

**REGULAR MEETING
NOVEMBER 7, 2016**

The City Council of the City of Forest City, Iowa, met in regular session on November 7, 2016, at 7:00 p.m. in the Council Chambers of City Hall, Forest City, Iowa.

Mayor Byron Ruitter called the meeting to order at 7:00 p.m. Councilmembers present at roll call were: Holland, West, Wooldridge, Zehren. Absent: Buffington, Davis, Mikes.

Councilmember Davis entered the meeting at 7:01 p.m.

No one spoke under Public Forum.

Kathy Rollefson presented her Forest City Chamber of Commerce report to the Mayor and Council and highlighted the following activities: They tried a Halloween movie this year and 75-80 kids were in attendance, Ladies' Day Out had around 400 that signed up for drawings, and the Christmas Tree Lighting Ceremony will be held November 28th. The Mayor and Council thanked Ms. Rollefson for the information presented. No action was taken on this report.

Moved by Zehren, seconded by Davis, to approve the agenda as presented, with the deletion of Items 18 & 19. City Attorney Bakke had added these items but said they were not needed at this time. Motion carried unanimously.

Moved by Wooldridge, seconded by Holland, to approve the following consent agenda items:

- 1) Council Minutes for the meeting of 10/17/16
- 2) Minutes from the Library Board (9/21/16), Park Board (10/10/16), Historic Preservation Commission (10/18/16) and Heritage Park (11/1/16)
- 3) Invoices as presented
- 4) Class E Liquor license for Uptown Liquor and Class B Beer for The Paddler's Tap
- 5) Iowa DOT Certificate of Completion – Crystal Lake Railroad Crossing

Motion carried unanimously.

Chris Holland of CR Holland Crane (Grok LLC) was present at the meeting to request approval of an interconnect agreement with the City of Forest City for up to a 100kW wind turbine. Holland noted the wind turbine would pay for itself and is being green.

Electric Department Manager Duane Kuhn stated that the Council has interconnection standards for 60 kW, where we pay customers a net billing fee (give retail price back to the customer). If the Council approves a net metering policy to 100 kW for Holland's, it should be with the stipulation that they would pay net cost to zero, then at voided cost. Per Kuhn, there will be no cost to the City, as Holland's will pay for the interconnect meter. After discussion, the Council took the following action:

Moved by Zehren, seconded by Wooldridge, to approve the interconnect agreement with CR Holland Crane (Grok LLC), contingent upon the added language regarding paying net cost to zero, then voided cost. Motion carried, with Holland abstaining.

Drew Sweers of Veenstra & Kimm was present at the meeting and asked the Council to accept Change Order No. 2 for the 2016 Street Improvement Project, which is an increase in the amount of \$1,193.01

for the additional work performed by Eddy's Glass to tie in the roof drains to the existing storm sewer system on 6th Street. After discussion, the Council took the following action:

Moved by Wooldridge, seconded by Holland, to approve Change Order No. 2 in the amount of \$1,193.01 for the 2016 Street Improvement Project. Motion carried unanimously.

Sweers also asked the Council to approve the final pay estimate in the amount of \$126,529.16 for the 2016 Street Improvement Project, with a retainage of \$28,427.51 to be paid 31 days after acceptance of the work in accordance with the terms of the contract, providing all punch list items are complete. After discussion, the Council took the following action:

Moved by Holland, seconded by Davis, to approve the final pay estimate in the amount of \$126,529.16 for the 2016 Street Improvement Project, with a retainage of \$28,427.51 for payment after acceptance of the work in accordance with the terms of the contract, providing all punch list items are complete. Motion carried unanimously.

Finally, Drew Sweers asked the Council to pass a Resolution accepting work on the 2016 Street Improvement Project. After discussion, the Council took the following action:

Councilmember Davis introduced the following Resolution entitled "RESOLUTION ACCEPTING WORK" and moved its adoption. Councilmember Zehren seconded the motion to adopt. The roll was called and the vote was AYES: Davis, Holland, Zehren, West, Wooldridge. NAYS: None. ABSENT: Buffington, Mikes. Whereupon the Mayor declared the Resolution duly adopted as follows:

Resolution No. 16-17-11, a Resolution found in Resolution Book 16-17. A RESOLUTION ACCEPTING WORK FOR THE 2016 STREET IMPROVEMENT PROJECT.

