

**REGULAR MEETING**  
**October 15, 2018**

The City Council of the City of Forest City, Iowa, met in regular session on October 15, 2018, at 12:00 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 12:00 p.m., followed by the Pledge of Allegiance. Councilmembers present at roll call were: Davis, Holland, Mikes, Pehrson, Wooldridge, and Zehren. Absent: Buffington.

Under Public Forum, Don Erickson stated that there are a lot of nice things in Forest City and, unlike other small towns, we have Waldorf University. Don asked the Council to use thought as to what Waldorf needs in making decisions for the community.

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

1. Agenda (10/15/18)
2. Council Minutes (10/01/18)
3. Board & Committee Minutes, as follows: Personnel & Finance Committees (10/8/18), Heritage Park (10/2/18), Park Board (10/8/18), Airport Commission (10/9/18), Business & Industry Committee (10/12/18), City Administrator's Employment Conference Report
4. List of Claims
5. Class C Liquor License for Ay Jalisco, pending dram shop

Motion carried unanimously.

Airport Manager Dick Trimble asked the Council to approve Pay Estimate No. 1 in the amount of \$18,489.34 to Voltmer Inc. for work on the Runway 15/33 Edge Lighting Improvements Project. Moved by Zehren, seconded by Holland, to approve Pay Estimate No. 1. Motion carried unanimously.

Paramedic Supervisor Dale Rayhons noted he had met with the Personnel Committee, as he has not had any applicants for his department. Dale would like to hire four part-time positions, each of whom would take two 24-hour shifts per month. As candidates are more interested in dollars than benefits, he would like to offer \$22.50 per hour for weekday shifts and \$26.50 per hour for weekend shifts. Current full-time employees would remain at their regular hourly rate but are entitled to medical/dental/LTD/Life-Add benefits, as well as vacation, sick, comp and personal day hours. Moved by Davis, seconded by Zehren, to approve the hiring of four PT employees at the rates suggested by Dale Rayhons. Motion carried unanimously.

The Mayor and Council discussed the second reading of Ordinance No. 785, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FOREST CITY, IOWA, BY ADDING A NEW SECTION, 165.37B, REGULATING RMO DISTRICTS. Moved by Wooldridge, seconded by Mikes, to bring this issue to the table for discussion and to allow the public to speak to this issue. Motion carried unanimously.

The Mayor and Council heard further concerns from the Public regarding RMO Districts, and Verna Reese presented a petition with 260 signatures against allowing convenience stores as a special exception in these districts. A second petition from the High School was submitted, which contained 89 signatures. The Mayor and Council thanked the Public for their feedback. No motion was made to approve this second reading of Ordinance No. 785, which died due to the lack of a motion.

Norma Hertzler of Grow Forest City addressed the Council regarding the Hynes Spur Trail Extension. They have \$130,000 of the necessary \$150,000 needed for the J Street Trail Extension, which includes a push-button cross walk and trail extension. Construction is scheduled to start in the Spring of 2019, and Norma asked the Council to contribute the remaining \$20,000 needed for this project. Moved by Wooldridge, seconded by Mikes, to approve the \$20,000 contribution, contingent upon the Great Places Grant being received for this project. Motion carried unanimously.

City Administrator Barbara Smith explained the Rental Inspection Program, which sets up guidelines for rental properties and provides for the hiring of an individual to inspect these properties. The first reinspection would be provided at no charge. Barb would like to have the landlord license in place by January 1<sup>st</sup>. Councilmember Holland noted that handouts should be distributed and that the guidelines should not be so restrictive that landlords are discouraged from renting out properties. No motion is needed at this time, but Barb will continue to move forward with setting up this program. Norma Hertzler will put this information on the City website and social media.

Norma Hertzler asked the Council's permission to move forward with seeking funding and starting the phasing of Community Visioning Projects. Moved by Holland, seconded by Davis, to authorize Norma to proceed. Motion carried unanimously.

City Administrator Barbara Smith summarized the TIF Report for F.Y.E. 2018 for the Mayor and Council, which is due December 1<sup>st</sup>. Moved by Wooldridge, seconded by Mikes, to approve the TIF Report. Motion carried unanimously.

City Administrator Barbara Smith summarized the 2018 Annual Financial Report for the Mayor and Council. This report will be submitted for the Council's approval after it is published.

