Subsystem in order to keep the Waterworks Subsystem in good repair and working order and to assure the continued effective and efficient operation of the Waterworks Subsystem.

(c) Moneys in the Surplus Account are to be expended for the following purposes as determined by the Governing Body:

(1) paying the cost of the operation, maintenance and repair of the System to the extent necessary after the application of the moneys held in the Operation and Maintenance Account and in the Depreciation and Replacement Account;

(2) paying the cost of extending, enlarging or improving the System;

(3) preventing default in, anticipating payments into or increasing the amounts in the accounts confirmed or established in Section 401, the Principal Account, the Interest Account, the

Reserve Account or the Depreciation and Replacement Account, or establishing or increasing the amount of any debt service account or debt service reserve account created by the City for the payment of any System Revenue Bonds subsequently issued; or

(4) redeeming and paying prior to maturity, or, at the option of the City, purchasing in the open market at the best price obtainable not exceeding the call price (if any bonds are callable), the Bonds, the Outstanding Senior Sewer Bonds, the Outstanding Senior Water Bonds or any other System Revenue Bonds of the City hereafter issued under the conditions hereinafter specified and standing on parity with the Bonds, including principal, redemption premium, if any, and interest.

(d) All amounts paid and credited to the Sewerage System Subaccount of the Operation and Maintenance Account will be expended solely for the purpose of paying the Current Expenses of the Sewerage Subsystem. All amounts paid and credited to the Waterworks Subaccount of the Operation and Maintenance Account will be expended solely for the purpose of paying the Current Expenses of the Waterworks Subsystem.

(e) No moneys derived by the City from the System will be diverted to the general governmental or municipal functions of the City.

(f) If the deposits to the Operation and Maintenance Account (the "OM Deposits") required under this Section are greater than the OM Deposits required in the User Charge Ordinance, the OM Deposits under the User Charge Ordinance will be deemed a credit toward OM Deposits required under this Section. If the OM Deposits required under this Section are less than those required in the User Charge Ordinance, OM Deposits under this Section will be deemed a credit to OM Deposits required under the User Charge Ordinance.

Section 602A. Alternative Application of Moneys in Funds and Accounts. The provisions of this Section 602A are applicable upon payment in full of the Outstanding Senior Sewer Bonds and Outstanding Senior Water Bonds pursuant to the Outstanding Senior Sewer Bond Ordinance and the Outstanding Senior Water Bond Ordinance, as applicable. References elsewhere in this Ordinance to Section 602 mean this Section 602A when applicable.

(a) The City will apply moneys in the Revenue Fund on the dates, in the amounts and in the order as follows:

(1) on the first day of each month to the Operation and Maintenance Account an amount sufficient to pay the estimated cost of operating and maintaining the System during the month;

(2) on the 25th day of each month, the following amounts to the Trustee for credit to the Interest Account and the Principal Account:

(A) to the Interest Account, 1/6 of the amount of interest due on the Bonds on the next Interest Payment Date, with these monthly payments to be reduced as follows:

(I) the balance in the State Match Portion Debt Service Account and the Leveraged Portion Debt Service Account on an Interest Payment Date after the payment of the principal of and interest due on the Authority Bonds on the Interest Payment Date will be credited against the next succeeding monthly payment or payments; and

(II) the projected investment earnings on the Construction Account and the Reserve Account for the current Interest Period and actual investment earnings for the prior Interest Period reduced by estimated earnings for the preceding Interest Period that were previously credited, as set forth in the Trustee's semiannual notice to the City, will be credited in equal installments against the monthly payments due prior to the next Interest Payment Date; and

(B) to the Principal Account, 1/12 of the principal due on the Bonds on the next succeeding principal payment date, whether at maturity or upon mandatory sinking fund redemption. If the Initiation of Operation specified in the certificate delivered by the City under Section 3.5 of the Purchase Agreement is earlier than the expected Initiation of Operation on the City's signature page to the Purchase Agreement, (i) the first monthly installment of principal will be paid no later than the monthly payment date which is not more than 12 months after the Initiation of Operation, and (ii) on the monthly payment date which is not more than 20 years after the Initiation of Operation, all remaining unpaid principal installments will be paid;

(4) on the dates required by Section 211(a), to the Trustee, for deposit to the Administrative Expense Fund, the amount required to pay the Administrative Fee, the City's Allocable Portion of the Trustee's Fee and the City's Allocable Portion of the Master Trustee's Disclosure Fee;

(5) on the first day of each month, if the Trustee has withdrawn moneys from the Reserve Account (other than investment earnings or the amount transferred from the Reserve Account upon the payment of principal on the Bonds), to the Reserve Account all available moneys until the Reserve Account has been replenished;

(6) on the first day of each month, to the Depreciation and Replacement Account, the amount required by the User Charge Ordinance; and

(7) on the first day of each month the remaining balance to the Surplus Account.

