

**REGULAR MEETING
MARCH 16, 2009**

The City Council of the City of Forest City, Iowa, met in regular session on March 16, 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: West, Clouse, Holland, Skjeie, Sorensen. Absent: Caputo, Murphy.

Moved by Sorensen, seconded by Skjeie, approving the minutes as written for the meeting of March 2, 2009. Motion carried unanimously.

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

Councilmember Murphy and Councilmember Caputo enter the meeting at 7:07 p.m.

Pat Galasso was present at the meeting and updated the Mayor and Council on activities for the Grow Forest City Project. Galasso touched briefly on the Shop Local Project, the Blue Space Survey, the website map, and other exciting things going on with the Grow Forest City Project. No action was taken on this report.

Mayor Wilson reviewed Ordinance No. 686, which relates to underage drinking of alcohol.

School Superintendent Darwin Lehmann asked the Council to consider eliminating Subsection 4 of the Ordinance, which was discussed and voted on at the March 2, 2009, Council meeting. Subsection 4 concerns Affirmative Defense of Violation. After discussion, the Council took the following action:

Moved by Sorensen, seconded by Caputo, to remove Subsection 4 of Ordinance No. 686. A roll call vote was requested. The roll was called and the vote was AYES: West, Caputo, Clouse, Holland, Murphy, Skjeie, Sorensen. NAYS: None. ABSENT: None. Whereupon the Mayor declared the motion carried.

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

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

Ordinance No. 686, as amended, was then read by the Clerk, after which it was discussed. Ordinance No. 686 is AN ORDINANCE ADDING PROVISIONS TO CHAPTER 45 IN REGARD TO UNDERAGE CONSUMPTION OF ALCOHOL. This represents the first reading of Ordinance No. 686. The second reading of Ordinance No. 686 will be at the April 6, 2009, Council meeting.

Moved by Murphy, seconded by Skjeie, approving the renewal of a beer/wine permit for Sum Hing Restaurant. Motion carried unanimously.

Mayor Wilson led the discussion regarding establishing new utility rates for the City of Forest City. After discussion, the Council took the following action:

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

Ordinance No. 687 was then read by the Clerk, after which it was discussed. Ordinance No. 687 is AN ORDINANCE TO AMEND CHAPTER 92.02 BY AMENDING THE RATES FOR WATER SERVICE FOR THE CITY OF FOREST CITY, IOWA. This represents the first reading of Ordinance No. 687. The second reading of Ordinance No.687 will be at the April 6, 2009, Council meeting.

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

Ordinance No. 688 was then read by the Clerk, after which it was discussed. Ordinance No. 688 is AN ORDINANCE WHICH AMENDS CHAPTER 99.02 BY AMENDING THE RATES FOR THE SANITARY SEWER SYSTEM, CITY OF FOREST CITY, IOWA. This represents the first reading of Ordinance No. 688. The second reading of Ordinance No.688 will be at the April 6, 2009, City Council Meeting.

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

Ordinance No. 689 was then read by the Clerk, after which it was discussed. Ordinance No. 689 is AN ORDINANCE WHICH AMENDS CHAPTER 106 OF THE CODE OF ORDINANCES, FOREST CITY, IOWA BY INCREASING COLLECTION FEES FOR THE RECYCLING OF CERTAIN SOLID WASTE. This represents the first reading of Ordinance No. 689. The second reading of Ordinance No.689 will be at the April 6, 2009, Council meeting.

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

Ordinance No. 690 was then read by the Clerk, after which it was discussed. Ordinance No. 690 is AN ORDINANCE WHICH AMENDS CHAPTER 106 OF THE CODE OF ORDINANCES, FOREST CITY, IOWA BY INCREASING COLLECTION FEES FOR THE DISPOSAL OF CERTAIN SOLID WASTE. This represents the first reading of Ordinance No. 690. The second reading of Ordinance No.690 will be at the April 6, 2009, Council meeting.

The Mayor and Council discussed the need to increase the electric rates for the City of Forest City. The City Council asked that a Special Council Meeting be set for March 23, 2009, at 7:00 p.m. in the Council Chambers of City Hall to discuss this issue. Blair Metzger of DGR will lead the meeting.

Jim Oulman was present at the meeting and asked the Council to approve a new urban renewal district urban renewal agreement for Winnebago County. Mr. Oulman reviewed the specifics of the project. 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: West, Caputo, Clouse, Holland, Murphy, Skjeie, Sorensen. NAYS: None. ABSENT: None. Whereupon the Mayor declared the Resolution duly adopted as follows:

Resolution No. 08-09-29, a Resolution found in Resolution Book 08-09. A RESOLUTION APPROVING THE WINNEBAGO COUNTY URBAN RENEWAL AND ECONOMIC DEVELOPMENT DISTRICT URBAN RENEWAL AGREEMENT WITH WINNEBAGO COUNTY, IOWA.

