

REGULAR MEETING
May 7, 2018

The City Council of the City of Forest City, Iowa, met in regular session on May 7, 2018, at 7:00 p.m. in the Council Chambers of City Hall, 305 North Clark Street, Forest City, Iowa.

Mayor Byron Ruitter called the meeting to order at 7:02 p.m. and led with the Pledge of Allegiance. Councilmembers present at roll call were: Buffington, Davis, Holland, Mikes, Wooldridge, Zehren. Absent: Pehrson.

Mayor Ruitter announced that this was the time and the place for a Public Hearing on the Proposed Designation of the 2018 Northeast Urban Renewal Area. City Administrator/Clerk Barbara Smith stated this new urban renewal area was being created to collect TIF funds for future development. 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 at 7:03 p.m.

Mayor Ruitter announced that this was the time and the place for a Public Hearing on the Fiscal Year-End 2018 Budget Amendment. City Administrator Clerk Barbara Smith explained the budget amendment was due to the street sweeper, Prairie View Drainage Project, property purchase and RED LG loans for the Fine Arts Center. 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 at 7:05 p.m.

Mayor Ruitter announced that this was the time and the place for a Public Hearing on a Resolution of Necessity for the 2018 Street & Utility Improvements Project. Brandon Theobald of WHKS was present at the meeting and shared a power point for those in attendance. Per City Administrator/Clerk Barbara Smith, one written objection had been received. Stephen Sheehan of 345 N Clark Street, whose property borders M Street, asked if the street will stay the same if the project didn't go through and how the assessments were figured. Mr. Theobald showed him the formulas and said he would sit down with him later to explain further. David Dontje of 445 North Clark Street asked why they weren't paving with asphalt. Per Mayor Ruitter, City policy states that concrete must be used. The Mayor declared the Hearing to be closed at 7:24 p.m.

Mayor Ruitter announced that this was the time and the place for a Public Hearing on the proposed ordinance for solar farms. City Attorney Bakke noted the Planning & Zoning Commission had met and were recommending the adoption of the new ordinance, which defines solar farms, fencing, and UL requirements. 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 at 7:26 p.m.

No one spoke under public forum.

Grow Forest City Director Norma Hertzler highlighted the activities she is working with, which include Iowa's Living Roadways Community Visioning Program for Forest City, the Farmer's Market, and rental bikes. The Mayor and Council thanked Ms. Hertzler for the information presented.

Moved by Zehren, seconded by Davis, to approve the following consent agenda items:

1. Agenda (5/07/18)
2. Council Minutes (4/16/18 & 5/03/18)
3. Board & Committee Minutes, as follows: Chamber of Commerce, Forest City Economic Development, Safety Committee (4/16/18), Heritage Park (4/17/18), Housing Commission (4/17/18 & 4/24/18), Planning & Zoning Commission (4/25/18), Downtown Task Force (4/26/18), and Oakland Cemetery Board (4/25/18)

4. 3M Foundation Grant (\$2,500) for the Forest City Chamber of Commerce
5. Approval to purchase a Pathfinder Locator from Kriz-Davis in the amount of \$4,098.10 after trade-in allowance of \$600 for the Electric Department
6. List of Claims
7. Class C Beer Permit for Goldy's

Motion carried, with Wooldridge abstaining.

City Attorney Bakke led the discussion regarding a parklet agreement between the City and Paddler's Tap. The agreement is to utilize two parking spaces and the sidewalk in front of Paddler's on Thursdays during Farmer's Market, on Fridays from 4:00 p.m. to closing on Saturdays, and during special events as approved by Council. They would be responsible for keeping the area clear of debris and providing safe access to patrons. This area would not be allowed to be up during the Puckerbrush parade. Bakke noted the Paddler's Tap's insurance limit is not as high as the City's; however, it should be sufficient. Per Bakke, a policy and procedure may be necessary if other entities would also like to have parklets. After discussion, the Council took the following action:

Moved by Davis, seconded by Wooldridge, to approve the Parklet Agreement between the City and Paddler's Tap. Motion carried unanimously.

