

**REGULAR MEETING
OCTOBER 18, 2010**

The City Council of the City of Forest City, Iowa, met in regular session on October 18, 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 Honsey, Murphy, Skjeie, Sorensen, West, Clouse, Holland. Absent: None.

Moved by Skjeie, seconded by Murphy, approving the minutes as written for the meeting of October 4, 2010. Motion carried unanimously.

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

Street Superintendent Byron Ruitter introduced Travis Lawson of the Sanitation Department. The Mayor and Council welcomed Travis to employment with the City of Forest City.

The Mayor and Council discussed Ordinance No. 711, which allows 18, 19 and 20-year-olds in licensed premises under certain conditions.

Councilmember Sorensen introduced the following Ordinance and moved its adoption. Councilmember Holland seconded the motion to adopt.

Ordinance No. 711 was then read by the Clerk, after which it was discussed.

Citizens speaking in favor of the Ordinance included the following: Jack Caputo, Dan Davis, Kay Sorensen, Suzanne Murphy, Bob Alsop and Jason Ramaker. Citizens having concerns regarding the Ordinance were: Pastor Rod Hopp, Kristi Renchin, Ashley Lackore, June Lackore, Rachel Price, and Jessica Jordal. After considerable discussion, the Council took the following action:

Councilmember Skjeie made a motion to amend Ordinance No. 711, removing 18-year-olds from being allowed in licensed premises under certain conditions. Councilmember West seconded the motion to adopt. A roll call vote was requested and the vote was AYES: Skjeie, West. NAYS: Honsey, Murphy, Sorensen, Clouse, Holland. ABSENT: None. Motion defeated.

Councilmember Sorensen called for a vote on her original motion to adopt Ordinance No. 711 as drafted, which includes 18, 19, and 20-year-olds to be allowed in licensed premises under certain conditions. The roll was called and the vote was AYES: Honsey, Murphy, Sorensen, Clouse, Holland. NAYS: Skjeie, West. ABSENT: None.

Ordinance No. 711 was then read by the Clerk, after which it was discussed. This represents the third reading of Ordinance No. 711.

Councilmember Murphy moved that Ordinance No. 711 now be adopted. Councilmember Clouse seconded the motion to adopt. The roll was called and the vote was AYES: Honsey, Murphy, Sorensen, Clouse, Holland. NAYS: Skjeie, West. ABSENT: None. . Whereupon the Mayor declared the Ordinance adopted as follows:

Ordinance No. 711, an Ordinance found on page in Ordinance Book No. AN ORDINANCE AMENDING CHAPTER 120 OF THE FOREST CITY CODE OF ORDINANCES BY ALLOWING 18, 19 AND 20-YEAR-OLDS IN A LICENSED PREMISES UNDER CERTAIN CONDITIONS.

The Mayor and Council discussed the second reading of Ordinance No. 713, which eliminates the exception to overnight parking within certain areas and provides for a system to allow overnight parking under certain conditions, all within the City of Forest City. After discussion, the Council took the following action:

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

Ordinance No. 713 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 Murphy seconded the motion. The roll was called and the vote was AYES: Honsey, Murphy, Sorensen, West, Clouse, Holland. NAYS: Skjeie. ABSENT: None. Whereupon the Mayor declared the motion carried.

Councilmember Murphy moved that Ordinance No. 713 now be adopted. Councilmember Sorensen seconded the motion to adopt. The roll was called and the vote was AYES: Honsey, Murphy, Skjeie, Sorensen, West, Clouse, Holland. NAYS: None. ABSENT: None. Whereupon the Mayor declared the Ordinance adopted as follows:

Ordinance No. 713, an Ordinance found on page in Ordinance Book No. AN ORDINANCE AMENDING CHAPTER 69 OF THE CODE OF ORDINANCES, FOREST CITY, IOWA, BY ELIMINATING THE EXCEPTION TO OVERNIGHT PARKING WITHIN CERTAIN AREAS AND PROVIDING FOR A SYSTEM TO ALLOW OVERNIGHT PARKING UNDER CERTAIN CONDITIONS, ALL WITHIN THE CITY OF FOREST CITY.

The Mayor and Council discussed the City taking over ownership of a part of John K. Hanson Drive (Winnebago Industries' Haul Road). Discussion focused on the City's responsibility versus the cost of taking the road over and how it would fit into the budget. After discussion, the Council took the following action:

Moved by Murphy, seconded by Holland, to consider this issue during budget discussions in January 2011. Motion carried unanimously.

Beth Bilyeu, Director of Forest City Economic Development, presented her monthly report for the Mayor and Council. The Mayor and Council thanked Ms. Bilyeu for her information. No action was taken on this report.