City Administrator/Clerk Barb Smith led the discussion regarding setting a date for a public hearing on the establishment of a new urban renewal area, pursuant to Chapter 403 of the Code of Iowa. This hearing is to carve out a separate district just for Westown Place Apartments for authorizing a development agreement. After discussion, the Council took the following action:

Councilmember Wooldridge introduced the following Resolution and moved its adoption. Councilmember Davis seconded the motion to adopt. The roll was called and the vote was AYES: Davis, Holland, Zehren, West, Wooldridge. NAYS: None. ABSENT: Buffington, Mikes. Whereupon the Mayor declared the Resolution duly adopted as follows:

Resolution No. 16-17-12, a Resolution found in Resolution Book 16-17. A RESOLUTION SETTING DATE FOR A PUBLIC HEARING ON DESIGNATION OF THE 2016 WESTOWN PLACE URBAN RENEWAL AREA AND ON URBAN RENEWAL PLAN AND PROJECT. The Hearing will be held December 5, 2016, at 7:00 p.m. in the Council Chambers of City Hall, 305 North Clark Street, Forest City, Iowa.

Street Superintendent Mike O'Rourke led the discussion regarding invoices to Iowa Northern Railway Co. in the amounts of \$6,488.96 and \$4,865.19, which is a 20% share for this project. The State is paying 60% of the costs and the Iowa Northern is paying 20% of the costs for the repairs on the railroad crossing on Crystal Lake Road. No further action was taken on this issue, as approval for payment was given under the consent agenda.

City Administrator/Clerk Barb Smith led the discussion regarding the City of Forest City's Annual Financial Report. These figures match exactly with the auditors and show the City took in more money than it expended, due to bonds sold and rebated bonds. After discussion, the Council took the following action:

Moved by Davis, seconded by Zehren, to approve the submission of the City's Annual Financial Report. Motion carried unanimously.

City Administrator/Clerk Smith asked the Council to approve the TIF rebate to Titonka Savings Bank in the amount of \$4,530.34. After discussion, the Council took the following action:

Moved by Holland, seconded by Wooldridge, to approve a TIF rebate in the amount of \$4,530.34 to Titonka Savings Bank. Motion carried unanimously.

The Mayor and Council discussed a vacancy on the Park Board, due to Brittany Brunscheon moving out of City limits. Per Park Director Sue Edmondson, Mike Johnson would like to fulfill the remainder of this term. After discussion, the Council took the following action:

Moved by Davis, seconded by Wooldridge, to approve Mike Johnson to serve on the Park Board through the next City election. Motion carried unanimously.

The Mayor and Council discussed the first reading of Ordinance No. 759, which establishes trail regulations. After discussion, the Council took the following action:

Councilmember Holland introduced the following Ordinance and moved its adoption. Councilmember Zehren seconded the motion to adopt. The roll was called and the vote was AYES: Davis, Holland, West, Wooldridge, Zehren. NAYS: None. ABSENT: Buffington, Mikes. Whereupon the Mayor declared the motion carried.

Ordinance No. 759 was then read by the Clerk, after which it was discussed. This represents the first reading of Ordinance No. 759. The second reading of Ordinance No. 759 will be at the November 21st Council meeting.

Ordinance No. 759 is an ORDINANCE ESTABLISHING TRAIL REGULATIONS FOR THE CITY OF FOREST CITY, TO ENHANCE SAFE PASSAGE AND ENJOYMENT ON TRAILS BE IT BY FOOT, BICYCLE OR OTHER NON-MOTORIZED MEANS OF TRANSPORTATION, TO ACKNOWLEDGE THAT THE MAINTENANCE, REPAIR, REPLACEMENT OR RECONSTRUCTION OF TRAILS AS BEING THE RESPONSIBILITY OF THE CITY, AND TO MINIMIZE THE LIABILITY OF THE CITY.

City Administrator/Clerk Smith led the discussion regarding a City credit card, which would be used for travelling and reservations, which only one individual having control of the card. There would be a limit of \$5,000 on a card with no fees. After discussion, the Council took the following action:

Moved by Wooldridge, seconded by West, authorizing City Administrator/Clerk Smith to check in to a City credit card. Motion carried unanimously.