Paramedic Supervisor Dale Rayhons addressed the difficulty of finding a paramedic to fill a current vacancy, as well as two of his employees reaching IPERS-eligible retirement age. He suggested the concept of paying someone to go to school to become a paramedic, which would cost around \$15,000 - \$20,000 for school and housing, plus \$500 for books. The medic would have a 4-year commitment to the City. The Ambulance Service is willing to pay a third of the cost, and Dale is seeking a third each from the City and County. The Ambulance Service presented the City with a \$6,000 check, which could be used to cover the City's share. He also suggested a change in the backup shift policy, which would have non-critical calls handled by EMT's. This would give the EMT's a sense of purpose and reduce backup for the medics, as well as avoid burnout for the paramedics. In addition, discussion took place regarding the paramedic wage rate, upon comparison with other entities in this area. After discussion, the Council took the following action:

Moved by Davis, seconded by Mikes, to work on an agreement for the paramedics with City Attorney Bakke and City Administrator/Clerk Barbara Smith and return in two weeks with their recommendation. Motion carried unanimously.

City Attorney Bakke led the discussion regarding approval of an offer to buy real estate and acceptance with Forest City Properties II. In October 2017, the issue of the motel property came up, as there is a shortage of available hotel rooms, as well as the back part of the hotel property being torn down and still in disrepair. Forest City Properties II purchased the motel properties and Secor property from Kevin McMinn. They relocated the tenants, and the property will be vacant when the City purchases it. Bakke stated the Council now needs to approve an offer to buy these properties from Forest City Properties II. After discussion, the Council took the following action:

Moved by Buffington, seconded by Mikes, to approve the offer to buy the properties on Highway 69 and Secor from Forest City Properties II in the amount of \$335,000. Motion carried unanimously.

City Administrator/Clerk Barbara Smith asked the Council to pass the following resolution for the F.Y. 2018 Budget Amendment. After discussion, the Council took the following action:

Councilmember Zehren introduced Resolution No. 17-18-49 and moved its adoption. Councilmember Davis seconded the motion to adopt. Roll call vote – all ayes. Whereupon the Mayor declared the Resolution duly adopted as follows: Resolution No. 17-18-49, a Resolution found in Resolution Book 17-18, A RESOLUTION APPROVING THE CITY OF FOREST CITY'S AMENDMENT AND CERTIFICATION FOR FISCAL YEAR END 2018.

City Attorney Bakke asked the Council to pass the first reading of Ordinance No. 780, which amends the Code of Ordinances of the City of Forest City, Iowa, by adding a new Section 165.37B, regulating solar farms. After discussion, the Council took the following action:

Councilmember Holland introduced the first reading of Ordinance No. 780 and moved its adoption. Councilmember Buffington seconded the motion to adopt. The roll was called, and the vote was AYES: All. NAYS: None. ABSENT: Pehrson. Whereupon the Mayor the motion carried.

City Attorney Bakke asked the Mayor and Council to waive the second and third readings of Ordinance No. 780, as Butter Solar would like to start their \$4.3 million project and it will take up to 18 months for them to get going. After discussion, the Council took the following action:

Councilmember Buffington moved that the rules requiring said ordinance to be read on three different days be dispensed with. Councilmember Wooldridge seconded the motion. The roll was called, and the vote was AYES: All. NAYS: None. ABSENT: Pehrson. Whereupon the Mayor declared the motion carried.

Councilmember Mikes moved that Ordinance No. 780 now be adopted. Councilmember Davis seconded the motion to adopt. The roll was called, and the vote was AYES: All. NAYS: None. ABSENT: Pehrson. Whereupon the Mayor declared the Ordinance adopted as follows:

Ordinance No. 780 is AN ORDINANCE AMENDING THE CODE OF ORDINANCES, FOREST CITY, IOWA, BY ADDING A NEW SECTION, 165.37B, REGULATING SOLAR FARMS.

