

REGULAR MEETING
August 20, 2018

The City Council of the City of Forest City, Iowa, met in regular session on August 20, 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 7:00 p.m., followed by the Pledge of Allegiance. Councilmembers present at roll call were: Buffington, Davis, Holland, Mikes, Pehrson, Wooldridge, Zehren. Absent: None.

Mayor Ruitter then opened the public hearing on the proposed plans, specifications, form of contract and estimate of cost for the 2018 Street & Utility Improvements Project. Since there were no written or oral objections, Mayor Ruitter closed the public hearing at 7:03 pm.

No one spoke under public forum.

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

1. Agenda (8/20/18)
2. Council Minutes (8/6/18)
3. Board & Committee Minutes, as follows: Safety Committee (8/6/18), Planning & Zoning Commission (8/8/18), Heritage Park (8/7/18) & Historic Preservation Commission (8/9/18)
4. List of Claims

Motion carried unanimously.

Andy Buffington of Paddler's Tap asked the Council to approve three requests for Oktoberfest, as follows:

- Close Clark Street from the School Street Alley to K Street for Oktoberfest event to be held on October 13th
- Suspend the open container law in this area for the Oktoberfest event
- Approve Beer Mile event on October 13th from 11:00 a.m. – 12 p.m., which consists of consuming a 12 oz. beer and running a City block, repeating four times. Profits will be donated to Relay for Life or Susan Komen in honor of breast cancer month. Roads will be open, but volunteers will participate in pedestrian traffic control. Waivers will be required to not allow driving after participating in this event.

Moved by Buffington, seconded by Wooldridge, to approve the Oktoberfest event requests for Paddler's Tap for October 13th. Motion carried unanimously.

City Administrator Barbara Smith asked the Council to pass Resolution 18-19-18, A RESOLUTION APPROVING THE CITY STREET FINANCIAL REPORT FOR THE CITY OF FOREST CITY. Councilmember Wooldridge introduced Resolution 18-19-18 and moved its adoption, and Councilmember Zehren seconded the motion to adopt. Roll call vote – all ayes. The Mayor declared Resolution 18-19-18 duly adopted.

Brandon Theobald of WHKS asked the Council to pass Resolution 18-19-19, A RESOLUTION APPROVING AND CONFIRMING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE 2018 STREET & UTILITY IMPROVEMENTS PROJECT. Councilmember Holland introduced Resolution 18-19-19 and moved its adoption, and Councilmember Davis seconded the motion to adopt. Roll call vote – all ayes. The Mayor declared Resolution 18-19-19 duly adopted.

Mr. Theobald then asked the Council to pass Resolution 18-19-20, A RESOLUTION AWARDDING CONTRACT FOR THE 2018 STREET & UTILITY IMPROVEMENTS PROJECT. The contract will be awarded to Heartland Asphalt, Inc., Mason City, Iowa, in the amount of \$3,231,626.29. Councilmember Zehren introduced Resolution 18-19-20 and moved its adoption, and Councilmember Wooldridge seconded the motion to adopt. Roll call vote – all ayes. The Mayor declared Resolution 18-19-20 duly adopted.

Norma Hertzler, Director of Grow Forest City, gave a power point presentation on community visioning. The Mayor and Council thanked Ms. Hertzler for the information presented.

City Administrator Barbara Smith asked the Council to approve Resolution 18-19-21, A RESOLUTION AUTHORIZING AND APPROVING A CERTAIN LOAN AGREEMENT, PROVIDING FOR THE ISSUANCE OF \$2,300,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2018A, AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME. Councilmember Mikes introduced Resolution 18-19-21 and moved its adoption, and Councilmember Zehren seconded the motion to adopt. Roll call vote – all ayes. The Mayor declared Resolution 18-19-21 duly adopted.

City Administrator Barbara Smith asked the Council to approve Resolution 18-19-22, A RESOLUTION AUTHORIZING AND APPROVING A LOAN AGREEMENT AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF \$3,945,000 ELECTRIC REVENUE BONDS, SERIES 2018B. Councilmember Mikes introduced Resolution 18-19-22 and moved its adoption, and Councilmember Zehren seconded the motion to adopt. Roll call vote – all ayes. The Mayor declared Resolution 18-19-22 duly adopted.