City Administrator/Clerk Smith led the discussion regarding the FYE 2016 Urban Renewal Report. Per Smith, Speer Financial assisted in completing this report. After discussion, the Council took the following action:

Moved by Davis, seconded by Zehren, to approve the FYE 2016 Urban Renewal Report for the City of Forest City. Motion carried unanimously.

City Administrator/Clerk Smith asked the Council to set a date for a workshop on the City's Capital Improvement Plan. The goal of the workshop is to establish how much to put away each year for projects and to add additional projects to the plan. After discussion, the Council took the following action:

Moved by Davis, seconded by West, to set November 28th at 6:00 p.m. in the Council Chambers of City Hall, 305 North Clark Street, as the date and time for a workshop on the City's Capital Improvement Plan. Motion carried unanimously.

City Attorney Bakke led the discussion regarding the amendment to the Commercial Revitalization Plans, as 2019 is the end of the tax abatement. Usually abatements need to be done three years before the end. Per John Danos of Dorsey & Whitney, however, there is a new statute that states if you start within the tax abatement, you still get the full three years. Per Bakke, the new assessor is on the same page. No action was taken on this discussion.

Mayor Ruitter asked that it be noted in the minutes that Police Officer Ross Eiden is entitled to move to Step 4 (\$22.61) of the wage matrix, per the union contract.

During staff reports, supervisors noted the following activity in their departments:

- Police Chief Doug Jenson discussed Treetown security, the Police Department's Halloween party, Active Shooter training, school camera system, donation of refrigerator by the Jenson's to the Police Department, and their forfeiture fund.
- Street Superintendent Mike O'Rourke noted their snow equipment is ready, sweeping is almost complete, the compost site is full, old welcome signs are down, uptown grates have been blown out, and they are putting their Street Improvement Project to bed.
- Water/Wastewater Superintendent Kevin Reicks stated the Water Department has been recommended for their fluoride level, discussed a boiled water ordinance for main breaks, and that the Wastewater Plant temporarily lost their security system during a recent power outage.
- Electric Department Manager Duane Kuhn noted they are exercising the engines at the light plant, they put in new wires & transformer at Greenfield Estates due to lightning storm damage, are completing feeder inspections, and will soon put up Christmas lights.
- City Administrator/Clerk Barb Smith noted the TIF Report and Annual Financial Report are complete, and she is working on the CAT grant and a new invoice system to match with checks. In addition, staff meetings will be held the first Friday of each month, with City Hall meeting at 7:30 a.m., and supervisors at 10:00 a.m.
- Councilmember Holland noted the Tour of Lights that will be held at Heritage Park.
- Mayor Ruitter thanked the Police Department for their work at the school after incidents in Algona and Clarion.
- Councilmember Davis noted the Mansion now has their base set up for the porch and their deck was poured today.
- Councilmember Zehren noted the Veteran's Celebration went very well and was well attended.

- Also noted was to vote on November 8th and the Fireman's Soup Supper to be held on November 12th.

Moved by Davis, seconded by Zehren, to enter into closed session, pursuant to Chapter 21.5(1)(i) of the Iowa Code. A roll call vote was requested and the vote was AYES: Davis, Holland, West, Wooldridge, Zehren. NAYS: None. ABSENT: Buffington, Mikes. Motion carried unanimously.

The Council entered into closed session at 8:25 p.m.

Moved by Wooldridge, seconded by Davis, to re-open the meeting at 8:48 p.m. and took the following action:

Moved by Zehren, seconded by West, to authorize City Administrator/Clerk Barb Smith to act on pending litigation. Motion carried unanimously.

The following invoices were approved for payment:

