

**REGULAR MEETING  
JUNE 1, 2009**

The City Council of the City of Forest City, Iowa, met in regular session on June 1, 2009, at 7:00 p.m. in the Civic Center Auditorium, 146 West L Street, Forest City, Iowa.

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

Mayor Wilson announced that this was the time and the place for a Public Hearing on the Resolution of Necessity for the Forest City 2009 P.C.C. Street Reconstruction Project. Mayor Wilson asked Tim Moreau of Veenstra & Kimm to review the scope of the project for the citizens in attendance.

The Mayor then called for objections to the adoption of the proposed Resolution of Necessity for the construction of the Forest City 2009 P.C.C. Street Reconstruction Project in the corporation, pursuant to notice of the time and place of hearing duly published and mailed, and pursuant to prior action of the Council; and announced to those present at the Council meeting that both written and oral objections would be received and considered by the Council at this time.

Written and oral objections were then received or heard. There were 68 citizens in attendance at the meeting, of which 13 asked questions or spoke out against the project.

Councilmember Skjeie moved that the time for the public hearing and receiving objections be closed. Councilmember Sorensen seconded the motion. Motion carried unanimously.

After reviewing all of the objections received, the Council found and determined that no remonstrance, pursuant to the provisions of Section 384.51 of the City Code of Iowa was filed with the Council pertaining to the proposed improvement as set out in the Resolution of Necessity as originally proposed. The Council took the following action:

Councilmember Skjeie introduced the following Resolution entitled "Resolution with respect to the adoption of the Resolution of Necessity proposed for the Forest City 2009 P.C.C. Street Construction Project" and moved its adoption. Councilmember Sorensen seconded the motion to adopt. The roll was called and the vote was AYES: West, Caputo, Clouse, Holland, Skjeie, Sorensen. NAYS: None. ABSENT: Murphy. Whereupon the Mayor declared the Resolution duly adopted as follows:

Resolution No. 08-09-48, a Resolution found in Resolution Book 08-09. A RESOLUTION WITH RESPECT TO THE ADOPTION OF THE RESOLUTION OF NECESSITY PROPOSED FOR THE FOREST CITY 2009 P.C.C. STREET RECONSTRUCTION PROJECT.

The Council then discussed a second Resolution to be considered. The Council took the following action:

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

Resolution No. 08-09-49, a Resolution found in Resolution Book 08-09. A RESOLUTION DIRECTING PREPARATION OF DETAILED PLANS AND SPECIFICATIONS, FORM OF CONTRACT AND NOTICE TO BIDDERS ON THE FOREST CITY 2009 P.C.C. STREET RECONSTRUCTION PROJECT.

City Attorney Bakke asked the Council to pass a third Resolution relating to the project that would order bids, etc. The Council took the following action:

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

Resolution No. 08-09-50, a Resolution found in Resolution Book 08-09. A RESOLUTION ORDERING BIDS, APPROVING PLANS, SPECIFICATIONS AND FORM OF CONTRACT AND NOTICE TO BIDDERS, FIXING AMOUNT OF BID SECURITY, AND ORDERING CLERK TO PUBLISH NOTICE AND FIXING A DATE FOR RECEIVING SAME, AND FOR A PUBLIC

HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST ON THE FOREST CITY 2009 P.C.C. STREET RECONSTRUCTION PROJECT.

Mayor Wilson announced that this was the time and the place for a Public Hearing on the lease purchase of new police vehicles. Police Chief Dan Davis reviewed the lease agreement for those in attendance. 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 Holland introduced the following Resolution and moved its adoption. Councilmember Skjeie seconded the motion to adopt. The roll was called and the vote was AYES: West, Caputo, Clouse, Holland, Skjeie, Sorensen. NAYS: None. ABSENT: Murphy. Whereupon the Mayor declared the Resolution duly adopted as follows:

Resolution No. 08-09-51, a Resolution found in Resolution Book 08-09. A RESOLUTION APPROVING THE LEASING OF TWO NEW 2009 CHEVROLET IMPALA POLICE CARS.

Mayor Wilson announced that this was the time and the place for a Public Hearing on the lease purchase of a Street Department dump truck in the principal amount of not-to-exceed \$98,416.75. Street Superintendent Byron Ruiter reviewed the possible lease agreement of a 2010 International dump truck from Interstate Motors for those in attendance. 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:

Moved by Clouse, seconded by Sorensen, authorizing Street Superintendent Ruiter to proceed on the purchase of a new 2010 International dump truck from Interstate Motors and that the financing would be taken care of at a later date. The purchase price as of this date is \$93,916.75. Motion carried unanimously.

Moved by Sorensen, seconded by Clouse, approving the minutes as written for the meeting of May 18, 2009. Motion carried unanimously.

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

City Attorney Bakke reported that demolition is now complete at the old swimming pool site and that the grass has been seeded. No action was taken on this report.

The Mayor and Council discussed the new Aquatic Center and that it is hoped it will be open by June 8<sup>th</sup>. No action was taken on this discussion.

Patty Juhl was present at the meeting and requested permission to remove two trees at the corner of 10<sup>th</sup> and O Street because of sewer system problems. After discussion, the Council took the following action:

Moved by Clouse, seconded by Holland, approving the removal of the afore-mentioned trees for Patty Juhl. Motion carried unanimously.

