

**REGULAR MEETING
SEPTEMBER 21, 2009**

The City Council of the City of Forest City, Iowa, met in regular session on September 21, 2009, at 7:00 p.m. in the Council Chambers of City Hall, Forest City, Iowa.

Mayor George Wilson called the meeting to order. Councilmembers present at roll call were: Holland, Honsey, Murphy, Sorensen, West, Clouse. Absent: Skjeie.

Moved by Sorensen, seconded by Honsey, approving the minutes as written for the meeting of September 8, 2009. Motion carried unanimously.

Councilmember Skjeie enters the meeting at 7:01 p.m.

Moved by Holland, seconded by Sorensen, approving payment of the following invoices. A list of the invoices will follow the minutes of the meeting. Motion carried unanimously.

Anne Kimber of the Iowa Association of Municipal Utilities was present at the meeting and reviewed the next step needed by IAMU members for state-required energy efficiency goal-setting programs. Ms. Kimber reviewed what the goals and budget should be, as well as the programs that might be considered for accomplishing these goals. After discussion, the Mayor asked the Electric Committee to examine the handout that was presented to the Council and return at a later date with their recommendation.

Councilmember Murphy reviewed the recommendation for an outdoor warning siren system for the City of Forest City. Murphy reported that the committee is recommending a one-way system that would be purchased from Federal Signal Corporation for approximately \$56,006. After discussion, the Council took the following action:

Councilmember Murphy introduced the following Resolution and moved its adoption. Councilmember West seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the Resolution duly adopted as follows:

Resolution No. 09-10-09, a Resolution found in Resolution Book 09-10. A RESOLUTION MAKING AWARD OF A CONTRACT FOR OUTDOOR WARNING SIRENS FOR THE CITY OF FOREST CITY.

The Mayor and Council discussed Ordinance Nos. 694 – 698, which would bring the City of Forest City's Code of Ordinances into compliance with new legislation passed by the State Legislature. After discussion, the Council took the following action:

Councilmember Murphy introduced the following Ordinance and moved its adoption. Councilmember Honsey seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the motion carried:

Ordinance No. 694 was then read by the Clerk, after which it was discussed.

Councilmember Murphy moved that the rule requiring said Ordinance to be read on three different days be dispensed with. Councilmember Honsey seconded the motion. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the motion carried.

Councilmember Murphy moved that Ordinance No. 694 now be adopted. Councilmember Honsey seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the Ordinance adopted as follows:

Ordinance No. 694, an Ordinance found on page _____ of Ordinance Book No. _____, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FOREST CITY, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO THE STANDARD PENALTY.

Councilmember Sorensen introduced the following Ordinance and moved its adoption. Councilmember Clouse seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the motion carried:

Ordinance No. 695 was then read by the Clerk, after which it was discussed.

Councilmember Sorensen moved that the rule requiring said Ordinance to be read on three different days be dispensed with. Councilmember Clouse seconded the motion. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the motion carried.

Councilmember Sorensen moved that Ordinance No. 695 now be adopted. Councilmember Clouse seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the Ordinance adopted as follows:

Ordinance No. 695, an Ordinance found on page _____ of Ordinance Book No. _____, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FOREST CITY, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO MUNICIPAL INFRACTIONS.

Councilmember West introduced the following Ordinance and moved its adoption. Councilmember Skjeie seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the motion carried:

Ordinance No. 696 was then read by the Clerk, after which it was discussed.

Councilmember West moved that the rule requiring said Ordinance to be read on three different days be dispensed with. Councilmember Skjeie seconded the motion. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the motion carried.

Councilmember West moved that Ordinance No. 696 now be adopted. Councilmember Skjeie seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the Ordinance adopted as follows:

Ordinance No. 696, an Ordinance found on page _____ of Ordinance Book No. _____, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FOREST CITY, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO PARKING VIOLATIONS: ALTERNATE.

Councilmember Holland introduced the following Ordinance and moved its adoption. Councilmember Murphy seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the motion carried:

Ordinance No. 697 was then read by the Clerk, after which it was discussed.

Councilmember Holland moved that the rule requiring said Ordinance to be read on three different days be dispensed with. Councilmember Murphy seconded the motion. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the motion carried.

Councilmember Holland moved that Ordinance No. 697 now be adopted. Councilmember Murphy seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the Ordinance adopted as follows:

Ordinance No. 697 an Ordinance found on page _____ of Ordinance Book No. _____, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FOREST CITY, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO HAZARDOUS SUBSTANCE CLEANUP COSTS.

Councilmember Sorensen introduced the following Ordinance and moved its adoption. Councilmember Clouse seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the motion carried:

Ordinance No. 698 was then read by the Clerk, after which it was discussed.

Councilmember Sorensen moved that the rule requiring said Ordinance to be read on three different days be dispensed with. Councilmember Clouse seconded the motion. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the motion carried.

Councilmember Sorensen moved that Ordinance No. 698 now be adopted. Councilmember Clouse seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the Ordinance adopted as follows:

Ordinance No. 698, an Ordinance found on page _____ of Ordinance Book No. _____, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FOREST CITY, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO ABANDONED VEHICLES.