AFSCME - IOWA COUNCIL 61	DEDUCTION	424.79
ARAMARK	LAUNDRY SERVICE	92.15
BAKER & TAYLOR COMPANY	BOOKS	379.54
BALL/EDIE	MILEAGE	173.88
BEAR CREEK GOLF COURSE	DEDUCTION	133.48
BLUE CROSS-BLUE SHIELD	INSURANCE	35,238.00
BROCKHOHN DC/JAMES	SERVICES	90.00
COSGRIFF/CHRISTA	REIMBURSEMENT	154.34
DEMCO	OFFICE SUPPLIES	162.55
DISCOVER	SUBSCRIPTION	19.95
ELLE DECOR	SUBSCRIPTION	32.07
F C EMPLOYEE ASSN	DEDUCTION	41.42
FIDELITY SECURITY LIFE	INSURANCE	138.65
FOREST CITY FOODS	PIZZA/HALLOWEEN	351.00
KEGLER/SONI	REIMBURSEMENT	9.85
MERCY CLINICS	SERVICES/B SMITH	98.00
NW IA LEAGUE OF CITIES	MEMBERSHIP/SMITH	50.00
OFFICE DEPOT	OFFICE SUPPLIES	92.97
PREVENTION	SUBSCRIPTION	48.00
SIMPLE & DELICIOUS	SUBSCRIPTION	14.98
SNITZER/ROBERT	REIMBURSEMENT/CLOTHING	42.78
VALIC	DEDUCTION	765.00
WI SCTF	DEDUCTION	168.97
ALWOOD/BRANDON	METER DEP REFUND	73.88
AMERICAN FAMILY LIFE	INSURANCE	1,555.50
BSN SPORTS	REC SUPPLIES	117.08
CENTRAL IA DISTRIBUTING	MISC SUPPLIES	158.20
COSGRIFF/CHRISTA	REIMBURSEMENT	55.21
COWELL/EDNA	METER DEP REFUND	49.48
CRAFT COMMUNICATIONS	MISC SUPPLIES	38.97
DEARBORN NATIONAL	DEDUCTION	590.13
DIRKS/DEB	MET DEP REF/A STRAYER	119.62
HEJLIK/LUCAS	METER DEP REFUND	116.29
HOLIDAY INN	CONFERENCE/B SMITH	213.87
HOWIE'S FIRE EXTINGUISHERS	SERVICES	425.86

LECKRONE/LEVI	UNIFORM ALLOWANCE	144.40
LENTZ/TERRLL	METER DEP REFUND	95.24
LUNNING/JERRY	METER DEP REFUND	150.00
MONSEN/DEE ANN	MILEAGE TO BANK	127.44
NIAD	MET DEP REF/M WILLIAMS	31.43
OFFICE DEPOT	OFFICE SUPPLIES	60.74
OLSON EXCAVATING/HERB	SERVICES	200.00
RHODE ISLAND NOVELTY	REC SUPPLIES	260.03
SMITH/BARB	CONFERENCE MILEAGE	302.20
STERNER/GARETT	METER DEP REFUND	22.80
TOLEDO PHYSICAL ED SUPPLY	REC SUPPLIES	139.14
U P S	UPS CHARGES	62.06
UNION SECURITY	DEDUCTION	1,454.64
US GAMES	REC SUPPLIES	184.73
WINDSTREAM	SERVICES	16.20
YEAGER/JEAN	REIMBURSEMENT	41.95
A.D. STARR	REC SUPPLIES	415.05
AFSCME - IOWA COUNCIL 61	DEDUCTION	424.79
BILL'S FAMILY FOODS	MISC SUPPLIES	72.94
BLACK HILLS ENERGY	GAS FOR HEAT	253.08
BMC AGGREGATES LC	ROADSTONE	388.59
CANON FINANCIAL SERVICES	LEASE PAYMENT	148.66
COCA COLA ENTERPRISES	CONCESSION SUPPLIES	86.79
DENNY'S LAWN CARE	SERVICES	985.00
F C MUN UTILITIES	UTILITIES	15,866.30
GARNER LUMBER & SUPPLY	MISC SUPPLIES	69.10
KNAPPER OIL CO	FUEL	106.00
LINCOLN AQUATICS	MISC SUPPLIES	36.47
O'ROURKE/MICHAEL	REIMBURSEMENT	237.69
OFFICE DEPOT	OFFICE SUPPLIES	138.85
REICKS/KEVIN J	UNIFORM ALLOWANCE	133.70
RHODE ISLAND NOVELTY	REC SUPPLIES	129.60
SCHNEBL'S "66"	FUEL	99.10
SWANSON/KEVIN	REIMBURSEMENT	58.73
VALIC	DEDUCTION	765.00
WI SCTF	DEDUCTION	168.97
WINNEBAGO COUNTY EXTENSION	TRAINING/ANDERSON	35.00
ABM EQUIPMENT	PARTS/SERV	2,165.52
ADVANCED SYSTEMS	MAINTENANCE	37.18
AMARIL	SAFETY EQUIPMENT	855.96
BOMGAARS	MISC SUPPLIES	630.45
BROWN SUPPLY	PARTS	99.84
CEMSTONE CONCRETE MATERIALS	CONCRETE	262.88
COLBY WELDING	SERVICES	320.00
CREATIVE FORMS	BILLING CARDS	1,604.14
ELECTRONIC ENGINEERING	PARTS/SERV	288.30
ENCORE ENERGY	SERVICES	1,505.56
ERNIE WILLIAMS LTD	PARTS/SERV	61.03
FLETCHER-REINHARDT	ELECTRICAL SUPPLIES	2,684.75
FOREST CITY FORD	PARTS/SERV	377.59
G & H MOTOR PARTS	PARTS	2,647.47
HAUGEN CONTRACTING	SERVICES	7,521.22
HAWKINS INC	CHEMICALS	522.14
HEARTLAND ASPHALT	SERVICES	162,024.39
HERMEL WHOLESAL	POPCORN	73.53
HMR SUPPLIES	PARTS/SERV	29.49