The Mayor and Council discussed a request to close streets around the Courthouse on June 25, 2011, for Relay for Life. The Council indicated that the Mayor and Police Chief have authority to close streets and that they should make a decision regarding this issue.

Moved by Holland, seconded by Murphy, approving Pay Estimate No. 10 in the amount of \$134,685.30 to Larson Contracting for work done on the Public Works' Facility Project. Motion carried unanimously.

Suzanne Murphy and Rick Skjeie volunteered to be the City's representatives for the Police Union negotiations.

Moved by Honsey, seconded by Murphy, 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 roll was called and the vote was AYES: Honsey, Murphy, Skjeie, Sorensen, West, Clouse, Holland. NAYS: None. ABSENT: None. Motion carried unanimously.

The Council entered into closed session at 8:33 p.m.

The Council re-opened the meeting at 9:12 p.m.

Mayor Wilson stated that the Council would accept the recommendation of the Belin Law Firm, regarding the first lawsuit discussed in closed session.

Regarding the second lawsuit discussed in closed session, the Council took the following action:

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

Resolution No. 10-11-11, a Resolution found in Resolution Book 10-11. A RESOLUTION APPROVING THE COMPROMISE AND SETTLEMENT OF LITIGATION BETWEEN CERTAIN LAND OWNERS AND THE CITY OF FOREST CITY, IOWA, AND FOR THE EXECUTION OF THE SAME.

The following invoices were approved for payment:

AD STARR	COMMODITIES	215.71
ERNIE WILLIAMS LTD	COMMODITIES	357.99
F C CHAMBER OF COMMERCE	REBATE/J CARTER	150.00
F C MUN UTILITIES	TENNIS COURTS	2,000.00
G & H MOTOR PARTS	COMMODITIES	50.27
GREAT LAKES SPORTS	COMMODITIES	99.82
KNAPPER OIL CO	COMMODITIES	563.96
MERCY CLINICS	SERVICES	164.00
ORIENTAL TRADING COMPANY	COMMODITIES	303.79
SCHNEBLY'S "66"	COMMODITIES	4,693.89
SECRETARY OF STATE	NOTARY/DAVIS	30.00
ST LUKE'S HEALTH RESOURCE	SERVICES	117.00
U S POST OFFICE	POSTAGE	44.00
VERIZON	SERVICES	24.92
WCTA	SERVICES	1,336.38
ALLIED MANATTS LLC	RETAINAGE	85,297.75

BOOCK/PAUL D	EXPENSES	42.59
COPPE/TERESA	SERVICES	532.99
CUNNINGHAM/PAT	SERVICES	632.99
DIGITALIC	LOAN	15,000.00
ELLIOTT EQUIPMENT	NEW TRUCK	105,813.48
GALASSO/PAT	SERVICES	15,076.00
IA ST TREASURER	SALES	10,520.00
IOWA WORKFORCE DEV	UNEMPLOYMENT TAX	206.40
IPERS	IPERS	12,892.28
OWEN/DILLON	REIMBURSEMENT	107.00
PETTY CASH	REIMBURSE PETTY CASH	135.54
THOMPSON/BECKY	EXPENSES	44.85
TITONKA SAVINGS BANK	FICA	13,015.94
U S POST OFFICE	POSTAGE	386.09
US TREASURY	SHIPPING	112.55
WINNEBAGO CO TREASURER	TAXES	638.00
AD STARR	COMMODITIES	60.40
AUKES LAWN & PEST	SERVICES	1,750.00
BLACK HILLS ENERGY	GAS FOR HEAT	1,712.35
DAIRYLAND POWER CO-OP	PURCHASED ENERGY	237,294.99
FARM & CITY INSURANCE	INSURANCE	131.00
FARMER'S CO-OP ASSOC	COMMODITIES	3,419.15
HANSEN HARDWARE HANK	COMMODITIES	26.29
HASLER	METER RENTAL	105.00
HYGIENIC LAB ACCTS REC	SERVICES	11.00
I WIRELESS	SERVICES	92.85
MONTGOMERY/TOM	REIMBURSEMENT	111.61
PRAIRIE ENERGY CO-OP	UTILITIES	123.90
RANDALL READY MIX	COMMODITIES	794.49
SID'S	COMMODITIES	204.18
TRIMBLE/DICK	SERVICES	3,123.80
UMMPA	UMMPA	4,126.94
WWMPG	STS COSTS	10,936.38
ACS	CONTRACT	625.00
AHLERS & COONEY PC	SERVICES	18.00
AIRGAS	COMM/SERV	28.38
AMERICAN LEGION	COMMODITIES	175.00
ARAMARK	COMM/SERV	676.02
B & J WATER	COMM/SERV	23.00
B C & T BUNN	COMMODITIES	1,594.30
BILL'S FAMILY FOODS	COMMODITIES	62.53
BLUE SPACE	SERVICES	40.00
BMC AGGREGATES LC	COMMODITIES	1,716.62
BOTACH TACTICAL	COMMODITIES	398.80
CLAPSADDLE GARBER ASSOC	SERVICES	5,410.00
CONSTELLATION ENERGY	SERVICES	1,450.35
CREATIVE FORMS	COMMODITIES	1,310.77
CREATIVE PRODUCT	COMMODITIES	236.49
CRESCENT ELECTRIC	COMMODITIES	19.44

