

**REGULAR MEETING
SEPTEMBER 7, 2010**

The City Council of the City of Forest City, Iowa, met in regular session on September 7, 2010, 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 Sorensen, West, Clouse, Holland, Honsey, Skjeie. Absent: Murphy.

Mayor Wilson announced that this was the time and the place for a Public Hearing regarding the lease purchase of a John Deere 1420 front mower and attachments for the Forest City Park Department. Bakke reviewed details of the lease purchase, which totals \$18,807.00. Since there were no written objections filed, nor were there any oral objectors present at the meeting, the Mayor declared the Hearing to be closed. The Council took the following action:

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

Resolution No. 10-11-07, a Resolution found in Resolution Book 10-11. A RESOLUTION APPROVING THE LEASE OF A JOHN DEERE 1420 FRONT MOWER AND ATTACHMENTS FOR THE PARKS DEPARTMENT FOR THE CITY OF FOREST CITY, IOWA.

Mayor Wilson announced that this was the time and place for a Public Hearing on the status of funded activities for the City of Forest City CDBG Housing Rehabilitation Program, which was financed by a Housing Fund grant award in 2008. The hearing was opened by Mayor Wilson at 7:04 p.m. Steve Wendt of the North Iowa Area Council of Governments, which is administering the Program for the City, gave several comments on the Program including a general description of the accomplishments to date, a summary of grant and local match expenditures to date, a general description of the work completed and of the work remaining (the processing for a 9th and final project in the Program will begin soon), performance targets achieved (8 projects completed to date), activity schedules, and changes to the original project budget, as shown by a breakdown of the costs expended on each of the 8 projects completed to date. Wendt then answered questions from City Council Persons and from other citizens in attendance,

Being no further discussion, Mayor Wilson closed the Public Hearing at 7:21 p.m.

The Mayor and Council discussed doing a ninth C.D.B.G. Housing Rehab Project, since there is still an available balance of grant funds. After discussion, the Council took the following action:

Moved by Sorensen, seconded by Honsey, authorizing Mayor Wilson to sign a letter making an official request from the State of Iowa to do a ninth C.D.B.G. Housing Rehab Project. Motion carried unanimously.

Moved by Skjeie, seconded by West, approving the minutes as written for the meeting of August 16, 2010. Motion carried unanimously.

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.

The Mayor and Council discussed Ordinance No. 706, which is an Ordinance amending the Forest City Code of Ordinances by adding a new section to provide weight restrictions on City bridges and requiring a permit under certain circumstances. After discussion, the Council took the following action:

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

Ordinance No. 706 was then read by the Clerk, after which it was discussed.

Ordinance No. 706 is AN ORDINANCE AMENDING THE FOREST CITY CODE OF ORDINANCES BY ADDING A NEW SECTION PROVIDING FOR WEIGHT RESTRICTIONS ON CITY BRIDGES AND REQUIRING A PERMIT UNDER CERTAIN CIRCUMSTANCES. This

represents the second reading of Ordinance No. 706. The third reading of Ordinance No. 706 will be at the September 20, 2010, Council meeting.

The Mayor and Council discussed Street Department furnishings for the new Public Works' Facility. After discussion, the Council took the following action:

Moved by Sorensen, seconded by Skjeie, to proceed with the purchase of the top priority list of equipment (\$16,078.00), as prepared by Street Superintendent Byron Ruitter. A roll call vote was requested and the vote was AYES: Sorensen, West, Clouse, Holland, Honsey, Skjeie. NAYS: None. ABSENT: Murphy. Whereupon the Mayor declared the motion carried.

Water/Wastewater Superintendent Elynn Charlson asked the Council to pass a Resolution approving the contract and bonds for the Water Treatment Facility Filter Media Replacement Project. A base bid of \$80,775.89 was received by Krudico, Inc. After discussion, the Council took the following action:

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

Resolution No. 10-11-08, a Resolution found in Resolution Book 10-11. A RESOLUTION MAKING AWARD OF A CONTRACT FOR THE WATER TREATMENT FACILITY FILTER MEDIA REPLACEMENT PROJECT FOR THE CITY OF FOREST CITY, IOWA.