The Mayor and Council discussed the second reading of Ordinance No. 699, which establishes no parking on both sides of the alley in the 600 block of South 6th Street and South Clark Street. After discussion, the Council took the following action:

Councilmember Sorensen introduced the following Ordinance and moved its adoption. Councilmember Honsey seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Sorensen. NAYS: Skjeie, West, Clouse. ABSENT: None. Whereupon the Mayor declared the motion carried:

Ordinance No. 699 was then read by the Clerk, after which it was discussed. Ordinance No. 699 is AN ORDINANCE ESTABLISHING NO PARKING ON BOTH SIDES OF THE ALLEY IN THE 600 BLOCK OF SOUTH CLARK STREET AND SOUTH 6TH STREET. This represents the second reading of Ordinance No. 699. The third reading of Ordinance No. 699 will be at the October 5, 2009, Council meeting.

Pat Galasso of Grow Forest City updated the Council regarding her efforts for the previous month. Galasso also presented a slide show on the improvements made at Dick's Auto Body Shop and Antiques & More. Painting and landscaping were done, which beautified this area. The Mayor and Council thanked Ms. Galasso for her report.

Moved by Skjeie, seconded by Clouse, approving Pay Estimate No. 2 to Wapasha Construction Co. in the amount of \$13,509.85 for work on the 2009 Ultraviolet Disinfection Improvements. Motion carried unanimously.

Street Superintendent Byron Ruiter and Tim Moreau of Veenstra & Kimm updated the Mayor and Council regarding progress on the 2009 PCC Street Reconstruction Project. No action was taken on this report.

Moved by Murphy, seconded by Clouse, approving Change Order No. 1 in the amount of \$884.40 to Allied Manatts for additional work on the 2009 PCC Street Reconstruction Project. Motion carried unanimously.

Moved by Honsey, seconded by Holland, approving Pay Estimate No. 2 to Allied Manatts in the amount of \$340,785.34 for work done on the 2009 PCC Street Reconstruction Project. Motion carried unanimously.

The Mayor and Council discussed a sanitary sewer manhole replacement due to damages caused by Allied Manatts during the 2009 PCC Street Reconstruction Project. After discussion, the Council took the following action:

A motion was made by Ron Holland that the City pay 20 percent and that Allied pay 80 percent of the cost for replacing the manhole. The total cost for repairing the manhole would be \$1,940. This motion died for lack of a second.

Moved by Skjeie, seconded by Sorensen, that the City pay 40 percent and that Allied pay 60 percent of the cost for replacing the manhole. Motion carried, with Holland voting Nay.

Tim Moreau of Veenstra & Kimm reviewed the proposed project schedule for the new Public Works Facility (Street Garage). After discussion, the Council took the following action:

Councilmember Murphy introduced the following Resolution and moved its adoption. Councilmember Holland seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Honsey, Murphy, Skjeie, Sorensen, West, Clouse. NAYS: None. ABSENT: None. Whereupon the Mayor declared the Resolution duly adopted as follows:

Resolution No. 09-10-10 a Resolution found in Resolution Book 09-10. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING ON THE PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR A NEW PUBLIC WORKS FACILITY (STREET GARAGE) FOR THE CITY OF FOREST CITY.

Mayor Wilson asked that it be noted in the minutes of a \$180 longevity pay increase for Robert Davison, and a \$600 probationary pay increase for Doug Price.

Moved by Murphy, seconded by Sorensen, to enter into closed session, pursuant to Section 21.5(1)(j) to discuss the purchase of real estate where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.

The Council entered into closed session at 8:41 p.m.

The Council re-opened the meeting at 9:04 p.m. The Council referred the issue discussed in closed session back to the Airport Commission for further consideration.

The following invoices were approved for payment:

