

**REGULAR MEETING
APRIL 6, 2009**

The City Council of the City of Forest City, Iowa, met in regular session on April 6, 2009, at 7:00 p.m. in the Council Chambers of City Hall, Forest City, Iowa.

Mayor Pro-Tem Suzanne Murphy called the meeting to order. Councilmembers present at roll call were: Holland, Skjeie, Sorensen, West, Caputo. Absent: Clouse.

Mayor Pro-Tem Murphy announced that this was the time and the place for a Public Hearing regarding the plans, specifications, form of contract and estimate of cost for the 2009 Wastewater Treatment Plant Improvement Project. Angie Kohls of WHKS reviewed the scope of the project for those in attendance. Since there were no written objections filed, nor were there any oral objectors present at the meeting, the Mayor Pro-Tem declared the Hearing to be closed. After discussion, the Council took the following action:

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

Resolution No. 08-09-30, a Resolution found in Resolution Book 08-09. A RESOLUTION APPROVING THE PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE 2009 WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT FOR THE CITY OF FOREST CITY, IOWA.

The Mayor Pro-Tem and Council discussed the afore-mentioned project and determined that an award should be made to the low bidder of Wapasha Construction, Winona, Minnesota. After discussion, the Council took the following action:

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

Resolution No. 08-09-31, a Resolution found in Resolution Book 08-09. A RESOLUTION MAKING AWARD OF A CONTRACT FOR THE 2009 WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT FOR THE CITY OF FOREST CITY, IOWA.

Mayor Pro-Tem Murphy announced that this was the time and the place for a Public Hearing regarding the plans, specifications, form of contract and estimate of cost for the 2009 Sanitary Sewer & Water Main Improvement Project. Tim Hruska of WHKS reviewed the scope of the project for those in attendance. Since there were no written objections filed, nor were there any oral objectors present at the meeting, the Mayor Pro-Tem declared the Hearing to be closed. After discussion, the Council took the following action:

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

Resolution No. 08-09-32, a Resolution found in Resolution Book 08-09. A RESOLUTION APPROVING THE PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE 2009 SANITARY SEWER & WATER MAIN IMPROVEMENT PROJECT FOR THE CITY OF FOREST CITY, IOWA.

The Mayor Pro-Tem and Council discussed the afore-mentioned project and determined that an award should be made to the low bidder of R & R Excavating, Hutchinson, Minnesota. After discussion, the Council took the following action:

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

Resolution No. 08-09-33, a Resolution found in Resolution Book 08-09. A RESOLUTION MAKING AWARD OF A CONTRACT FOR THE 2009 SANITARY SEWER & WATER MAIN IMPROVEMENT PROJECT FOR THE CITY OF FOREST CITY, IOWA.

Moved by Caputo, seconded by Murphy, approving the minutes as written for the meetings of March 16 and March 23, 2009. 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.

Light Plant Superintendent Roger Rollefson introduced new Light Plant employee, Adam Russell, to the Mayor Pro-Tem and City Council. Mayor Pro-Tem Murphy welcomed Adam to the City staff.

The Mayor Pro-Tem and Council discussed whether to have City-Wide Cleanup Day this year. Street Superintendent Byron Ruitter reviewed the previous years' expenses and revenues for the project. Ruitter reported that the plan was to continue with the same budget as in previous years, with the City paying for the fuel, labor and landfill costs. After discussion, the Council took the following action:

Moved by Sorensen, seconded by West, approving City-Wide Cleanup Day to be May 9, 2009. Motion carried unanimously.

Mayor Pro-Tem Murphy and Council discussed Ordinance No. 686, which relates to underage drinking of alcohol. After discussion, the Council took the following action:

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

Ordinance No. 686 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 Holland seconded the motion. The roll was called and the vote was AYES: Holland, Murphy, Sorensen, West, Caputo. NAYS: Skjeie. ABSENT: Clouse. Whereupon the Mayor Pro-Tem declared the motion defeated. Six votes are required to waive the rules requiring said Ordinance to be read on three different days.

Ordinance No. 686 is AN ORDINANCE ADDING PROVISIONS TO CHAPTER 45 IN REGARD TO UNDERAGE CONSUMPTION OF ALCOHOL. This represents the second reading of Ordinance No. 686. The third reading of Ordinance No. 686 will be at the April 20, 2009, Council meeting.