Moved by Clouse, seconded by Holland, approving the renewal of a Class C beer and wine permit for Forest City Foods, and a new Class B beer and wine permit for the Riverview Family Restaurant. Motion carried unanimously.

Kathy Rollefson presented her monthly director's report for the Forest City Chamber of Commerce. No action was taken on this report.

The Mayor and Council discussed the Fiscal Year 2010 Road Use Tax Financial Report. After discussion, the Council took the following action:

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

Resolution No. 10-11-09, a Resolution found in Resolution Book 10-11. A RESOLUTION APPROVING THE FISCAL YEAR 2010 ROAD USE TAX FINANCIAL REPORT.

Moved by Sorensen, seconded by Honsey, approving a business loan in the amount of \$15,000 and a grant in the amount of \$3,000 to Heather Clement of Digitalic. Motion carried unanimously.

Police Chief Dan Davis explained that there had been a request to change Forest City Code to allow individuals who are under the age of 21 but are over the age of 18 to be in bars that are serving alcohol. After discussion, the Council took the following action:

Moved by Honsey, seconded by West, authorizing City Attorney Steve Bakke to draft an ordinance to allow adults ages 18 to 21 years to be in bars. The Council will review this ordinance at a future Council meeting. Motion carried unanimously.

The Mayor and Council discussed a Code amendment pertaining to municipal infractions that are issued for a violation that affects real property and requires a citation that shall include a legal description of the property. A copy of the citation shall also be filed with the County Treasurer. After discussion, the Council took the following action:

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

Ordinance No. 707 was then read by the Clerk, after which it was discussed.

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

Councilmember West moved that Ordinance No. 707 now be adopted. Councilmember Clouse seconded the motion to adopt. The roll was called and the vote was AYES: Sorensen, West, Clouse, Holland, Honsey, Skjeie. NAYS: None. ABSENT: Murphy. Whereupon the Mayor declared the Ordinance adopted as follows:

Ordinance No. 707, an Ordinance found on page _____ in 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.

The Mayor and Council discussed Chapter 17 of the Code of Iowa being amended, pertaining to providing false identification information to peace officers, emergency medical care providers or firefighters. After discussion, the Council took the following action:

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

Ordinance No. 708 was then read by the Clerk, after which it was discussed.

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

Councilmember Sorensen moved that Ordinance No. 708 now be adopted. Councilmember Honsey seconded the motion to adopt. The roll was called and the vote was AYES: Sorensen, West, Clouse, Holland, Honsey, Skjeie. NAYS: None. ABSENT: Murphy. Whereupon the Mayor declared the Ordinance adopted as follows:

Ordinance No. 708, an Ordinance found on page _____ in Ordinance Book No. _____ AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FOREST CITY, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO PROVIDING FALSE IDENTIFICATION INFORMATION.

The Mayor and Council discussed Senate File 2381, pertaining to amending to allow a City to designate streets which may be used for the operation of ATV's and off-road utility vehicles, and allowing them to stop at service stations or convenience stores. After discussion, the Council took the following action:

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

Ordinance No. 709 was then read by the Clerk, after which it was discussed.

Councilmember Honsey 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: Sorensen, West, Clouse, Holland, Honsey, Skjeie. NAYS: None. ABSENT: Murphy. Whereupon the Mayor declared the motion carried.

Councilmember Clouse moved that Ordinance No. 709 now be adopted. Councilmember Honsey seconded the motion to adopt. The roll was called and the vote was AYES: Sorensen, West, Clouse, Holland, Honsey, Skjeie. NAYS: None. ABSENT: Murphy. Whereupon the Mayor declared the Ordinance adopted as follows:

Ordinance No. 709, an Ordinance found on page _____ in Ordinance Book No. _____ AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FOREST CITY, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO ALL-TERRAIN VEHICLES.

The Mayor and Council discussed certain traffic regulations of bills that were enacted amending Chapter 321 of the Code of Iowa. These amendments relate to cowl lamps, text messaging, bicyclists, and registration cards. After discussion, the Council took the following action:

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

Ordinance No. 710 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 Honsey seconded the motion. The roll was called and the vote was AYES: Sorensen, West, Clouse, Honsey, Skjeie. NAYS: Holland. ABSENT: Murphy. Whereupon the Mayor declared the motion defeated. Six aye votes are required to waive the rules to have the Ordinance read on three different days be dispensed with. The second reading of Ordinance No. 710 will be at the September 20, 2010 Council meeting.