BROKEN ARROW	EXPENSES/DOUGLAS	81.45
COSGRIFF/CHRISTA	REIMBURSEMENT	93.16
COX/DAVID	REFUND ON OVERPMT	20.59
F C MUN UTILITIES	RECON/A TORRES/MET DEP	25.00
FRITO LAY	COMMODITIES	141.12
HANSEN HARDWARE HANK	COMMODITIES	68.51
I WIRELESS	SERVICES	86.59
LEAGUE OF NEBRASKA	TRAINING/RUSSELL/PRICE	590.00
LYLE'S SALES & SERVICE	COMM/SERV	286.18
MELING/DENNIS	SERVICES	300.00
MONSEN/DEE ANN	EXPENSES	4.90
PRAIRIE ENERGY CO-OP	UTILITIES	127.33
SPAHN & ROSE	COMMODITIES	18.57
ST LUKE'S HEALTH RESOURCES	SERVICES	144.00
THOMPSON/BECKY	EXPENSES	15.28
TREAT AMERICA	TRAINING/DOUGLAS	991.25
TRIMBLE/DICK	SERVICES	3,030.44
ADVANCED SYSTEMS	MAINTENANCE	233.10
AMAZON.COM	COMMODITIES	266.42
BAKER & TAYLOR COMPANY	COMMODITIES	881.51
BIRDS AND BLOOMS	SUBSCRIPTION	14.98
BLACK HILLS ENERGY	GAS FOR HEAT	2,838.33
COMPUTER SYSTEMS UNLTD	SERVICES	129.00
COSGRIFF/CHRISTA	REIMBURSEMENT	114.14
DAIRYLAND POWER CO-OP	PURCHASED ENERGY	258,709.67
DAKOTA SUPPLY	COMMODITIES	214.75
DECKER'S SPORTING GOODS	COMMODITIES	137.38
DEMCO	COMMODITIES	378.83
EMERY PRATT COMPANY	COMMODITIES	6.95
F C CHAMBER OF COMMERCE	REBATE/W BLAKE	100.00
FIRST	SUBSCRIPTION	19.97
HANCOCK COUNTY SHERIFF	SERVICES	11.60
HANSEN HARDWARE HANK	COMMODITIES	13.27
HANSON/SHERRIE	COMMODITIES	12.00
HIGHSMITH	COMMODITIES	224.36
KAST A WAY SWIMWEAR	COMMODITIES	174.98
LEIBRAND/RUTH	REIMBURSEMENT	300.00
MANSHIP/JOSH & CHRISTINA	REIMBURSEMENT	300.00
METROPOLITAN HOME	SUBSCRIPTION	22.00
MPLS-ST PAUL	SUBSCRIPTION	23.95
QUILED FOREST/THE	LOAN	3,000.00
R & S OSNES PAINT	COMMODITIES	41.95
RECREATION SUPPLY COMPANY	COMMODITIES	793.30
SEVENTEEN	SUBSCRIPTION	14.97
SHOP NOTES	SUBSCRIPTION	24.95

THOMAS BOUREGY & CO	COMMODITIES	139.50
UMMPA	UMMPA	809.40
UNION PUBLIC LIBRARY	COMMODITIES	15.00
WWMPG	STS COSTS	11,439.57
A-1 SEPTIC SOLUTIONS	SERVICES	154.08
ADT SECURITY	SERVICES	159.81
AIRGAS	COMM/SERV	27.90
ALLIED MANATTS LLC	EST #2	340,785.34
ARAMARK	COMM/SERV	463.58
B C & T BUNN	COMMODITIES	967.93
BAKKE/STEVEN	SERVICES	112.94
BILL'S FAMILY FOODS	COMMODITIES	39.01
CENTRAL IA DISTRIBUTING	COMMODITIES	250.95
COAST TO COAST COMPUTER	COMMODITIES	477.36
DAKOTA WOOD GRINDING	SERVICES	2,200.00
DAN OLSON CONTRACTING	FINAL	13,251.00
DEWILD, GRANT, RECKERT &	SERVICES	202.00
EDDY-WALKER EQUIP	COMMODITIES	525.36
FOREST CITY AUTO	COMM/SERV	114.95
FOREST CITY FORD	COMM/SERV	605.35
G C DISTRIBUTING	COMMODITIES	3,132.99
HACH CHEMICAL CO	COMMODITIES	189.45
HD SUPPLY WATERWORKS	COMMODITIES	207.85
HEITLAND CONSTRUCTION	FINAL	6,787.00
HYDRITE CHEMICAL	COMMODITIES	367.00
IA ASSN OF MUN UTIL	COMMODITIES	21.49
IOWA DNR	DUES	135.00
IOWA ONE CALL	SERVICES	50.40
K I O W	SERVICES	216.00
LANDFILL OF NORTH IOWA	LANDFILL COSTS	5,157.24
MARSHALL & SWIFT	COMM/SERV	64.90
MOTION INDUSTRIES	COMMODITIES	54.66
NORTHLAND	COMMODITIES	121.39
R & S OSNES PAINT	COMMODITIES	20.54
RSM MCGLADREY	COMM/SERV	27.00
WAGNER TIRE	COMM/SERV	96.00
WAPASHA CONSTRUCTION	EST #2	13,509.85
WASTE MANAGEMENT OF SOUTHERN	RECYCLE	4,293.90

AUGUST RECEIPTS:

General Fund	45,863.99
Road Use Fund	32,840.68
Employee Benefit Fund	31.99
Local Option Sales Tax	23,136.04
TIF Fund	2,121.31
ED-RLF	875.00
Debt Service Fund	231.11
CDBG Fund	24,674.00
Aquatic Center	1,645.46
Library Trust Fund	102.43
Water Fund	32,092.81
Sewer Rental Fund	45,637.87
Electric Fund	453,249.46
Storm Water Utility Fund	12,025.25
Payroll Clearing Fund	52.99

AUGUST NET SALARIES:

August 2009

Moved by Murphy, seconded by Clouse, to adjourn the meeting. Motion carried unanimously.

ATTEST:

Paul D. Boock, City Clerk

George Wilson, Mayor