Moved by Clouse, seconded by Sorensen, approving the purchase of a new City Hall computer system through ACS Systems, St. Cloud, Minnesota. The cost of the system is \$25, 995.69. Motion carried unanimously.

Moved by Murphy, seconded by Clouse, granting permission for the Police Department to pay a kenneling fee to Andrew Klein for one month for caring for the City's police canine. Motion carried unanimously.

Mayor Wilson asked that it be noted in the minutes of the following personnel changes:

- Chad Gerdes will be transferring from Sanitation to the Water/Wastewater Department and will receive a base rate of \$19.92 per hour, effective March 30, 2009.
- Andrew Faber will be promoted to Sanitation Foreman at a base rate of \$17.90 per hour, effective March 30, 2009.
- Barry Coppes will be transferring from the Light Plant to Sanitation and will receive a base rate of \$17.08 per hour, effective April 13, 2009.

Moved by Murphy, seconded by Sorensen, to enter into closed session, pursuant to Section 21.5(1c), to discuss strategy with Council on matters that are currently in litigation or where litigation is imminent. The roll was called and the vote was AYES: West, Caputo, Clouse, Holland, Murphy, Skjeie, Sorensen. NAYS: None. ABSENT: None. Whereupon the Mayor declared the motion carried.

The Council entered into closed session at 8:45 p.m.

The Council reopened the meeting at 9:43 p.m. and took the following action:

Moved by Murphy, seconded by Sorensen, authorizing a letter to be written to Employer's Mutual Company and Holland Contracting, making a claim for deficiencies on the Prairie View Estates Subdivision. Motion carried, with Holland abstaining.

The following invoices were approved for payment:

BLACK HILLS ENERGY	GAS FOR HEAT	7,361.78
CHARLSON/ELYNN G	UNIFORM ALLOWANCE	63.77
CREDIT BUREAU SVCS OF IA	SERVICES	46.41
F C MUN UTILITIES	UTILITIES	8,459.79
G & H MOTOR PARTS	COMMODITIES	16.96
IOWA TELECOM	SERVICES	193.10
K I O W	SERVICES	120.00
KNAPPER OIL CO	COMMODITIES	19.08
MARSHALL & SWIFT	COM/SERV	37.77
PAMIDA STORES OP LLC	COMMODITIES	110.39
PETTY CASH	REIMBURSE PETTY CASH	68.66
PRAIRIE ENERGY CO-OP	UTILITIES	143.24
REICKS/KEVIN J	UNIFORM ALLOWANCE	42.61
SCHNEBLY'S "66"	COMMODITIES	75.70
SECRETARY OF STATE	NOTARY/MONSEN	30.00
WCTA	SERVICES	1,301.15
AHEELA	CONFERENCE	85.00
BAUDVILLE	COMMODITIES	154.00
BOOCK/PAUL D	EXPENSES	35.75
COPPES/TERESA	SERVICES	496.72
COSGRIFF/CHRISTA	EXPENSES	65.78
CUNNINGHAM/PAT	SERVICES	596.72
DAVISON/ROBERT	EXPENSES	33.00
ELECTRONIC ENGINEERING	COMM/SERV	820.45
FERGUSON ENTERPRISES #522	COMMODITIES	148.40
IA NARCOTICS OFFICERS	REG/CALDWELL/OELTJENBRUN	50.00
IA ST TREASURER	SALES TAX	10,473.00
IPERS	IPERS	10,164.75
MASSIE/GINNIE	LOAN	15,000.00
MONTGOMERY/TOM	REIMBURSEMENT	25.00
PEDERSEN/MIKE	SERVICES	250.00
TITONKA SAVINGS BANK	FICA	10,849.56
U S POST OFFICE	POSTAGE	571.56
ADVANCED SYSTEMS	SERVICES	234.27
ALLTEL CORP ACCTS PAYABLE	SERVICES	26.87
AMAZON.COM	COMMODITIES	12.99
AMSTERDAM PRINTING	COMMODITIES	166.11
ATLAS PEN & PENCIL	COMMODITIES	229.05
BILL'S FAMILY FOODS	COMMODITIES	98.70
BIRDS AND BLOOMS	COMMODITIES	29.98
BLACK HILLS ENERGY	GAS FOR HEAT	505.88
CONSTELLATION ENERGY	GAS FOR GENERATION	3,517.64
COUNTRY LIVING	SUBSCRIPTION	25.68
DAIRYLAND POWER CO-OP	PURCHASED ENERGY	195,104.32
DAVIS/DANIEL	REIMBURSEMENT	425.80
DISCOVER	SUBSCRIPTION	29.95
FARMER'S CO-OP ASSOC	COMMODITIES	1,679.26
FROST/JAMES	EXPENSES	43.60
HIGHSMITH	COMMODITIES	50.68
I WIRELESS	SERVICES	81.17
MERCY CLINICS	SERVICES	161.00
MIDWEST TAPE	COMMODITIES	27.99
ORIENTAL TRADING COMPANY	COMMODITIES	49.32
RELIABLE OFFICE SUPPLIES	COMMODITIES	54.46
SCHNEBLY'S "66"	COMMODITIES	1,991.27
SELF	SUBSCRIPTION	17.97
SHOP NOTES	SUBSCRIPTION	22.00
SID'S	COMMODITIES	1,423.62
TASTE OF HOME	COMMODITIES	29.98
THOMAS BOUREGY & CO	COMMODITIES	139.50
TRIMBLE/DICK	SERVICES	2,774.18
AHLERS & COONEY PC	SERVICES	515.91
AIRGAS	COMMODITIES	24.94