Beth Bilyeu requested the Council's permission to close Clark Lane from 12 p.m. August 24th through 12 p.m. August 27th, to place a roll-off dumpster there for cleaning out the Hanson Hardware basement. Moved by Buffington, seconded by Davis, to approve Ms. Bilyeu's request. Motion carried, with Wooldridge abstaining.

City Administrator Barbara Smith asked the Council to approve Resolution 18-19-23, A RESOLUTION APPOINTING TONY MIKES TO THE YMCA DAYCARE SUBCOMMITTEE. Councilmember Zehren introduced Resolution 18-19-23 and moved its adoption, and Councilmember Wooldridge seconded the motion to adopt. Roll call vote – all ayes, with Mikes abstaining. The Mayor declared Resolution 18-19-23 duly adopted.

City Administrator Barbara Smith asked the Council's approval to proceed with asbestos removal at the Forest City Motel property. Bergo Environmental, Mason City, Iowa, has proposed to provide labor and materials to remove and dispose of the following asbestos from this property:

- 1117 Hwy 69 house – 13 windows & sink counter-top
- 1115 Hwy 69 office – Ceiling texture in office entry, floor tile & mastic linoleum on steps to upstairs, & sink bottom
- Long motel – Linoleum in 17 bathrooms and two large laundry rooms

Moved by Wooldridge, seconded by Mikes, to approve the bid from Bergo Environmental in the amount of \$16,656 for asbestos removal at the former Forest City Motel property. Motion carried unanimously.

The Mayor and Council discussed the following nuisance abatements:

1. 108 Indian Avenue (Richard Roberts) – this property was vacated following a garage fire, but utilities are off and no cleanup has taken place. Seeking authorization to file Chapter 657A to assume ownership of this property.

2. 545 North Clark Street (Ronald Kooiman) – this property was cited to be cleaned up within 60 days, as a shed was torn down and junk is all over the yard. Some cleanup has been done, but there is still a large mess at this property.
3. 246 North 8th Street (Thelma Tonga) – Seeking authorization to purchase this tax sale property.

After discussion, the Council took the following action:

Moved by Davis, seconded by Pehrson, to authorize Bakke Law and City Administrator Barbara Smith to proceed with action on the Indian Avenue and North 8th Street properties. Motion carried unanimously.

Moved by Zehren, seconded by Buffington, to authorize a certified letter with a 30-day time frame to complete cleanup at the North Clark Street property. If this property is not cleaned up within this time frame, the City will do the cleanup and assess the costs to the property owner. Motion carried unanimously.

Mayor Ruitter asked that it be noted in the minutes that Todd J. Spooner will be transferring from the Sanitation Department to a position as Police Officer at a base rate of \$21.10 per hour. Mr. Spooner has also served as a Police Reserve and Firefighter for the City of Forest City and will now work solely as a Police Officer. He will transfer to the Police Department on September 10th, with academy to begin January 3rd.

The Mayor and Council discussed replacing the roof on the former Casey's building on 4th Street. Mayor Ruitter asked the Council to approve the low bid of \$13,380 from Mason City Roofing for this project. Repairs will be paid for utilizing available LOST funds. Moved by Holland, seconded by Buffington, to approve the bid. Motion carried unanimously.

The Mayor and Council discussed the results of the Planning & Zoning Commission's meeting on August 8th to consider amending the RMO Districts to allow convenience stores as a permitted special exception. No recommendation was made by the Commission, due to lack of a majority vote. After discussion, the Council took the following action:

Moved by Zehren, seconded by Pehrson, to refer this issue back to the Planning & Zoning Commission. A roll call vote was requested, and the vote was AYES: Zehren, Davis, Pehrson. NAYS: Buffington, Holland, Mikes, Wooldridge. ABSENT: None. Motion defeated.