City Administrator Barbara Smith led the discussion on City investments. Bids have been received from IPAIT, MBT and TSB. Barbara asked the Council's approval to move these funds where they can get the most interest. Moved by Holland, seconded by Mikes, to allow moving funds for the best possible interest, contingent upon the financial institution insuring these funds. Motion carried unanimously.

City Administrator Barbara Smith asked the Council to pass Resolution 18-19-29, A RESOLUTION TO APPOINT SHELBY KORTH TO FULFILL THE REMAINDER OF PATTI BOLINGER'S TERM (TERM EXP 7/1/22) ON THE LIBRARY BOARD. Councilmember Wooldridge introduced Resolution 18-19-29 and moved its adoption, and Councilmember Pehrson seconded the motion to adopt. Roll call vote – all Ayes. The Mayor declared Resolution 18-19-29 duly adopted.

City Attorney Bakke asked the Council to pass Resolution 18-19-30, A RESOLUTION DISCONTINUING THE CABLE TELEVISION COMMISSION. Federal and state regulations have diminished the power and responsibility of cities regarding cable television., and this committee has not met in several years. Councilmember Wooldridge introduced Resolution 18-19-30 and moved its adoption, and Councilmember Davis seconded the motion to adopt. Roll call vote – all Ayes. The Mayor declared Resolution 18-19-30 duly adopted.

Street Superintendent Mike O'Rourke asked the Council to approve Change Order No. 1 from WHKS for the 2018 Street & Utility Improvements Project, for a savings of \$81,702. Moved by Wooldridge, seconded by Holland, to approve Change Order No. 1. Motion carried unanimously.

City Administrator Barbara Smith asked the Council to approve C.O.B.R.A. Training for City employees. The cost for this self-defense systems training is \$1500 and includes both Active Shooter & Work-Place Violence Training. Moved by Zehren, seconded by Mikes, to approve and pay for C.O.B.R.A. Training for City employees. Motion carried unanimously.

Electric Department Manager Duane Kuhn asked the Council to approve Pay Estimate No. 3 in the amount of \$135,298.98 with \$18,619.68 retainage to Perrin Construction for Phase 1A of the Electric Systems Improvement Project. Moved by Holland, seconded by Zehren, to approve Pay Estimate No. 3. Motion carried unanimously.

Electric Department Manager Duane Kuhn asked the Council to approve Pay Estimate No. 1 in the amount of \$24,136.65 with \$1,270.35 retainage to Linahon Construction for Phase 1A of the Electric Systems Improvement Project. Moved by Holland, seconded by Zehren to approve Pay Estimate No. 1. Motion carried unanimously.

Mayor Ruitter asked that it be noted in the minutes that City Administrator Barbara Smith is to go to \$85,000 per year, per her hiring agreement.

Moved by Wooldridge, seconded by Davis, to enter closed session under Iowa Code 21.5(j) to discuss the purchase or sale of particular real estate. Roll call vote – all Ayes. The Council entered closed session at 1:51 p.m. The Council re-opened the meeting at 2:25 p.m. and took the following action: Moved by Mikes, seconded by Wooldridge, to authorize City Attorney Bakke to move forward on the agreement discussed during closed session. Motion carried unanimously.

Barbara Smith asked for a closed session to discuss her annual performance review.

Moved by Wooldridge, seconded by Zehren, to enter into closed session under Iowa Code 21.5(i) to evaluate the professional competency of any individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual’s reputation. Roll call vote – all Ayes. The Council entered closed session at 2:29 p.m. The Council re-opened the meeting at 2:50 p.m. and took no action on the closed session discussion.

The following invoices were approved for payment:

**CLAIMS REPORT**

<b>VENDOR</b>	<b>REFERENCE</b>	<b>AMOUNT</b>
ABSOLUTE WASTE REMOVAL	ROLLOFFS/MOTEL	1,244.13
ADVANCED DOOR SYSTEMS	REMOTE	40.00
ADVANCED SYSTEMS	MAINTENANCE	46.60
ADVANCED SYSTEMS	COPIER PAYMENT	83.04
AHLERS & COONEY PC	CONSUL/PROF FEES	242.00
AIRGAS	CYLINDER RENTAL	50.70
JUERN AKKERMAN	CEMETERY SPRAYING	1,190.00
ARAMARK	LAUNDRY SERVICE	332.36
ARROW PRINTING	FORMS	87.53
AUTOMATIC SYSTEMS CO.	PARTS/SERVICE	840.26
AXON ENTERPRISE, INC.	BATTERY PACK/MISC SUPPLIES	1,317.00
BARB'S STITCHERY	SERVICES	7.50
BILL'S FAMILY FOODS	MISC SUPPLIES	53.90
BLACK HILLS ENERGY	GAS FOR HEAT	860.70
BMC AGGREGATES LC	ROADSTONE	337.15