(b) Except as provided in Section 603, moneys in the Depreciation and Replacement Account will be used by the City for the purpose of making replacements and repairs to the System in order to keep the System in good repair and working order and to assure the continued effective and efficient operation of the System.

(c) Moneys in the Surplus Account are to be expended for the following purposes as determined by the Governing Body:

(1) paying the cost of the operation, maintenance and repair of the System to the extent necessary after the application of the moneys held in the Operation and Maintenance Account and in the Depreciation and Replacement Account;

(2) paying the cost of extending, enlarging or improving the System;

(3) preventing default in, anticipating payments into or increasing the amounts in the accounts confirmed or established in Section 401, the Principal Account, the Interest Account, the Reserve Account or the Depreciation and Replacement Account, or establishing or increasing the amount of any debt service account or debt service reserve account created by the City for the payment of any System Revenue Bonds subsequently issued; or

(4) redeeming and paying prior to maturity, or, at the option of the City, purchasing in the open market at the best price obtainable not exceeding the call price (if any bonds are callable), the Bonds or any other Parity Bonds of the City hereafter issued under the conditions hereinafter specified and standing on parity with the Bonds, including principal, redemption premium, if any, and interest.

(d) All amounts paid and credited to the Operation and Maintenance Account will be expended solely for the purpose of paying the Current Expenses of the System.

(e) No moneys derived by the City from the System will be diverted to the general governmental or municipal functions of the City.

(f) If the deposits to the Operation and Maintenance Account (the "OM Deposits") required under this Section are greater than the OM Deposits required in the User Charge Ordinance, the OM Deposits under the User Charge Ordinance will be deemed a credit toward OM Deposits required under

this Section. If the OM Deposits required under this Section are less than those required in the User Charge Ordinance, OM Deposits under this Section will be deemed a credit to OM Deposits required under the User Charge Ordinance.

Section 603. Deficiency of Payments into Funds and Accounts.

(a) If the Revenues are insufficient to make any payment on any date specified in this Article, the City will make good the amount of the deficiency by making additional payments out of the first available Revenues for application in the order specified in Section 602.

(b) If the moneys in the Outstanding Senior Sewer Bond Debt Service Account, the Outstanding Senior Water Bond Debt Service Account, the Outstanding Senior Sewer Bond Debt Service Reserve Account, the Outstanding Senior Water Bond Debt Service Reserve Account, the Principal Account, the Interest Account or the Reserve Account are not sufficient to pay the principal of and interest on the Outstanding Senior Sewer Bonds or the Outstanding Senior Water Bonds, as applicable, and the Bonds as and when the same become due, the City will apply moneys in the Surplus Account and the Sewerage System Subaccount or the Waterworks Subaccount of the Depreciation and Replacement Account to the Outstanding Senior Sewer Bond Debt Service Account or the Outstanding Senior Water Bond Debt Service Account, as applicable, to prevent any default in the payment of the principal of and interest on the Outstanding Senior Sewer Bonds or the Outstanding Senior Water Bonds, as applicable, and the Bonds.

Section 604. Transfer of Funds to Paying Agent. The City Manager is authorized and directed to make the payments to the Principal Account and the Interest Account as provided in Section 602, and, to the extent necessary to prevent a default in the payment of the Bonds, from the Reserve Account, the Surplus Account and the Depreciation and Replacement Account as provided in Sections 602 and 603, sums sufficient to pay the Bonds when due, and to forward amounts to the Paying Agent in a manner which ensures the Paying Agent will have sufficient available funds on or before the second Business Day immediately preceding the dates when payments on the Bonds are due. Upon the payment of all principal and interest on the Bonds, the Paying Agent will return any excess funds to the City. Except as otherwise provided in the Indenture, all moneys deposited by the City with the Paying Agent are subject to the provisions of this Ordinance.