City Attorney Bakke stated that the Council had three options regarding amending special exceptions within the RMO Districts: 1. Send issue back to the Planning & Zoning Commission; 2. Move forward; or 3. Do nothing and the issue will die. If the Council moved to proceed with the amendment, the process would include a hearing with three separate readings of the proposed ordinance. If amended, applicants who wish to build in these areas would need to apply for a building permit and be denied, with the opportunity to then meet with the Board of Adjustment, who has final authority on granting special exception requests. After discussion, the Council took the following action:

Moved by Mikes to move forward on amending the RMO Districts to allow convenience stores as a special exception. Seconded by Holland. A roll call vote was requested, and the vote was AYES: Buffington, Davis, Holland, Mikes, Wooldridge. NAYS: Pehrson, Zehren. ABSENT: None. Motion carried. A Resolution to set the Hearing will be held at the September 3rd Council meeting, with the Hearing to be held October 1st. A Public Meeting will be held prior to the Hearing to allow the Public to speak to this issue.

The following invoices were approved for payment:

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT
A & P FOOD SERVICE	CONCESSION SUPPLIES	135.66
ADVANCED SYSTEMS	MAINTENANCE	102.23
ADVANCED SYSTEMS	COPIER PAYMENT	83.04
AMAZON.COM	DVDS	76.86
APPELHONS PAINT	PAINT/LABOR	800.00
ARAMARK	JUNE SERVICE	138.47
ATLANTIC BOTTLING COMPANY	CONCESSION SUPPLIES	215.16
AWWA-IOWA SECTION	REGISTRATION/K REICKS	130.00
BAKER & TAYLOR COMPANY	BOOKS	945.96
BAKKE TRUST ACCOUNT	EARNST MONEY FOR OFFER	1,000.00
BILL'S FAMILY FOODS	CONCESSION SUPPLIES	601.44
BLACK HILLS ENERGY	GAS FOR HEAT	1,341.89
BOMGAARS SUPPLY	MISC SUPPLIES	215.96
BRICKSTREET THEATRE	THEATRE PLAY	980.95
CENTRAL IA DISTRIBUTING	JANITORIAL SUPPLIES	1,192.10
CITY OF FOREST CITY	PROJ SHARE/O'DELL	78.44
CITY OF FOREST CITY	PROJECT SHARE/C BOLIE	13.01
CITY OF FOREST CITY	PROJECT SHARE/K EASON	125.00
COLLECTION SERVICE CENTER	CHILD SUPPORT	254.30
COMPUTER SYSTEMS UNLIMITED	COMPUTER SERVICE	55.00
CHRISTA COSGRIFF	MILEAGE REIMBURSEMENT	35.97
DAIRYLAND POWER CO-OP	PURCHASED ENERGY	237,917.62
DALE'S BODY SHOP	REPAIR DOOR	35.00
DECKER'S SPORTING GOODS	STIRRUP SOCKS	405.00
EFTPS	FED/FICA TAX	24,810.08
ELSMORE SWIM SHOP	SWIM SUPPLIES	583.40
F C COMMUNITY SCHOOLS	FINE ARTS CENTER BALANCE	864,999.00
FARM & CITY INSURANCE	POLICY ADD/DELETE/AUDIT ADJ	38,442.00
FARMER'S CO-OP ASSOC	FUEL	7,693.78
FIRST FOR WOMEN	SUBSCRIPTION	19.97
FOREST CITY FORD	PARTS/SERVICE	112.35
G & H MOTOR PARTS	PARTS	68.93
GREEN CANOPY	KYBO RENTAL	495.00
HAWKINS INC	CHEMICALS	2,381.13
NORMA HERTZER	SERVICES	1,250.00
HYGIENIC LAB ACCTS RECEIVABLE	TESTING	13.00
I M F O A	REGISTRATION/B SMITH	65.00
I WIRELESS	PHONE SERVICE	171.68
IA DIVISION OF LABOR SERVICES	BOILER INSPECTION	40.00
IN THE SWIM	CHEMICALS	81.93
IOWA DEPT OF NATURAL RESOURCES	EXAM APP/M HAUGEN	30.00
JORDAN CANTU	ACCT REFUND CREDIT BALANCE	47.07
KNAPPER OIL CO	FUEL	147.42
LINCOLN AQUATICS	SWIM SUPPLIES	282.20
MANUFACTURER'S BANK	BRIDGE LOAN PAYOFF	136,551.72
MIDWEST LIVING	SUBSCRIPTION	10.00
MUSIC ON THE MOVE	SERVICES	600.00
NAOMI BAXTER	REFUND SPECIAL PICK UP	17.94
NELSON PLUMBING & HEAT	PARTS/SERVICE	5,573.99
NEW YORK LIFE	GROUP INS PAYABLE	360.12