BOMGAARS SUPPLY	MISC SUPPLIES	57.90
BORDER STATES ELECTRIC	MISC PARTS	691.76
BRIAN CURRENT	RENT REIMBURSE/TENANT #11	237.50
CANON FINANCIAL SERVICES	LEASE PAYMENT	148.66
CEMSTONE CONCRETE MATERIALS	MATERIALS/WOODLAND PARK	364.00
CENTRAL STATES GROUP	PUMP WET END KIT	249.84
CLAPSADDLE GARBER ASSOCIATES	RUNWAY 15/33 LIGHTING	356.40
CLEAR LAKE SANITARY DISTRICT	TESTING	121.00
CONTINENTAL RESEARCH	UNI PADS	196.09
D & D SALES	INITIAL ISSUE/S VAUGHN	376.50
DAIRYLAND POWER CO-OP	PURCHASED ENERGY	186,297.95
EDDY'S GLASS & DOOR	DSB GLASS	151.36
ELECTRONIC ENGINEERING	RADIO RENTAL	1,431.00
EMC INSURANCE	WORK COMP DEDUCTABLE	1,000.00
ENCORE ENERGY	NAT GAS BOILER	1,121.24
FARM & CITY INSURANCE	ADD BOMAN FINE ARTS CENTER	4,880.00
FARMER'S CO-OP ASSOC	FUEL	8,386.60
FIRE EQUIPMENT SPECIALTIES	FIRE HOSES	527.00
FLETCHER-REINHARDT	ELECTRICAL SUPPLIES	1,307.65
FOREST CITY ROTARY CLUB	DUES/MEALS	135.50
G & H MOTOR PARTS	PARTS	958.84
HANCOCK CO TREASURER	PROPERTY TAXES	216.00
HANCOCK CO TREASURER	TAX PENALTY	2.00
HASTINGS FIBER GLASS PRODUCTS	HIGH VOLT METER REPAIR	105.31
HEARTLAND POWER COOPERATIVE	LETTER OF CREDIT	5,000.00
HERMEL WHOLESALE	WATER	29.95
HOLLAND CONTRACTING	TIRE REPAIR	25.00
HYGIENIC LAB ACCTS RECEIVABLE	TESTING	84.50
I WIRELESS	PHONE SERVICE	127.30
IA LAW ENFORCEMENT ACADEMY	TESTING/D MARTIN	100.00
INTERSTATE MOTOR TRUCKS	FUEL LINE	44.46
K I O W	MOSQUITO SPRAYING	52.80
K.C. NIELSEN, LTD.	PARTS	129.36
KNAPPER OIL CO	FUEL	69.10
LANDFILL OF NORTH IOWA	LANDFILL CHARGES	5,813.37
LINAHON ELECTRIC, INC.	ELEC METER CUTOVER PHASE 1A	24,136.65
MASON CITY RECYCLING	RECYCLE CHARGES	3,988.20
METERING & TECHNOLOGY SOLUTION	METERS	27,161.30
MJR PROPERTIES	RENT REIMBURSE/TENANT #6	187.50
MJR PROPERTIES	RENT REIMBURSE/TENANT#6	187.50
N I A C O G	TRANSIT TICKETS	1,974.54
NELSON PLUMBING & HEAT	SERVICES	116.59
NEW YORK LIFE	GROUP INS PAYABLE	360.12
NO IA MEDIA GROUP	ADV/LEGAL PUBLICATIONS	843.87
NORTH IA LUMBER & DESIGN	MISC SUPPLIES	134.42
NORTH IA LUMBER & DESIGN	MISC SUPPLIES	76.71
NORTHERN SAFETY CO.	CALIBRATION GAS	300.11
OFFICE DEPOT	OFFICE SUPPLIES	189.87
GLEN PANNKUK	STUMP GRINDING	160.00
PERRIN DIRECTIONAL DRILLING	ELEC IMPROVEMENTS PHASE 1A	135,298.98
PETTY CASH	REIMBURSE PETTY CASH	70.27
PHOENIX RENTALS	RENT REIMBURSE/TENANT #25	137.50
PRAIRIE ENERGY CO-OP	UTILITIES	117.50
PRESTO-X	SERVICES	43.00
PURCHASE POWER	POSTAGE METER REFILL	5,050.00
QUILL CORPORATION	OFFICE SUPPLIES	43.98
RIVER CITY COMMUNICATIONS	MONTHLY SECURITY	45.00
SANDRY FIRE SUPPLY	SERVICE CALL/TESTING	1,124.36
SCHNEBL'S 66" "	TIRES/FUEL	435.65
SHOPKO STORES OPERATING CO	MISC SUPPLIES/VACUUM	125.12