ARTICLE VII

DEPOSIT AND INVESTMENT OF MONEYS

Section 701. Investment of Moneys. Moneys in the Interest Account, the Principal Account, the Construction Account, the State Match Portion Debt Service Account, the Leveraged Portion Debt Service Account and the Reserve Account are assigned by the City to the Authority to secure the City's obligations under this Ordinance and the City acknowledges that moneys in the Interest Account, the Principal Account, the Construction Account, the State Match Portion Debt Service Account, the Leveraged Portion Debt Service Account and the Reserve Account will be invested by the Authority, subject to the Arbitrage Instructions, in Investment Securities in accordance with Section 4.9 of the Indenture. Moneys in each of the other funds and accounts created or ratified and confirmed by this Ordinance may be invested by the City in obligations as may be permitted by law, but no investment will be made for a period extending longer than the date when the moneys invested may be needed. All earnings on any investments held in any fund or account will accrue to the applicable fund or account. In determining the amount held in any fund or account under this Ordinance, obligations will be valued at the lower of cost or market value. If the amount in any fund or account held within the Treasury of the City is greater than the required amount, the City may transfer the excess to the Revenue Fund.

(b) If the Outstanding Senior Sewer Bonds or Outstanding Senior Water Bonds are outstanding, any investments made pursuant to this Section are subject to the restrictions in the Outstanding Senior Sewer Bond Ordinance or the Outstanding Senior Water Bond Ordinance, as applicable.

ARTICLE VIII

PARTICULAR COVENANTS OF THE CITY

Section 801. Efficient and Economical Operation. The City will continuously own and will operate the System in an efficient and economical manner and will keep and maintain the System in good repair and working order.

Section 802. Rate Covenant. The City will fix, establish, maintain and collect rates and charges for the use and services furnished by or through the System to produce income and revenues sufficient to (a) pay the costs of the operation and maintenance of the System; (b) pay the principal of and interest on the Bonds as and when due; (c) enable the City to have in each Fiscal Year Net Revenues of not less than 110% of the amount required to be paid by the City in the Fiscal Year on account of both principal of and interest on all System Revenue Bonds at the time outstanding, provided that interest on any SRF Program Bonds will be reduced by the SRF Subsidy, if any; and (d) provide reasonable and adequate reserves for the payment of the Bonds and the interest thereon and for the protection and benefit of the System as provided in this Ordinance. The City will require the prompt payment of accounts for service rendered by or through the System and will promptly take whatever action is legally permissible to enforce and collect delinquent charges.

Section 803. Reasonable Charges for all Services. None of the facilities or services provided by the System will be furnished to any user (excepting the City itself) without a reasonable charge being made therefor. If the income and revenues derived by the City from the System are insufficient to pay the reasonable expenses of operation and maintenance of the System and the principal of and interest on the Bonds when due, the City will pay into the Revenue Fund a fair and reasonable payment in accordance with effective applicable rates and charges for all services or other facilities furnished to the City or any of its departments by the System.

Section 804. Annual Budget. Prior to the commencement of each Fiscal Year, the City will cause a budget setting forth the estimated receipts and expenditures of the System for the next succeeding Fiscal Year to be prepared and filed with the City Clerk. The City Clerk, within 30 days after the end of the current Fiscal Year, will mail a copy of the budget to the Owner and the Trustee. The annual budget will be prepared in accordance with the laws of the State.

Section 805. Annual Audit.

(a) Promptly after the end of each Fiscal Year, the City will cause an audit of the System for the preceding Fiscal Year to be made by a certified public accountant or firm of certified public accountants employed for that purpose and paid from the Revenues. The annual audit will cover in reasonable detail the operation of the System during the Fiscal Year.

(b) Within 180 days after the end of the City's Fiscal Year, a copy of the annual audit will be filed in the office of the City Clerk, and a duplicate copy of the audit will be mailed to the Owner and the Trustee. The annual audit will be open to examination and inspection during normal business hours by any taxpayer, any user of the services of the System, any Owner of the Bonds, or anyone acting for or on behalf of the taxpayer, user or Owner.

(c) As soon as possible after the completion of the annual audit, the Governing Body will review the annual audit, and if the annual audit reveals any breach of this Ordinance, the City agrees to promptly cure the breach.