INTERSTATE MOTOR TRUCKS	PARTS/SERV	268.94
IOWA NORTHERN RAILWAY CO.	SERVICES	11,354.15
IOWA ONE CALL	SERVICES	257.40
KAISER AUTO REPAIR	PARTS/SERV	118.11
LAW ENFORCEMENT SUPPLY	MISC CAR SUPPLIES	806.57
MASON CITY RECYCLING	RECYCLE	3,814.80
MCMASTER CARR	MISC SUPPLIES	106.85
N I A C C	TRAINING/REICKS	60.00
N I A C O G	TICKETS	2,163.14
NORTH CENTRAL SALES & SERVICE	PARTS	37.50
NORTH IOWA DESIGNS	PRINTING	197.63
OFFICE DEPOT	OFFICE SUPPLIES	189.37
ORIENTAL TRADING COMPANY	HALLOWEEN SUPPLIES	241.65
PITNEY BOWES	MAINTENANCE	37.26
QUILL CORPORATION	OFFICE SUPPLIES	233.63
RECYCLE AWAY, LLC	PARTS	380.00
SHERWIN-WILLIAMS	PAINT	200.80
SIOUX CITY FOUNDRY CO.	MISC SUPPLIES	4,302.74
TEST AMERICA LABORATORIES	TESTING	792.75
TITONKA SAVINGS BANK	TIF REBATE	4,530.34
TORKELSON PLUMBING	SERVICES	256.80
TRANS IOWA EQUIPMENT	PARTS	240.41
UTILITY EQUIP CO	MISC SUPPLIES	425.04
VEENSTRA & KIMM	SERVICES	14,617.12
VERIZON	SERVICES	548.75
WAGNER TIRE	SERVICE	55.00
WALLACE,HOLLAND,KASTLER	SERVICES	4,577.90

FUND RECAP:					
	INVOICE SET				TOTAL FUND
FUND DESCRIPTION	1	2	3	4	DISBURSEMENTS
GENERAL FUND	1,767.06	1,997.98	4,930.72	36,936.02	45,631.78
CAP IMPROVEMENT RESERVE					-
CDBG FUND					-
DEBT SERVICE FUND					-
LIBRARY TRUST FUND					-
CEMETERY PERP CARE FUND					-
HOTEL/MOTEL TAX FUND					-
TIF FUND				4,530.34	4,530.34
STREET IMPRO PROJECT FUND				166,660.61	166,660.61
PARK IMPROVEMENT FUND			388.59		388.59
AQUATIC CENTER					-
ROAD USE FUND					-
EMPLOYEE BENEFIT FUND					-
LOCAL OPTION SALES TAX					-
WATER FUND		147.61	1,784.14	1,258.60	3,190.35
SEWER RENTAL FUND	45.00	241.89	3,788.06	4,867.90	8,942.85
ELECTRIC FUND		819.34	8,305.29	19,496.84	28,621.47
STORM WATER UTILITY FUND			63.85	775.78	839.63
CLEARING FUND					-
PAYROLL CLEARING FUND	36,910.31	3,600.27	1,358.76		41,869.34
TOTALS	38,722.37	6,807.09	20,619.41	234,526.09	300,674.96

Moved by Davis, seconded by Wooldridge, to adjourn the meeting at 8:49 p.m. Motion carried unanimously.

ATTEST:

Barbara Smith, City Administrator/Clerk

Byron Ruitter, Mayor