City Attorney Bakke asked the Council to pass a Resolution of Necessity and establish an Urban Renewal Area, pursuant to Section 403.4 of the Code of Iowa and approve the Urban Renewal Plan and project for the 2018 Northeast Urban Renewal Area. Per Bakke, this will basically establish an urban renewal area and allow for improvements. After discussion, the Council took the following action:

Councilmember Zehren introduced Resolution No. 17-18-50 and moved its adoption. Councilmember Davis seconded the motion to adopt. Roll call vote – all ayes. Whereupon the Mayor declared the Resolution duly adopted as follows: Resolution No. 17-18-50, a Resolution found in Resolution Book 17-18, A RESOLUTION DECLARING NECESSITY AND ESTABLISHING AN URBAN RENEWAL AREA, PURSUANT TO SECTION 403.4 OF THE CODE OF IOWA AND APPROVE URBAN RENEWAL PLAN AND PROJECT FOR THE 2018 NORTHEAST URBAN RENEWAL AREA.

The Mayor and Council discussed the first reading of Ordinance No. 781, which provides for the division of taxes levied on taxable property in the 2018 Northeast Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa. After discussion, the Council took the following action:

Councilmember Mikes introduced the first reading of Ordinance No. 781 and moved its adoption. Councilmember Holland seconded the motion to adopt. The roll was called, and the vote was AYES: All. NAYS: None. ABSENT: Pehrson. Whereupon the Mayor the motion carried.

Councilmember Wooldridge moved that the rules requiring said ordinance to be read on three different days be dispensed with. Councilmember Davis seconded the motion. The roll was called, and the vote was AYES: All. NAYS: None. ABSENT: Pehrson. Whereupon the Mayor declared the motion carried.

Councilmember Zehren moved that Ordinance No. 781 now be adopted. Councilmember Davis seconded the motion to adopt. The roll was called, and the vote was AYES: All. NAYS: None. ABSENT: Pehrson. Whereupon the Mayor declared the Ordinance adopted as follows:

Ordinance No. 781 is AN ORDINANCE ESTABLISHING AN URBAN RENEWAL TAX INCREMENT FINANCING DISTRICT FOR THE 2018 NORTHEAST URBAN RENEWAL AREA, FOREST CITY, IOWA.

Moved by Wooldridge, seconded by Buffington, to approve the professional services agreement with WHKS for the 2018 Street & Utility Improvements Project. Engineering fees are estimated at \$103,000, and up to \$76,000 budgeted for on site engineering. Motion carried unanimously.

Resolution No. 17-18-51 was removed from the agenda, as this item was not needed.

The Mayor and Council discussed the resolutions needed for the 2018 Street & Utility Improvements Project. discussion, the Council took the following action:

Councilmember Buffington introduced Resolution No. 17-18-52 and moved its adoption. Councilmember Wooldridge seconded the motion to adopt. Roll call vote – all ayes. Whereupon the Mayor declared the Resolution duly adopted as follows: Resolution No. 17-18-52, a Resolution found in Resolution Book 17-18, A RESOLUTION OF NECESSITY FOR THE 2018 STREET & UTILITY IMPROVEMENTS PROJECT.

Councilmember Zehren introduced Resolution No. 17-18-53 and moved its adoption. Councilmember Mikes seconded the motion to adopt. Roll call vote – all ayes. Whereupon the Mayor declared the Resolution duly adopted as follows: Resolution No. 17-18-53, a Resolution found in Resolution Book 17-18, A RESOLUTION ORDERING THE PREPARATION OF DETAILED PLANS, SPECIFICATIONS, NOTICE OF HEARING, NOTICE TO BIDDERS AND FORM OF CONTRACT.

Councilmember Davis introduced Resolution No. 17-18-54 and moved its adoption. Councilmember Mikes seconded the motion to adopt. Roll call vote – all ayes. Whereupon the Mayor declared the Resolution duly adopted as follows: Resolution No. 17-18-54, a Resolution found in Resolution Book 17-18, A RESOLUTION FIXING A DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO A GENERAL OBLIGATION CORPORATE PURPOSE LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,300,000. This is a 10-year bond. The Public Hearing will be held at 7:00 p.m. on June 4, 2018, in the Council Chambers of City Hall, 305 North Clark Street, Forest City, Iowa.