The Mayor Pro-Tem and Council discussed Ordinance No. 687, which relates to amending water rates. After discussion, the Council took the following action:

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

Ordinance No. 687 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: Holland, Murphy, Skjeie, Sorensen, West, Caputo. NAYS: None. ABSENT: Clouse. Whereupon the Mayor Pro-Tem declared the motion carried.

Councilmember Sorensen moved that Ordinance No. 687 now be adopted. Councilmember Holland seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Murphy, Skjeie, Sorensen, West, Caputo. NAYS: None. ABSENT: Clouse. Whereupon the Mayor Pro-Tem declared the Ordinance adopted as follows:

Ordinance No. 687, an Ordinance found on page _____ of Ordinance Book No. _____ AN ORDINANCE TO AMEND CHAPTER 92.02 BY AMENDING THE RATES FOR WATER SERVICE FOR THE CITY OF FOREST CITY, IOWA.

The Mayor Pro-Tem and Council discussed Ordinance No. 688, which relates to amending sanitary sewer rates. After discussion, the Council took the following action:

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

Ordinance No. 688 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 Holland seconded the motion. The roll was

called and the vote was AYES: Holland, Murphy, Skjeie, Sorensen, West, Caputo. NAYS: None. ABSENT: Clouse. Whereupon the Mayor Pro-Tem declared the motion carried.

Councilmember Caputo moved that Ordinance No. 688 now be adopted. Councilmember Holland seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Murphy, Skjeie, Sorensen, West, Caputo. NAYS: None. ABSENT: Clouse. Whereupon the Mayor Pro-Tem declared the Ordinance adopted as follows:

Ordinance No. 688, an Ordinance found on page _____ of Ordinance Book No. _____ AN ORDINANCE TO AMEND CHAPTER 99.02 BY AMENDING THE RATES FOR THE SANITARY SEWER SYSTEM, CITY OF FOREST CITY, IOWA.

The Mayor Pro-Tem and Council discussed Ordinance No. 689, which relates to amending recycling rates. After discussion, the Council took the following action:

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

Ordinance No. 689 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 West seconded the motion. The roll was called and the vote was AYES: Holland, Murphy, Skjeie, Sorensen, West, Caputo. NAYS: None. ABSENT: Clouse. Whereupon the Mayor Pro-Tem declared the motion carried.

Councilmember West moved that Ordinance No. 689 now be adopted. Councilmember Sorensen seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Murphy, Skjeie, Sorensen, West, Caputo. NAYS: None. ABSENT: Clouse. Whereupon the Mayor Pro-Tem declared the Ordinance adopted as follows:

Ordinance No. 689, an Ordinance found on page _____ of Ordinance Book No. _____ AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, FOREST CITY, IOWA BY INCREASING COLLECTION FEES FOR THE RECYCLING OF CERTAIN SOLID WASTE.

The Mayor Pro-Tem and Council discussed Ordinance No. 690, which relates to rates for disposal of solid waste. After discussion, the Council took the following action:

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

Ordinance No. 690 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 Caputo seconded the motion. The roll was called and the vote was AYES: Holland, Murphy, Skjeie, Sorensen, West, Caputo. NAYS: None. ABSENT: Clouse. Whereupon the Mayor Pro-Tem declared the motion carried.

Councilmember Caputo moved that Ordinance No. 690 now be adopted. Councilmember West seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Murphy, Skjeie, Sorensen, West, Caputo. NAYS: None. ABSENT: Clouse. Whereupon the Mayor Pro-Tem declared the Ordinance adopted as follows:

Ordinance No. 690, an Ordinance found on page _____ of Ordinance Book No. _____ AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, FOREST CITY, IOWA BY INCREASING COLLECTION FEES FOR THE DISPOSAL OF CERTAIN SOLID WASTE.

The Mayor Pro-Tem and Council discussed Ordinance No. 691, which relates to amending electric rates. After discussion, the Council took the following action:

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

Ordinance No. 691 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 Holland seconded the motion. The roll was called and the vote was AYES: Holland, Murphy, Skjeie, Sorensen, West, Caputo. NAYS: None. ABSENT: Clouse. Whereupon the Mayor Pro-Tem declared the motion carried.