SUNDE SERVICES, LLC	ABATEMENT MOWING	805.00
ANN TENDALL	COACHING/VOLLEYBALL	175.00
THEISS SHIRTS, INC	YOUTH REC SHIRTS	918.75
TORKELSON PLUMBING	PARTS/SERVICE	71.57
TORKELSON PLUMBING	METER INSTALLATION	10,335.00
DICK TRIMBLE	SERVICES	3,879.95
U.S. BANK	CREDIT CARD CHARGES	1,749.82
UMMEG	STS COSTS	18,260.29
UMMEG-RUGBY	RUGBY FARM	19,230.76
UNITY POINT CLINIC	DRUG SCREEN	84.00
UTILITY EQUIP CO	CLAMP	152.51
VERIZON	PHONE SERVICE	752.55
VOLTMER	REPLACED WIRE FOR RUNWAY	2,439.56
VOLTMER	ESTIMATE #1	18,489.34
WADE THOMPSON TRUCK & REPAIR	#173 REPAIRS	2,274.50
WALLACE,HOLLAND,KASTLER	SAN SEWER SMOKE TESTING	903.55
WCTA	SERVICES	1,842.14
WESTOWN PLACE, LLC	RENT REIMBURSE/TENANT #2	237.50
WESTOWN PLACE, LLC	RENT REIMBURSE/TENANT #4	950.00
TOTAL ACCOUNTS PAYABLE		513,389.34
PAYROLL CHECKS		67,134.82
**** PAID TOTAL ****		580,524.16
**** REPORT TOTAL ****		580,524.16

#### FUND RECAP:

FUND DESCRIPTION	CLAIMS
GENERAL FUND	80,954.39
PARK IMPR FUND	364.00
ROAD USE	8,335.61
TIF	218.00
LOW/MOD INCOME	1,937.50
HANSON FINE ARTS CENTER	5,000.00
MOTEL PROJECT	2,703.15
WATER	7,921.56
SEWER	12,228.86
ELECTRIC	443,956.82
LANDFILL/GARBAGE	16,545.66
STORM WATER	358.61
TOTALS	<u>580,524.16</u>

#### MONTHLY FUND RECAP (September 2018)

FUN	DESCRIPTION	RECEIPTS
D		
001	General	\$ 94,134.30
004	Park Improvement	\$ 225.00
006	Grant Administration	
110	Road Use	\$ 60,223.28
112	Employee Benefits	\$ 28,748.32
119	Emergency	\$ 2,151.49
121	Local Option Sales Tax	\$ 34,853.61
122	Hotel-Motel Tax	
125	TIF	\$ 15,730.88
127	Low/Mod Income	\$ 2,019.46
200	Debt Service	\$ 35,878.15

305	Hanson Fine Arts Center		
309	Motel Project	\$	500.00
310	2018 Street Project	\$	2,281,080.40
600	Water	\$	57,783.89
610	Sewer	\$	72,843.17
630	Electric	\$	4,411,627.79
670	Landfill/Garbage	\$	46,636.24
740	Storm Sewer	\$	11,500.20
	<b>TOTAL ALL FUNDS</b>	\$	7,155,936.18

Moved by Wooldridge, seconded by Mikes to adjourn the meeting at 2:51 p.m. Motion carried unanimously.

ATTEST:

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Barbara Smith, City Administrator/Clerk

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Byron Ruiter, Mayor