Section 806. Performance of Duties. The City will faithfully and punctually perform all duties and obligations with respect to the operation of the System now or hereafter imposed upon the City by the Constitution and laws of the State and the provisions of this Ordinance.

Section 807. Tax Covenants.

(a) The City will comply with all applicable provisions of the Code, including Sections 103 and 141 through 150, necessary to maintain the exclusion of interest on the Authority Bonds from gross income for federal income tax purposes. The City will not use or permit the use of any proceeds of the Bonds or

any other funds of the City, nor take or permit any other action, or fail to take any action, which would adversely affect the exclusion of interest on the Authority Bonds from gross income for federal income tax purposes. The City will adopt ordinances or resolutions and take other actions necessary to comply with the Code and with other applicable future law, in order to ensure that the interest on the Authority Bonds will remain excluded from federal gross income.

(b) The City (1) will use the proceeds of the Bonds as soon as practicable for the purposes for which the Bonds are issued, and (2) will not invest or directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the City in any manner, or take or omit to take any action, that would cause the Authority Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code.

(c) The City will not use any portion of the proceeds of the Bonds, including any investment income earned on the proceeds, directly or indirectly, (1) in a manner that would cause any Bond to be a "private activity bond" within the meaning of Section 141(a) of the Code, or (2) to make or finance a loan to any person.

(d) The City will pay to the Trustee, for deposit to the Interest Account and subsequent transfer as provided in the Indenture, an amount equal to arbitrage rebate and the costs incurred in connection with determining arbitrage rebate, at the times required by the Arbitrage Instructions. The provisions of this paragraph will survive the payment in full or defeasance of the Bonds.

ARTICLE IX

ADDITIONAL BONDS

Section 901. Prior Lien Bonds. Except as provided in Section 904, the City will not issue any debt obligations payable out of the Net Revenues which are superior in lien, security or otherwise to the Bonds.

Section 902. Parity Lien Bonds or Obligations.

(a) The City will not issue any additional bonds or other long-term obligations payable out of the Net Revenues of the System which stand on parity or equality with the Bonds unless the following conditions are met:

(1) the City is not in default in the payment of principal or interest on the Bonds or any Parity Bonds or in making any deposit into the funds and accounts under this Ordinance or any Parity Ordinance; and

(2) the City provides to the Owner and the Trustee a certificate showing either of the following:

(A) the average annual Net Revenues as set forth in the two most recent annual audits for Fiscal Years preceding the issuance of additional bonds, are at least 110% of the average annual debt service on the System Revenue Bonds, including the additional bonds proposed to be issued, to be paid out of the Net Revenues in all succeeding Fiscal Years. Interest to be paid on any SRF Program Bonds may be reduced by the SRF Subsidy, if any. If the City has made any increase in rates for the use and services of the System and the increase has not been in effect during all of the two Fiscal Years for which annual audits are available, the City may add the additional Net Revenues which would have resulted if the rate increase had been in effect for the entire period to the audited Net Revenues, as certified by the Consultant; or

(B) the estimated average annual Net Revenues for the two Fiscal Years immediately following the Fiscal Year in which the improvements to the System being financed by the additional bonds are to be in commercial operation, as certified by the Consultant, is at least 110% of the average annual debt service on the System Revenue Bonds, including the additional bonds proposed to be issued, to be paid out of the Net Revenues in succeeding Fiscal Years following the commencement of commercial operation of the improvements. Interest to be paid on any SRF Program Bonds may be

reduced by the SRF Subsidy, if any. In determining the amount of estimated Net Revenues for the purpose of this subsection, the Consultant may adjust the estimated net income and revenues by adding the estimated increase in Net Revenues resulting from any increase in rates for the use and services of the System approved by the City.

(b) If the conditions set forth in this Section are satisfied, the City (i) may issue additional revenue bonds or other obligations of the City on parity with the Bonds and that enjoy complete equality of the lien on the Net Revenues with the Bonds, (ii) may make equal provision for paying the additional revenue bonds or other obligations from the Revenue Fund, and (iii) may secure the additional revenue bonds or other obligations by funding reasonable System debt service accounts and debt service reserve accounts from the Net Revenues.