AMERICAN CRANE	SERVICES	95.00
ARAMARK	SERVICES	609.05
B & J WATER	COMM/SERV	13.25
BILL'S FAMILY FOODS	COMMODITIES	42.99
BMC AGGREGATES LC	COMMODITIES	76.51
CENTRAL IA DISTRIBUTING	COMMODITIES	127.50
CHRYSLER OF FOREST CITY	COMMODITIES	4.50
CINTAS FIRST AID	COMMODITIES	28.73
CLAPSADDLE GARBER ASSOC	SERVICES	7,697.44
DAKOTA SUPPLY	COMMODITIES	599.68
DES MOINES REGISTER	ADVERTISING	1,140.00
ELECTRONIC ENGINEERING	COMM/SERV	895.50
ELLIOTT EQUIPMENT	COMMODITIES	84.38
F C ECON DEVEL CORP	GALASSO SERVICES	16,000.00
FARMER'S CO-OP ASSOC	COMMODITIES	10,731.00
FASTENAL	COMMODITIES	104.36
FOREST CITY FOODS	COMMODITIES	37.27
FOREST CITY FORD	COMM/SERV	203.31
G & H MOTOR PARTS	COMMODITIES	1,137.67
HANSEN HARDWARE HANK	COMMODITIES	343.05
HERMEL WHOLESALE	COMMODITIES	30.00
HYDRITE CHEMICAL	COMMODITIES	423.74
IA ASSN OF MUN UTIL	DUES	7,382.10
IA DIVISION OF LABOR SERVICES	SERVICES	25.00
INTERSTATE ALL BATTERY CNTR	COMMODITIES	56.15
J & J MACHINING	SERVICES	385.00
KAISER AUTO REPAIR	COMM/SERV	22.09
KEN'S RV	COMMODITIES	100.81
LAB SAFETY SUPPLY	COMMODITIES	215.44
LANDFILL OF NORTH IOWA	LANDFILL COSTS	3,600.97
MARSHALL & SWIFT	SERVICES	47.20
MID AM RESEARCH CHEMICAL	COMMODITIES	229.15
MOMAR	COMMODITIES	152.15
MOTION INDUSTRIES	COMMODITIES	219.96
NO IA MEDIA GROUP	SERVICES	610.34
PAMIDA STORES OP LLC	COMMODITIES	13.16
PRINTING SERVICES INC	COMMODITIES	242.69
QUILL CORPORATION	COMMODITIES	51.12
RADAR ROAD TEC	COMMODITIES	425.00
RSM MCGLADREY	SERVICES	33.00
SELECT COMMUNICATION	COMMODITIES	246.07
SIOUX CITY FOUNDRY	COMMODITIES	1,410.72
SMITH AUTO PARTS	COMMODITIES	35.00
STATE AUDITOR	SERVICES	625.00
STREICHER'S	COMMODITIES	181.99
TITAN MACHINERY	COMMODITIES	1,434.05
TODD CO/MICHAEL	COMMODITIES	154.42
TRANS IOWA EQUIPMENT	COMMODITIES	77.48
WAGNER TIRE	COMM/SERV	263.00
WASTE MGMT OF SOUTHERN	RECYCLE	4,165.45
WINN TECH CENTRAL	SERVICES	75.00
ZIEGLER, INC.	COMMODITIES	88.45

FEBRUARY RECEIPTS:

General Fund	36,080.44
Road Use Fund	36,795.45
Employee Benefit Fund	760.58
Local Option Sales Tax	27,941.62
TIF Fund	2,121.31
ED-RLF	875.00
Debt Service Fund	4,226.72
Aquatic Center	9,628.46
Library Trust Fund	150.00
Water Fund	28,944.15
Sewer Rental Fund	42,432.50
Electric Fund	364,233.27
Storm Water Utility Fund	11,139.07
Payroll Clearing Fund	52.99

FEBRUARY NET SALARIES:

February 2009	101,160.71
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Moved by Murphy, seconded by Clouse, to adjourn the meeting. Motion carried unanimously.

ATTEST:

Paul D. Boock, City Clerk

George Wilson, Mayor