The Mayor and Council discussed resolutions fixing a date for a public hearing on the proposal to enter into an electric revenue loan money for Phases A. B & C of the Electric Improvements Project, in addition to adopting and approving tax compliance procedures relating to tax exempt bonds. After discussion, the Council took the following action:

Councilmember Holland introduced Resolution No. 17-18-55 and moved its adoption. Councilmember Zehren seconded the motion to adopt. Roll call vote – all ayes. Whereupon the Mayor declared the Resolution duly adopted as follows: Resolution No. 17-18-55, a Resolution found in Resolution Book 17-18, A RESOLUTION FIXING A DATE FOR A PUBLIC HEARING ON PROPOSAL TO ENTER INTO AN ELECTRIC REVENUE LOAN AGREEMENT AND BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,950,000. The Public Hearing will be held at 7:00 p.m. on June 4, 2018, in the Council Chambers of City Hall, 305 North Clark Street, Forest City, Iowa.

Councilmember Wooldridge introduced Resolution No. 17-18-56 and moved its adoption. Councilmember Davis seconded the motion to adopt. Roll call vote – all ayes. Whereupon the Mayor declared the Resolution duly adopted as follows: Resolution No. 17-18-56, a Resolution found in Resolution Book 17-18, A RESOLUTION ADOPTING AND APPROVING TAX COMPLIANCE PROCEDURES RELATING TO TAX-EXEMPT BONDS.

City Administrator/Clerk Barbara Smith led the discussion regarding the rehabilitation of the Downtown Fire District rental properties for the LMI Qualified Rent Program. The goal of this program is to enhance the quality of rental housing stock in Forest City by providing financial assistance with loans up to \$15,000 to rehabilitate rental apartments in the Downtown Fire District to be priced for Low-to-Moderate income-qualified occupants. After discussion, the Council took the following action:

Moved by Davis, seconded by Holland, to approve the rehabilitation of Downtown Fire District Rental Properties for LMI Qualified Rent Program. Motion carried unanimously.

City Administrator/Clerk Barbara Smith led the discussion regarding the Fire District Apartment Requirements. Rules have been established to allow apartments in the Downtown Fire District, including the back 50% of a first-floor business. These rules establish a numbering system for the fire department, egress requirements, and a walkthrough with the Fire Chief before the City will approve occupancy. After discussion, the Council took the following action:

Moved by Wooldridge, seconded by Davis, to refer the Fire District Apartment issue to the Planning & Zoning Commission for an ordinance amendment recommendation. Motion carried, with Buffington voting Nay.

Mayor Ruitter asked that the following payroll matters be noted in the Council Minutes:

- \$300 Longevity increase for Police Officer Mark Wubben for his first five years of service
- Wage increase to Step 2 (\$19.0198) for Sanitation Operator Todd J. Spooner
- Grade II Wastewater Certification increase (\$.25/hr.) for Wastewater Foreman Brandon Schmidt
- Hiring of new Police Officer, Dirk McOmber (\$21.10)

The following invoices were approved for payment:

CLAIMS REPORT VENDOR	REFERENCE	AMOUNT
ADVANCED SYSTEMS	MAINTENANCE	132.92
AFSCME - IOWA COUNCIL 61	UNION DUES	230.50
AFSCME - IOWA COUNCIL 61	UNION DUES	230.50
AGVANTAGE FS	BULK OIL	460.71