Section 903. Junior Lien Bonds. Nothing in this Article prohibits or restricts the right of the City to issue additional revenue obligations, including revenue bonds, for the purpose of extending, improving, enlarging, repairing or altering the System, that are subordinate to the Bonds if at the time of the issuance of the additional revenue obligations the City is not in default in the performance of any covenant or agreement in this Ordinance. If the City is in default in paying either interest on or principal of the Bonds, or if the Reserve Account is not fully funded, the City shall not make any payments on the subordinate revenue obligations until the default is cured. Subject to the limitations in this Section, the City may make provision for paying the principal of and interest on the subordinate revenue bonds or obligations from moneys in the Revenue Fund.

Section 904. Refunding Bonds.

(a) The City, without complying with the provisions of Section 902, may refund any of the Bonds in a manner that provides debt service savings to the City, and the refunding bonds so issued will be on parity with any of the Bonds that are not refunded. If the Bonds are refunded in part and the refunding bonds bear a higher average rate of interest or become due on a date earlier than that of the Bonds that are refunded, the City must obtain the prior written consent of the Owner and DNR to the issuance of the refunding bonds.

(b) The City may refund any of the Outstanding Senior Sewer Bonds in a manner that provides debt service savings to the City in each subsequent Fiscal Year, and the refunding bonds so issued may have a priority lien on the Sewer Revenues. The City may refund any of the Outstanding Senior Water Bonds in a manner that provides debt service savings to the City in each subsequent Fiscal Year, and the refunding bonds so issued may have a priority lien on the Water Revenues.

ARTICLE X

DEFAULT AND REMEDIES

Section 1001. Event of Default. If (i) the City defaults in the payment of the principal of or interest on any of the Bonds, or (ii) the City or its Governing Body or any of its officers, agents or employees fails or refuses to comply with any provision of this Ordinance, the Constitution or statutes of the State, the Purchase Agreement or the Revolving Fund Agreement and default continues for a period of 60 days after written notice specifying the non-payment default has been given to the City by the Trustee, the Authority, DNR or the Owner of any Bond then Outstanding, at any time thereafter and while the default continues, the City shall pay to DNR the penalties assessed by DNR in accordance with the Regulations. The penalties will be assessed as a reduction in the credit provided in Section 602(a)(3)(A).

Section 1002. Remedies.

(a) The provisions of this Ordinance constitute a contract between the City and the Owners of the Bonds. The Owner or Owners of not less than 10% in principal amount of the Bonds at the time Outstanding have the right for the equal benefit and protection of all Owners of Bonds similarly situated:

(1) by any proceeding at law or in equity to enforce the rights of the Owner or Owners against the City and its officers, agents and employees, and to compel the performance by the City of its duties and obligations under this Ordinance, the Constitution and the laws of the State;

(2) by any proceeding at law or in equity to require the City, its officers, agents and employees to account as if they were the trustees of an express trust; and

(3) by any proceeding at law or in equity to enjoin any act or thing which is unlawful or in violation of the rights of the Owners of the Bonds.

(b) Any amounts paid on the Bonds to the Owners will be applied first to interest and second to principal, to the extent due and payable.

Section 1003. Limitation on Rights of Owners. No Owner has any right in any manner whatever by the Owner's action to affect, disturb or prejudice the security granted and provided for in, or to enforce any right under, this Ordinance, except in the manner provided in this Ordinance. All proceedings at law or in equity will be for the equal benefit of all Owners.

Section 1004. Remedies Cumulative. No remedy conferred upon the Owners is intended to be exclusive of any other remedy. Each remedy is in addition to every other remedy and may be exercised without exhausting any other remedy conferred under this Ordinance. No waiver by any Owner of any default or breach of duty or contract of the City under this Ordinance will affect any subsequent default or breach of duty or contract by the City or impair any rights or remedies thereon. No delay or omission of any Owner to exercise any right or power accruing upon any default will impair any right or power or will be construed to be a waiver of any default. Every substantive right and every remedy conferred upon the Owners of the Bonds by this Ordinance may be enforced and exercised from time to time and as often as may be expedient. If any Owner discontinues any proceeding or the decision in the proceeding is against the Owner, the City and the Owners of the Bonds will be restored to their former positions and rights under this Ordinance.

Section 1005. No Obligation to Levy Taxes. Nothing in this Ordinance imposes any duty or obligation on the City to levy any taxes either to meet any obligation incurred under this Ordinance or to pay the principal of or interest on the Bonds.