Ordinance No. 710, is AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FOREST CITY, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO TRAFFIC REGULATIONS.

Mayor Wilson asked that it be noted in the minutes of a \$180/yr longevity increase for Brian Lackore and for Chad Gerdes. He also noted that there would be a retirement party celebrating 27 years of service for Jerry Vega of the Street Department on Friday, September 10th, from 2 – 4 p.m. in the Council Chambers of City Hall.

The Mayor and Council discussed entering into closed session to discuss pending litigation. After discussion, the Council took the following action:

Moved by Sorensen, seconded by West, to enter into closed session, pursuant to Chapter 21.(5)1(c) to discuss strategy with Council on matters that are presently in litigation.

The Council entered into closed session at 8:21 p.m.

The Council re-opened the meeting at 8:54 p.m. and took the following action:

Moved by Sorensen, seconded by Holland, to pursue settlement as discussed in the closed session. Motion carried unanimously.

The Mayor and Council discussed the continuation of the Grow Forest City Project. After lengthy discussion, the Council took the following action:

Moved by Skjeie, seconded by Sorensen, to continue to pay Pat Galasso \$1,538 per week, or on an as-needed basis from October 1 through December 15, 2010. Either party can discontinue the service agreement by giving written notice. Motion carried unanimously.

The following invoices were approved for payment:

BOOCK/PAUL D	ANTI VIRUS	79.99
COPPES/TERESA	SERVICES	532.99
CUNNINGHAM/PAT	SERVICES	620.59
EOS INTERNATIONAL	SERVICES	6,239.71
F C ECON DEVEL CORP	DONATION	20,000.00
F C MUNICIPAL BAND	SERVICES	-
FEDERAL SIGNAL CORP	COMMODITIES	5,500.00
FEENEY/KRIS	SERVICES	350.00
FENSKE/BOB	SERVICES	175.00
IA ASSN OF MUN UTIL	REG/ROLLEFSON/HELLER	90.00
IA ST TREASURER	SALES TAX	11,746.00
IPERS	IPERS	12,913.09
JOHN DEERE CREDIT	LAWN MOWER	6,580.80
MELING/DENNIS	SERVICES	275.00
MUSIC ON THE MOVE	SERVICES	400.00
PAULEY/TOM	SERVICES	1,400.00
PETTY CASH	REIMBURSE PETTY CASH	44.22
PUTZ/TYLER	SERVICES	38.50