Moved by Holland, seconded by Clouse, approving a new intake and storm sewer line to be constructed at 138 Woodland Drive. Street Superintendent Byron Ruiter is to secure two bids. Motion carried unanimously.

City Attorney Bakke asked the Council to pass a Resolution approving the 2009 Wastewater Treatment Plant Improvement Project (Ultraviolet Disinfection) Approval of Contract. After discussion, the Council took the following action:

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

Resolution No. 08-09-52, a Resolution found in Resolution Book 08-09. A RESOLUTION APPROVING THE CONTRACT FOR THE 2009 U.V. DISINFECTION IMPROVEMENT PROJECT FOR THE CITY OF FOREST CITY, IOWA.

Moved by Holland, seconded by Skjeie, approving the receipt and disbursement of a \$200 check from 3-M to the Chamber of Commerce for Puckerbrush Days. Motion carried unanimously.

Mayor Wilson asked the Council to pass a Resolution approving the execution of Amendment No. 2 to the development agreement between the City of Forest City and Prairie View Land Development, LLC, which would allow the City to issue the TIF rebates directly to Manufacturer's Bank & Trust Company. After discussion, the Council took the following action:

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

Resolution No. 08-09-53, a Resolution found in Resolution Book 08-09. A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AMENDMENT NO. 2 TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FOREST CITY AND PRAIRIE VIEW LAND DEVELOPMENT, LLC.

Moved by Sorensen, seconded by West, approving Pay Estimate No. 1 to R & R Excavating in the amount of \$115,719.75 for work on the 2009 Utility Improvement Project. Motion carried unanimously.

The following invoices were approved for payment:

ADVANCED SYSTEMS	MAINTENANCE	159.11
ALLTEL CORP ACCTS PAYABLE	SERVICES	364.41
AMAZON.COM	COMMODITIES	113.17
AMERICAN SWEDISH INSTITUTE	RENEWAL	35.00
BAKER & TAYLOR COMPANY	COMMODITIES	1,048.89
BLACK HILLS ENERGY	GAS FOR HEAT	480.55
BLUE CROSS-BLUE SHIELD	INSURANCE	22,700.26
CAPPER'S	SUBSCRIPTION	9.99
COCA COLA ENTERPRISES	COMMODITIES	789.28
COSGRIFF/CHRISTA	EXPENSES	38.92
DEMCO	COMMODITIES	126.32
FARM PLAN	COMMODITIES	530.36
HIGHSMITH	COMMODITIES	91.94
KAST A WAY SWIMWEAR	COMMODITIES	164.93
KUHN/DUANE	UNIFORM ALLOWANCE	21.38
LAKE MILLS GRAPHIC	SUBSCRIPTION	36.00
LIBRARY JOURNAL	SUBSCRIPTION	157.99
LYLE'S SALES & SERVICE	COMMODITIES	173.26
MERCY CLINICS	SERVICES	343.00
OHIO DISTINCTIVE SOLUTIONS	COMMODITIES	66.00
PEOPLE WEEKLY	SUBSCRIPTION	116.07
QUILL CORPORATION	COMMODITIES	50.99
QUILTING	SUBSCRIPTION	20.97
RELIABLE OFFICE SUPPLIES	COMMODITIES	59.28
SELECTIVE INSURANCE	INSURANCE	4,125.00
TASTE OF HOME	COMMODITIES	29.98
THOMAS BOUREGY & CO	COMMODITIES	139.50
WWMPPG	DUES	800.00
LACKORE/BRIAN	UNIFORM ALLOWANCE	61.70
MERCY CLINICS	SERVICES	153.70
MIDWEST PIPE SUPPLY	COMMODITIES	180.00
UNION SECURITY	INSURANCE	495.91
ABSOLUTE WASTE REMOVAL	SERVICES	3,056.60
ARAMARK	COMM/SERV	661.70
BAUM HYDRAULICS	COMMODITIES	183.70
BMC AGGREGATES LC	COMMODITIES	664.05
BOMGAARS	COMMODITIES	475.08
CARPENTER UNIFORM	COMMODITIES	84.99
CRESCENT ELECTRIC	COMMODITIES	2,545.57
DAIRYLAND POWER CO-OP	SERVICES	2,113.84
DAKOTA SUPPLY	COMMODITIES	163.44
DEWILD, GRANT, RECKERT &	SERVICES	877.50
ELECTRONIC ENGINEERING	COMM/SERV	16.00

ENGINE REBUILDERS	COMMODITIES	115.72
F C CHAMBER OF COMMERCE	DONATION	200.00
FOREST CITY FORD	COMM/SERV	37.40
GROVES CONTRACTING	COMM/SERV	10,420.96
HYDRITE CHEMICAL	COMMODITIES	621.73
INDEPENDENT SALT COMPANY	COMMODITIES	5,825.79
JL TIME & ATTENDANCE	COMMODITIES	82.50
MANTRONICS	COMMODITIES	148.25
N I A C O G	TRANSIT COSTS	1,934.97
NOVELTY MACHINE	COMMODITIES	153.66
QUILL CORPORATION	COMMODITIES	29.41
TRANS IOWA EQUIPMENT	COMMODITIES	102.13
VEENSTRA & KIMM	SERVICES	7,342.19

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

ATTEST:

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Paul D. Boock, City Clerk

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George Wilson, Mayor