ARTICLE XI

DEFEASANCE

Section 1101. Defeasance. When all of the Bonds have been paid and discharged, the provisions of this Ordinance (other than Section 807) will terminate. Bonds will be treated as paid and discharged within the meaning of this Ordinance if the City has deposited with the Paying Agent, or other bank or trust company located in the State, having full trust powers and meeting the requirements of a successor Trustee under the Indenture, (i) moneys and non-callable Defeasance Securities which, together with interest to be earned, as evidenced by the written report of an independent certified public accountant, will be sufficient for the payment of the principal and redemption premium, if any, of and interest to accrue on the Bonds to the date of maturity or redemption, plus an additional premium on Bonds being optionally redeemed equal to interest that would otherwise accrue on the Bonds for an additional 30-day period, and (ii) an opinion of Bond Counsel, addressed to the Authority and the Trustee, that providing for the payment of the Bonds by depositing moneys or Defeasance Securities with the Paying Agent in accordance with this Section will not cause the interest on the Authority Bonds to be included in gross income for federal income tax purposes. If any Bonds will be redeemed prior to maturity, the City must have given irrevocable instructions to the Paying Agent to redeem the Bonds. Any moneys and obligations which at any time are deposited with the Paying Agent or other bank by or on behalf of the City, for the purpose of paying and discharging any of the Bonds, are assigned, transferred and set over in trust for the applicable Owners, and the moneys and obligations are irrevocably appropriated to the payment and discharge of the applicable Bonds.

ARTICLE XII

AMENDMENTS

Section 1201. Amendments.

(a) Any provision of the Bonds or of this Ordinance may be amended by an ordinance with the written consent of the Authority and the Trustee. Consent must be evidenced by an instrument executed by the Authority and the Trustee, acknowledged or proved in the manner of a deed to be recorded, and filed with the City Clerk. In addition, the prior written consent of the Owner and DNR is required for any amendment that would:

- (1) extend the maturity of any payment of principal or interest on any Bond;
- (2) reduce the amount of principal or interest payable on any Bond; or
- (3) permit the priority of any Bond over any other Bond.

(b) No amendment will be effective until (i) the City has delivered to the Owner, the Trustee and DNR an opinion of Bond Counsel stating that the amendment is permitted by this Ordinance and the Act, complies with their respective terms, is valid and binding upon the City in accordance with its terms and does not adversely affect the exclusion of interest on the Authority Bonds from gross income for federal income tax purposes, and (ii) the City Clerk has on file a copy of the amendment and all required consents.

ARTICLE XIII

MISCELLANEOUS PROVISIONS

Section 1301. Further Authority. The officers of the City, including the Mayor, the City Manager and the City Clerk, are authorized and directed to execute all documents and take the actions as are necessary or advisable in order to carry out and perform the purposes of this Ordinance and to make ministerial changes in the documents approved by this Ordinance which they may approve. The execution of any document or taking of any related action constitutes conclusive evidence of the necessity or advisability of the action or change.

Section 1302. Severability. If any section or other part of this Ordinance is for any reason held invalid, the invalidity will not affect the validity of the other provisions of this Ordinance.

Section 1303. Governing Law. This Ordinance is governed by and will be construed in accordance with the laws of the State.

Section 1304. Effective Date. This Ordinance is in full force and effect from and after its passage by the City Council and approval by the Mayor.

Councilmember Newton moved to adopt Bill No. 2007-11, 2007-12, 2007-13, 2007-14, 2007-15, 2007-16 and 2007-17 on second reading; seconded by Councilmember Crist. The motion carried by the following vote: Mayor Rowe - aye; Councilmembers: Newton - aye; Crist - aye; McCord - aye; Blesz - aye. Nays – none.

Oath of Office to Newly Elected Mayer and Rodgerson

City Clerk Vickie Brumbaugh administered the Oath of Office to newly elected Tom Mayer and Aaron Rodgerson.

Appointment of Mayor

Jeff Newton was appointed Mayor for the 2007-08 year, by secret ballot of the City Council.

Appointment of Mayor Pro Tem

Martha Rowe was appointed Mayor Pro Tem for the 2007-08 year, by secret ballot of the City Council.

ACTION PRESENTATIONS

BILL NO. 2007-18

RESOLUTION NO. R4-4-544

A RESOLUTION HONORING TIM CRIST FOR SERVICE TO THE CITIZENS OF KIRKSVILLE, MISSOURI.