AMERICAN CASTING & MFG	PARTS	238.18
AMERICAN FAMILY LIFE	GROUP INS PAYABLE	1,748.81
TRENT ANDERSON	UNIFORM ALLOWANCE	145.46
APPELHONS PAINT	COUNCIL CHAMBERS REPAIR	1,947.76
BAKER & TAYLOR COMPANY	BOOKS	643.37
STEVEN BAKKE	CONSUL/PROF FEES	6,885.71
BEAR CREEK GOLF COURSE	GOLF MEMBERSHIP	146.30
BLUE CROSS-BLUE SHIELD	GROUP INS PAYABLE	2,353.93
BMC AGGREGATES LC	ROADSTONE	561.67
BOMGAARS SUPPLY	MISC SUPPLIES	412.14
BRIAN CURRENT	RENT REIMBURSE/TENANT #11	125.00
BROWN SUPPLY	SIDE CHAIN	207.00
DUSTIN BUCK	REIMBURSE 10-33 PROG SHIPPING	169.86
BETTY BURRESS	MILEAGE REIMBURSEMENT	105.08
BUTLER CO AUDITOR	DEP REFUND/K HOVDEN	175.00
CANON FINANCIAL SERVICES	LEASE PAYMENT	148.66
CE POWER	GE MAGNE BLAST BREAKER	4,485.00
COLLECTION SERVICE CENTER	CHILD SUPPORT	254.30
COLLECTION SERVICE CENTER	CHILD SUPPORT	254.30
COMPUTER SYSTEMS UNLIMITED	COMPUTER SERVICE	82.50
BARRY COPPES	REIMBURSE APPL TESTING FEE	10.00
CHRISTA COSGRIFF	MEAL/MILEAGE REIMBURSEMENT	57.64
DEMCO	MISC SUPPLIES	89.02
DGR ENGINEERING	PHASE 1A DISTR IMPRV	15,050.00
JOSH DOUGLAS	MEAL REIMBURSEMENT	14.71
EFTPS	FED/FICA TAX	21,163.35
EFTPS	FED/FICA TAX	22,241.65
ROSS EIDEN	DARE GRAD RECEPTION	28.68
F C CHAMBER OF COMMERCE	3M PUCKERBRUSH DONATION	2,600.00
F C EMPLOYEE ASSN	FLOWER FUND	41.42
F C MUN UTILITIES	UTILITIES	13,859.59
F C COMMUNITY SCHOOLS	17-CAT-001 GRANT	64,469.95
FARM & CITY INSURANCE	INSURANCE	199,975.00
FC COMMUNITY SCHOOL	DARE COOKIES	108.00
FLETCHER-REINHARDT	ELECTRICAL SUPPLIES	658.05
FOREST CITY FORD	OIL CHANGE	70.90
FOREST CITY ROTARY CLUB	MEALS/DUES/B SMITH	135.50
GENERAL TRAFFIC CONTR	TRAFFIC SIGNAL SERVICE	750.00
GLOBE GAZETTE	SUBSCRIPTION	436.41
H & S AUTO PARTS	SHUT OFF SOLONOID	105.00
HACH CHEMICAL CO	CHEMICALS	157.49
HAUGEN CONTRACTING	LEAK 100 BLK EAST J ST	2,693.50
HAWKINS INC	CHEMICALS	2,841.11
HEARTLAND ASPHALT	COLD MIX	932.65
HERMEL WHOLESAL	WATER	29.95
NORMA HERTZER	SERVICES	1,250.00
HOLIDAY INN DES MOINES AIRPORT	MEALS/LODGING	529.77
IA DEPT OF AGRICULTURE	ADD ON APPLICATOR TEST FEE	30.00
IA LAW ENFORCEMENT ACADEMY	MMPI/D MCCOMBER	300.00
INTERSTATE MOTOR TRUCKS	PARTS	302.51
INTOXIMETERS	SUPPLIES	47.50
IOWA DEPT OF NATURAL RESOURCES	APPLICATION FEE/B SCHMIDT	60.00
IOWA PRISON IND	TOW-AWAY ZONE SIGNS	28.00
IOWA WATER MANAGEMENT	CHEMICALS	1,103.00
IPERS	IPERS PAYABLE	28,864.81
IRBY	GLOVES	183.71
LINCOLN NATIONAL LIFE INS CO	GROUP INS PAYABLE	2,047.15
LYLE'S SALES & SERVICE	CHAINS/SHARPENING	124.30