Councilmember Holland moved that Ordinance No. 691 now be adopted. Councilmember West seconded the motion to adopt. The roll was called and the vote was AYES: Holland, Murphy, Skjeie, Sorensen, West, Caputo. NAYS: None. ABSENT: Clouse. Whereupon the Mayor Pro-Tem declared the Ordinance adopted as follows:

Ordinance No. 691, an Ordinance found on page _____ of Ordinance Book No. _____ AN ORDINANCE TO AMEND CHAPTER 111.02 BY AMENDING THE RATES FOR THE ELECTRICAL UTILITY SYSTEM FOR THE CITY OF FOREST CITY, IOWA.

Street Superintendent Byron Ruitter reported that the City of Forest City had received approval from FEMA for the Drainage Outlet Project on North 4th Street. Ruitter reported the project is eligible for \$38,881.00, of which \$34,992.90 is the federal share. After discussion, the Council took the following action:

Moved by Murphy, seconded by Holland, that the City enter into an engineering contract with Veenstra & Kimm in the amount of \$5,900 to engineer said project. Engineering expenses are eligible toward the cost of this project. Motion carried unanimously.

Moved by Skjeie, seconded by Caputo, approving Pay Estimate No. 1 in the amount of \$20,292 to Visu-Sewer for work done on the 2008 Sanitary Sewer Lining & Grouting Project. Motion carried unanimously.

Moved by Holland, seconded by Skjeie, approving the renewal of beer & wine permits for Bill's Family Foods and Pamida. Motion carried unanimously.

The Mayor Pro-Tem and Council discussed an offer to sell the City a vacant lot (22 x 77) south of First Choice Realty on Clark Street in Forest City for the assessed value. This issue was referred to Pat Galasso, Grow Forest City Project Manager, for study. This item will be placed on the next regular Council agenda for further discussion.

Mike Van Auken was present at the meeting and led the discussion regarding a proposed community garden. The Mayor Pro-Tem and Council asked if Heritage Park might be a site that would work for this project. Van Auken indicated he would attend the board meeting at Heritage Park on Tuesday evening, April 7, 2009 to discuss this project. No action taken on this issue.

The Mayor Pro-Tem and Council discussed a report by City Attorney Bakke on minimum finished floor elevations. The Mayor Pro-Tem asked City Attorney Bakke to draft a letter asking that Prairie View Estates establish this as a restricted covenant for their subdivision.

Street Superintendent Byron Ruitter reported that the City of Forest City did an excellent job in recycling for 2008. The City averaged over 10 pounds per person for recycling. No action was taken on this report.

Mayor Pro-Tem Murphy asked that it be noted in the minutes that Doug Price has been hired as a Light Plant operator at a base wage of \$19.61 per hour, effective April 13, 2009.

The following invoices were approved for payment:

AQUATIC CENTER	DEDUCTION	219.46
BLACK HILLS ENERGY	GAS FOR HEAT	1,181.15
HARRINGA/KATHY	REIMBURSEMENT	21.38
MYRON CORPORATION	COMMODITIES	207.83
RELIABLE OFFICE SUPPLIES	COMMODITIES	325.80
SINNWELL/ANDY	COMMODITIES	521.29
UMMPA	UMMPA COSTS	669.77
UNITED INDUSTRIES	COMMODITIES	467.00
WWMPG	STS COSTS	9,466.06
ALLTEL CORP ACCTS PAYABLE	SERVICES	358.37
BAKER/KEN	SERVICES	325.00
BINA/CHAD	MEDICAL REIMBURSEMENT	400.00
BLACK HILLS ENERGY	GAS FOR HEAT	234.69
BLUE CROSS-BLUE SHIELD	INSURANCE	22,730.61
COSGRIFF/CHRISTA	EXPENSES	44.00
DINGMAN/DAN	SERVICES	440.00
F C CHAMBER OF COMMERCE	REBATE/JOHNSON	10.00