MEDCO SUPPLY COMPANY	GLOVES	114.55
PETTY CASH	REIMBURSE PETTY CASH	75.22
PLEVA MECHANICAL INC.	POOL VALVES	3,340.00
PRAIRIE ENERGY CO-OP	UTILITIES	116.66
PRESTO-X	SERVICES	86.00
QUILL CORPORATION	CLEANING SUPPLIES	135.08
READER'S DIGEST	SUBSCRIPTION	24.98
RHODE ISLAND NOVELTY	SPORTS EQUIPMENT	54.31
SCHNEBLY'S 66" "	FUEL	595.40
TAMA PROPERTIES	RENT REIMBURSE/TENANT #23	118.75
TASC	FLEX PRE-TAX	802.27
TASTE OF HOME	SUBSCRIPTION	14.98
TOLEDO PHYSICAL ED SUPPLY	PARTY/DANCE PRIZES	136.96
UMMEG	STS COSTS	22,099.08
UMMEG-RUGBY	RUGBY FARM	12,078.52
VALIC	DEF COMP- 457	475.00
VERIZON	PHONE SERVICE	744.34
VERIZON	PHONE SERVICE	707.57
VERIZON	PHONE SERVICE	36.77
VISUAL COMMUNICATION SERVICES	WOODLAND PARK SIGN	358.75
WCTA	SERVICES	1,604.44
WINN CO DEPT OF PUBLIC HEALTH	POOL INSPECTION	243.00
WOMAN'S DAY	SUBSCRIPTION	21.37
TOTAL ACCOUNTS PAYABLE		1,375,710.77
PAYROLL CHECKS		77,850.35
**** PAID TOTAL ****		1,453,561.12
***** REPORT TOTAL *****		1,453,561.12

FUND RECAP:

FUND DESCRIPTION	CLAIMS
GENERAL FUND	75,727.21
ROAD USE	10,434.56
LOW/MOD INCOME	118.75
HANSON FINE ARTS CENTER	1,001,550.72
LIBRARY	1,000.00
WATER	8,176.92
SEWER	10,263.41
ELECTRIC	335,057.69
LANDFILL/GARBAGE	10,857.22
STORM WATER	374.64
TOTALS	1,453,561.12

MONTHLY FUND RECAP (July 2018)

FUN	DESCRIPTION	RECEIPTS
D		
001	General	\$ 73,515.60
004	Park Improvement	
006	Grant Administration	\$ 38,500.00
110	Road Use	\$ 39,587.18
112	Employee Benefits	\$ 2,973.76

119	Emergency	\$	194.95
121	Local Option Sales Tax	\$	33,695.48
125	TIF	\$	2,125.75
200	Debt Service	\$	4,038.58
305	Hanson Fine Arts Center	\$	162,322.65
600	Water	\$	64,128.59
610	Sewer	\$	87,090.05
630	Electric	\$	541,545.78
670	Landfill/Garbage	\$	140,104.56
740	Storm Sewer	\$	11,911.44
	TOTAL ALL FUNDS	\$	1,201,734.37

June Net Salaries	\$	225,967.02
July Net Salaries	\$	156,388.09

Moved by Wooldridge, seconded by Davis, to adjourn the meeting at 9:05p.m. Motion carried unanimously.

ATTEST:

Barbara Smith, City Administrator/Clerk

Byron Ruitter, Mayor