CULVER HAHN	COMMODITIES	330.30
DES MOINES REGISTER	SERVICES	946.00
EDDY'S GLASS & DOOR	COMM/SERV	205.97
ELECTRONIC ENGINEERING	COMM/SERV	315.90
FARMER'S CO-OP ASSOC	COMMODITIES	582.50
FIALA OFFICE PRODUCTS	SERVICES	25.00
FLETCHER-REINHARDT	COMM/TAX	501.18
FOREST CITY FOODS	COMMODITIES	30.67
FOREST CITY FORD	COMM/SERV	55.22
G & H MOTOR PARTS	COMMODITIES	625.53
GOOD/AL	SERVICES	1,850.00
GRAHAM TIRE	COMMODITIES	375.64
GRAINGER	COMMODITIES	285.97
H & S AUTO PARTS	COMMODITIES	125.33
HANSEN HARDWARE HANK	COMMODITIES	596.06
HAROLD K SCHOLZ COMPANY	COMM/SERV	68.13
HEIMAN, INC	COMMODITIES	11,143.56
HYGIENIC LAB ACCTS RE	SERVICES	717.00
IA ASSN OF MUN UTIL	COMMODITIES	21.49
IA LAW ENFORCEMENT ACAD	SERVICES/BARTLESON	235.00
INTERSTATE ALL BATTERY CNTR	COMMODITIES	66.18
IOWA DNR	WATER USE FEE	135.00
IOWA WATER MANAGEMENT	COMMODITIES	100.98
K & K DEVELOPMENT	REBATE	5,000.00
K I O W	SERVICES	288.00
LANDFILL OF NORTH IOWA	LANDFILL COSTS	5,976.10
LARSON CONTRACTING	EST #10	134,685.30
LAW ENFORCEMENT SYSTEMS	COMMODITIES	92.40
LOGE/JOSH	SERVICES	734.00
MANTRONICS	SERVICES	365.17
MARSHALL & SWIFT	COMM/SERV	78.00
MATT PARROTT & SONS	COMMODITIES	385.97
N I A C C	TRAINING	120.00
NO IA MEDIA GROUP	SERVICES	801.38
PAMIDA STORES OP LLC	COMMODITIES	8.49
QUILL CORPORATION	COMMODITIES	191.75
R & S OSNES PAINT	COMMODITIES	170.99
RDJ SPECIALTIES	COMMODITIES	323.28
RELIABLE OFFICE SUPPLIES	COMMODITIES	80.54
RESCO	COMMODITIES	171.20
RSM MCGLADREY	SERVICES	54.00
SANDRY FIRE SUPPLY	COMMODITIES	48.82
SCHNEBLY'S "66"	COMMODITIES	288.00
SERVICE CONCEPTS	COMMODITIES	1,284.48
SOLOMON ELECTRIC	COMMODITIES	234.48
TRANS IOWA EQUIPMENT	COMMODITIES	6,358.08
WAGNER TIRE	COMM/SERV	303.00
WASTE MGMT OF SOUTHERN	RECYCLE	4,422.35
WESTRUM LEAK DETECTION	SERVICES	2,700.00
WINN TECH CENTRAL	COMM/SERV	3,896.99

SEPTEMBER RECEIPTS:

General Fund	85,521.81
Road Use Fund	42,268.86
Employee Benefit Fund	13,558.09
Local Option Sales Tax	27,687.95
TIF Fund	55,583.85
Low/Mod Income	2,824.40
Debt Service Fund	26,450.48
Aquatic Center	133.00
Water Fund	34,762.93
Sewer Rental Fund	50,232.71
Electric Fund	600,995.45
Storm Water Utility Fund	10,942.13
Payroll Clearing Fund	2,929.68

SEPTEMBER NET SALARIES:

124,150.65

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

ATTEST:

Paul D. Boock, City Clerk

George Wilson, Mayor