FENSKE/BOB	SERVICES	275.00
FREDRICKSON/TIM	SERVICES	400.00
HALSTED/TONY	SERVICES	440.00
JEFSON/KIRK	SERVICES	80.00
KRAGEL/MARK	SERVICES	125.00
MEINDERS/DAVE	SERVICES	300.00
MEYERS/KEN	SERVICES	375.00
MONTGOMERY/TED	SERVICES	150.00
NEE/DAVE	SERVICES	250.00
PITNEY BOWES	MAINTENANCE	17.75
ROBERTS SPECIALTY	SERVICES/VEGA	9.50
SLATER/JASON	SERVICES	180.00
SYLVIA'S SWIMWEAR	COMMODITIES	740.72
THEISS SHIRTS, INC	COMMODITIES	130.65
UNION SECURITY	INSURANCE	483.17
WELP/MATT	SERVICES	110.00
WOOLDRIDGE/KARL	SERVICES	375.00
WUMKES/SHAUN	SERVICES	240.00
ASCHENBRENNER/BETH	UNIFORM ALLOWANCE	40.55
BAKER & TAYLOR COMPANY	COMMODITIES	821.97
BOOCK/PAUL D	EXPENSES	35.67
COPPE/TERESA	SERVICES	496.72
COSGRIFF/CHRISTA	REIMBURSEMENT	126.32
CUNNINGHAM/PAT	SERVICES	596.72
FARM & CITY INSURANCE	INSURANCE	179,247.00
HELLER/STEVEN	REIMBURSEMENT	101.13
IA ST TREASURER	SALES TAX	11,273.00
IOWA WORKFORCE DEV	UNEMPLOYMENT TAX	452.82
IPERS	IPERS	17,450.12
MOSIMAN/ANGELA	REIMBURSEMENT	24.61
NOLTON/TERRY E	MEDICAL REIMBURSEMENT	400.00
NORTHERN TOOL & EQUIPMENT	COMMODITIES	1,233.67
PETTY CASH	REIMBURSE PETTY CASH	118.63
STAPLES	COMMODITIES	287.79
TITAN MACHINERY	COMMODITIES	11.63
TITONKA SAVINGS BANK	FICA	11,301.41
U S POST OFFICE	POSTAGE	495.91
WILSON/GEORGE	EXPENSES	162.93
ACS	SERVICES	900.00
ADT SECURITY	SERVICES	159.81
AHLERS & COONEY PC	SERVICES	325.00
B & J WATER	COMM/SERV	19.00
C-FAB	COMMODITIES	30.97
CENTRAL IA DISTRIBUTING	COMMODITIES	539.50
CONNEY SAFETY PRODUCTS	COMMODITIES	251.70
CONSOLIDATED ENERGY	COMMODITIES	712.25
CULVER HAHN	COMMODITIES	100.80
DAKOTA SUPPLY	COMMODITIES	192.24
DEWILD, GRANT, RECKERT &	SERVICES	1,185.00
EDDY'S GLASS & DOOR	SERVICES	40.00
F C CHAMBER OF COMMERCE	HOTEL/MOTEL	6,994.97
F C ECON DEVEL CORP	SERVICES	42,331.65
FARM PLAN	COMMODITIES	72.75
FIALA OFFICE PRODUCTS	COMM/SERV	25.32
FOREST CITY FORD	COMM/SERV	583.20
G & H MOTOR PARTS	COMMODITIES	923.29
G C DISTRIBUTING	COMMODITIES	5,025.11
HEIMAN, INC	SERVICES	163.00
HUTCHINSON/DUANE	COMMODITIES	84.35
IRBY	SERVICES	185.05
K & K DEVELOPMENT	REBATE	14,943.21
MAX-LIFE MFG	COMMODITIES	269.00
MUNICIPAL SUPPLY	COMMODITIES	2,242.20
N I A C O G	TRANSIT FEES	2,107.08
NEENAH FOUNDRY	COMMODITIES	224.41
NO IA MEDIA GROUP	COMM/SERV	629.16
QUILL CORPORATION	COMMODITIES	175.01
R & S OSNES PAINT	COMMODITIES	183.51
RANDALL READY MIX	COMMODITIES	182.53
SINNWELL/ANDY	COMM/SERV	476.00
TODD CO/MICHAEL	COMMODITIES	134.00

USA BLUE BOOK	COMMODITIES	228.72
VEENSTRA & KIMM	SERVICES	18,102.00
VISU-SEWER CLEAN	EST #1	20,292.00
WESCO	COMMODITIES	1,647.72
WM KORTH TRUST	REBATE	2,500.00
ALLTEL	SERVICES	26.87
BLACK HILLS ENERGY	GAS FOR HEAT	4,600.22
COSGRIFF/CHRISTA	REIMBURSEMENT	47.90
FC MUNICIPAL UTILITIES	UTILITIES	8,137.36
FROST/JAMES	EXPENSES	498.94
G & H	COMMODITIES	73.04
IOWA TELECOM	SERVICES	193.10
MONSON/VAL	MEDICAL REIMBURSEMENT	400.00
SCHNEBLY'S	COMMODITIES	145.51

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

ATTEST:

Paul D. Boock, City Clerk

Suzanne Murphy, Mayor Pro-Tem