SCOOPY DOOS	GRANT	3,000.00
SLATER/JASON	SERVICES	125.00
SMEIGH/JAMIE	SERVICES	400.00
TIMMINS/KENNETH	COMMODITIES	19.00
TITONKA SAVINGS BANK	CD #55679	2,046,569.02
TRACH/JEREMY	SERVICES	75.00
U S POST OFFICE	POSTAGE	427.58
WOOLDRIDGE/KARL	SERVICES	125.00
ADVANCED SYSTEMS	MAINTENANCE	1,322.80
AMERICAN LIBRARY ASSOC.	MEMBERSHIP	180.00
AVESIS	INSURANCE	150.15
BAKER & TAYLOR COMPANY	COMMODITIES	1,923.95
BLACK HILLS ENERGY	GAS FOR GENERATION	2,658.33
BLUE CROSS-BLUE SHIELD	INSURANCE	26,265.21
COUNTRY	COMMODITIES	19.98
F C MUN UTILITIES	SERVICES	43.28
FABER/ANDREW	UNIFORM ALLOWANCE	41.98
GLOBE GAZETTE	SUBSCRIPTION	223.60
HANSEN HARDWARE HANK	COMMODITIES	59.98
HAWKINS INC	COMMODITIES	1,079.25
LACKORE/BRIAN	MEDICAL REIMBURSEMENT	400.00
LYLE'S SALES & SERVICE	COMMODITIES	29.25
MIDWEST TAPE	COMMODITIES	266.72
NO CENTRAL LIBRARY SVC	REGISTRATION/COSGRIFF	20.00
NORWEGIAN AM WEEKLY	COMMODITIES	55.00
PEOPLE WEEKLY	SUBSCRIPTION	116.07
COCA COLA ENTERPRISES	COMMODITIES	1,576.99
COSGRIFF/CHRISTA	EXPENSES	108.01
DEARBORN NATIONAL	INSURANCE	227.00
EDDY'S GLASS & DOOR	COMM/SERV	50.00
F C CHAMBER OF COMMERCE	REBATE/B RETLAND	200.00
PICTURE THIS	COMM/SERV	35.35
VEGA/JERRY	MEDICAL REIMBURSEMENT	400.00
VERIZON	SERVICES	332.53
BLACK HILLS ENERGY	GAS FOR HEAT	312.95
CHARLSON/ELYNN G	EXPENSES	35.52
EDMONDSON/SUE	MEDICAL REIMBURSEMENT	400.00
F C MUN UTILITIES	UTILITIES	15,092.50
F C SCHOOLS	COMMODITIES	100.00
FARMER'S CO-OP ASSOC	COMMODITIES	1,715.13
IOWA TELECOM	SERVICES	16.20
MASON CITY RED POWER	COMM/SERV	151.60
TWEETEN STUMP REMOVAL	COMM/SERV	110.00
UNION SECURITY	INSURANCE	528.32
WILD PRAIRIE PRIMITIVES	GRANT	551.22
AHLERS & COONEY PC	SERVICES	3,740.16
B & J WATER	COMM/SERV	11.50
BELIN LAW FIRM	SERVICES	2,446.21
BLUE SPACE	SERVICES	80.00
BMC AGGREGATES LC	COMMODITIES	502.79
BOMGAARS	COMMODITIES	192.72
CCP INDUSTRIES	COMMODITIES	145.21
D & D SALES	COMMODITIES	327.50
DAKOTA SUPPLY	COMMODITIES	1,086.30
DEWILD, GRANT, RECKERT &	SERVICES	255.00
DUECO	COMMODITIES	3,765.72
EDDY'S GLASS & DOOR	COMM/SERV	109.95
ELECTRONIC ENGINEERING	COMM/SERV	118.00
EXLINE	COMMODITIES	2,613.83
FEDERAL FIRE EQUIPMENT	COMMODITIES	65.25
FLETCHER-REINHARDT	COMM/TAX	865.90
FOREST CITY FORD	SERVICES	271.97
G C DISTRIBUTING	COMMODITIES	4,979.75
HAWKINS INC	COMMODITIES	742.96

HERMEL WHOLESAL	COMMODITIES	42.79
HUPP ELECTRIC	COMMODITIES	262.40
HYDRITE CHEMICAL	COMMODITIES	413.71
IOWA CODIFICATION	SERVICES	650.00
IOWA PRISON IND	COMMODITIES	53.50
KAISER AUTO REPAIR	COMM/SERV	37.19
KRAMER HARDWARE	COMMODITIES	104.93
LICHTSINN CHEVROLET	COMM/SERV	124.95
LYLE'S SALES & SERVICE	COMMODITIES	113.46
MUNICIPAL SUPPLY	COMMODITIES	620.58
NO CENTRAL SALES & SERVICE	COMM/SERV	2,540.79
QUILL CORPORATION	COMMODITIES	285.24
RED SHED LANDSCAPING	SERVICES	175.00
REEVES	COMMODITIES	13.66
RESCO	COMMODITIES	333.84
RSM MCGLADREY	COMMODITIES	27.00
SPAHN & ROSE	COMMODITIES	4.80
UTILITY EQUIP CO	COMMODITIES	795.17
WESCO	COMMODITIES	920.20

JULY RECEIPTS:

General Fund	2,171,823.23
Road Use Fund	24,339.54
Employee Benefit Fund	3,011.05
Local Option Sales Tax	24,790.72
TIF Fund	2,121.31
Debt Service Fund	10,274.45
CDBG Fund	78,117.00
Aquatic Center	2,066.00
Library Trust Fund	2,253.00
Water Fund	205,499.72
Sewer Rental Fund	49,589.79
Electric Fund	470,707.63
Storm Water Utility Fund	10,839.54
Payroll Clearing Fund	772.90

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

ATTEST:

Paul D. Boock, City Clerk

George Wilson, Mayor