WHEREAS, Tim Crist has served the City of Kirksville as Council member from April 2004 to April 2007; and

WHEREAS, Tim Crist served as Mayor Pro Tem from April 2005 to April 2006; and

WHEREAS, Tim Crist has displayed through the performance of his duties on the City Council the highest standards of personal ethics and dedication; and

WHEREAS, Tim Crist has contributed time and energy towards the betterment of the Kirksville community through his service on the City Council and several of its boards and commissions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Kirksville does hereby extend their sincere appreciation and thanks to Tim Crist for his service to the community.

BE IT FURTHER RESOLVED that the City Council extend their best wishes for his continued success.

Councilmember McCord moved to approve Bill No. 2007-18; seconded by Councilmember Rowe. The motion carried by the following vote: Mayor Newton - aye; Councilmembers: Mayer - aye; McCord - aye; Rodgerson - aye; Rowe - aye. Nays - none.

Mayor Newton presented a framed Resolution, and plaque, to Tim Crist recognizing him for his service as Councilmember and Mayor Pro Tem.

BILL NO. 2007-19

RESOLUTION NO. R4-4-545

A RESOLUTION HONORING DALE BLESZ FOR SERVICE TO THE CITIZENS OF KIRKSVILLE, MISSOURI.

WHEREAS, Dale Blesz has served the City of Kirksville as Council member from April 2006 to April 2007; and

WHEREAS, Dale Blesz has displayed through the performance of his duties on the City Council the highest standards of personal ethics and dedication; and

WHEREAS, Dale Blesz has contributed time and energy towards the betterment of the Kirksville community through his service on the City Council and its boards and commissions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Kirksville does hereby extend their sincere appreciation and thanks to Dale Blesz for his service to the community.

BE IT FURTHER RESOLVED that the City Council extend their best wishes for his continued success.

Councilmember McCord moved to approve Bill No. 2007-19; seconded by Councilmember Rowe. The motion carried by the following vote: Mayor Newton - aye; Councilmembers: Mayer - aye; McCord - aye; Rodgerson – aye; Rowe - aye. Nays – none.

Mayor Newton presented a framed Resolution to Dale Blesz for his service as Councilmember.

Council Committee/Board Appointments

Councilmember Rowe moved to approve the following appointments to the committees and boards; seconded by Councilmember Mayer.

- Affordable Housing Board – Martha Rowe
- Airport & Transportation Commission (ATC) – Tim Crist will fill the citizen vacancy. Aaron Rodgerson as the Council representative.
- Lakes Parks & Recreation Commission (LPRC) – Tom Mayer
- Planning & Zoning Commission – Jill McCord
- Tax Increment Financing Commission – Jeff Newton
- Telecommunications Commission – Jeff Newton
- Fire Labor Management Committee – Martha Rowe

The motion carried by the following vote: Mayor Newton - aye; Councilmembers: Mayer - aye; McCord - aye; Rodgerson – aye; Rowe - aye. Nays – none.

Council Comments

City Manager Macomber asked the Council if they wished to continue the current Wednesday meeting days. Due to schedule conflicts on Wednesdays, there was a general consensus of the City Council to meet at 5:30 p.m. on Tuesdays – 1st and 3rd Tuesday for Regular Sessions; and 2nd and 4th Tuesday for Study Sessions. No meetings will be held on the fifth Tuesday of any month.

Councilmember McCord recognized a Kirksville resident, Kevin Alm, for his interest in local government by attending City Council meetings on a regular basis, and for running in Council elections.

ADJOURNMENT

There being no further business to come before the Council, Councilmember Rowe moved to adjourn; seconded by Councilmember Rodgerson. The motion carried by the

following vote: Mayor Newton - aye; Councilmembers: Mayer - aye; McCord - aye; Rodgerson - aye; Rowe - aye. Nays - none.

Mayor Newton adjourned the meeting at 6:50 p.m.

Vickie Brumbaugh, CMC, MRCC
City Clerk

FOR PERMANENT RECORD - As per RSMo. 109.230(4), City department record lists that are on file in the City Clerk's office have met the retention schedule, and will be destroyed in compliance with the guidelines established by the Secretary of State's Office.

Department Lists are attached to the Council minutes of April 4, 2007, as a matter of record only.

Vickie Brumbaugh, CMC, MRCC
City Clerk