MASON CITY RECYCLING	RECYCLING CHARGES	3,988.20
MENARDS	WIRE	104.31
MERCY CLINICS	DRUG SCREEN	24.00
MERCY CLINICS	DRUG SCREENS	45.00
METERING & TECHNOLOGY SOLUTION	METERS	48,346.19
METLIFE - GROUP BENEFITS	GROUP INS PAYABLE	236.93
N I A C O G	TRANSIT TICKETS/OPERATING COST	2,294.54
N I C A O	EA REFUND FOR K HOVDEN	202.51
NO IA MEDIA GROUP	ADV/LEGAL PUBLICATIONS	1,394.60
NORTH CENTRAL LABS	CHEMICALS	101.34
NORTH IA LUMBER & DESIGN	MISC SUPPLIES	103.28
PITNEY BOWES	METER RENTAL	37.26
DOUG PRICE	REIMBURSE SHIPPING CHARGES	40.58
PRINTING SERVICES INC	OFFICE SUPPLIES	140.20
QUILL CORPORATION	OFFICE SUPPLIES	28.92
QUILL CORPORATION	OFFICE SUPPLIES	530.94
ROCK ISLAND ELEC MOTOR REPAIR	BRUSH SEATERS	228.72
RIVER CITY COMMUNICATIONS	MONTHLY SECURITY	25.00
ANDY SINNWELL	COUNCIL CHAMBERS REPAIR	69.50
BARB SMITH	MILEAGE REIMBURSEMENT	379.76
ROBERT SNITZER	MEAL REIMBURSEMENT	14.71
SPEER FINANCIAL	SERVICES	545.00
TAMA PROPERTIES	RENT REIMBURSE/TENANT#10	162.50
TASC	FLEX PRE-TAX	831.11
TASC	FLEX PRE-TAX	831.11
TEST AMERICA LABORATORIES	TESTING	777.00
THE LEADER	SUBSCRIPTION	50.00
TREAS, ST OF IOWA	STATE TAXES	8,203.00
TRI-TECH FORENSICS	COLLECTION KITS	112.30
U P S	UPS CHARGES	75.45
U S POST OFFICE	STAMPS	200.00
U.S. BANK	CREDIT CARD CHARGES	1,310.44
VALIC	DEF COMP- 457	925.00
VALIC	DEF COMP- 457	925.00
VEENSTRA & KIMM	PRAIRIE VIEW DRAIN PROJ	350.00
VERIZON	PHONE SERVICE	708.17
WESTOWN PLACE, LLC	RENT REIMBURSE/TENANT #5	1,437.50
WESTOWN PLACE, LLC	RENT REIMBURSE/TENANT #2	237.50
WI SCTF	CHILD SUPPORT	275.12
WI SCTF	CHILD SUPPORT	275.12
Y M C A	YMCA	352.00
TOTAL ACCOUNTS PAYABLE		482,454.79
PAYROLL CHECKS		130,693.03
**** PAID TOTAL ****		613,147.82
***** REPORT TOTAL *****		613,147.82

FUND RECAP:

FUND DESCRIPTION	CLAIMS
GENERAL FUND	238,750.74
ROAD USE	38,884.92
LOW/MOD INCOME	2,359.16
WESTOWN PLACE	1,402.91
HANSON FINE ARTS CENTER	64,469.95
MOTEL PROJECT	43.75
2018-20 STREET PROJECTS	100.00
WATER	42,539.82
SEWER	43,488.42

ELECTRIC	180,758.15
STORM WATER	<u>350.00</u>
TOTALS	<u><u>613,147.82</u></u>

Moved by Wooldridge, seconded by Mikes, to adjourn the meeting at 9:28 p.m. Motion carried unanimously.

ATTEST:

Barbara Smith, City Administrator/Clerk

Byron Ruitter, Mayor