

**REGULAR MEETING
November 5, 2018**

The City Council of the City of Forest City, Iowa, met in regular session on November 5, 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, and Zehren. Absent: None.

No one spoke under public forum.

Norma Hertzler presented her Grow Forest City report for the Mayor and Council. Norma has submitted the Iowa Great Places Grant application, as well as a community award for BC/BS. She noted that the Holiday Tree Lighting will be held on November 26th. The Mayor and Council thanked Norma for her report.

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

1. Agenda (11/05/18)
2. Council Minutes (10/15/18)
3. Board & Committee Minutes, as follows: Library Board (9/9/18), Heritage Park (10/16/18), Board of Adjustment (10/24/18), Safety Committee (10/29/18), Housing Commission (10/30/18), Street Committee (10/30/18), Chamber of Commerce, Forest City Economic Development
4. List of Claims
5. Licenses & Permits, as follows: Class E Liquor License for Uptown Liquor, LLC, Class C Liquor License for Forest City Education Gala (pending dram shop), Class C Liquor License for Shooterz (pending dram shop)

Motion carried unanimously.

Andy Koob, Project Manager for DGR, asked the Council to approve Amendment No. 1, Master Task Order Agreement for Phase 1B of the Electric Distribution Improvements Project. The preliminary design is complete, and this amendment will authorize DGR to proceed into final design, bidding and construction phases. Moved by Wooldridge, seconded by Davis, to approve Amendment No. 1. Motion carried unanimously.

Susan Gardner, who lives on the 400 block of South Central, expressed concern on the high-speed traffic and visibility issues on South Central Street. She is asking for yield or stop signs to be placed at the intersection of E Street and South Central Street. Per Police Chief Tom Montgomery, they are doing additional patrolling in this area to assess the situation. Moved by Wooldridge, seconded by Davis, to refer this issue to the Street Committee for further consideration. Motion carried unanimously.

Bear Greek Golf Course Manager Mark Helgeson asked the Council's assistance to purchase a new rough mower for Bear Creek. The cost for this Jacobsen HR700 mower from Turf Works in Johnston, Iowa, is \$65,511. Bear Creek will pay the City back at 3% interest. Moved by Buffington, seconded by Mikes, to approve the City's purchase of the mower and terms of repayment. Motion carried unanimously.

City Administrator Barbara Smith asked the Council to approve submission of the Annual Financial Report. Required notice of this report was published in the 10/23/18 edition of the Summit-Tribune. Moved by Zehren, seconded by Wooldridge, to approve the F.Y.E. 2018 Annual Financial Report for the City of Forest City. Motion carried unanimously.

City Attorney Bakke asked the Council to approve the Nerem Industrial Farmland Lease for Heritage Park. Per Bakke, the tenants acknowledge the possibility of future development. The tenant does not have to pay rent for this property, but they do maintain it and pay the taxes, as it is not public use land. Per Jim Oulman of Heritage Park, there will be oats and hay planted on this land. Moved by Wooldridge, seconded by Davis, to approve the lease. Motion carried unanimously.

City Administrator Barbara Smith led the discussion on Chapter 55 of the Forest City Code of Ordinances, Animal Protection and Control. The Safety Committee met and presented a proposed policy, which limits the number of pets allowed, sets a licensing fee, and establishes fines for non-compliance and animals at large. The Police have nowhere to take animals that are picked up, and this policy allows them to hold the animals for 24 hours, then take them to the Humane Society. The licensing fee would be less for animals that are micro-chipped. Concerns were expressed by the Public and Council regarding qualifying rather than quantifying, rescue dogs and kennels that may exceed the allowed number of animals, leash length, and the costs for licensing and micro-chipping. City Administrator Barbara Smith suggested adding a clause to this policy to not exceed six animals without Council approval. Moved by Buffington, seconded by Wooldridge, to refer this issue back to the Safety Committee for further consideration. Motion carried unanimously.

City Administrator Barbara Smith asked the Council's consideration of the first reading of Ordinance No. 787, an Amendment to Chapter 97, Use of Public Sewers. Per Barbara, many sump pumps are draining into the street and destroying curb and gutter. WHKS recommends sump pump hoses to be allowed 8' from a curb and 3' from any impervious service or as approved by the City Administrator via a sump pump discharge permit. Councilmember Buffington introduced Ordinance No. 787, an ORDINANCE AMENDING CHAPTER 97.01 OF THE CODE OF ORDINANCES, FOREST CITY, IOWA, TO AMEND THE SURFACE DISCHARGE POINT FOR SUMPS IN FOREST CITY, IOWA, which was seconded by Councilmember Zehren. Roll call vote – all ayes. The second reading of Ordinance No. 787 will be on the November 19th Council Agenda. The Public will be notified of the Council's intent to change this ordinance on their next utility bill.

Mayor Ruitter asked that it be noted in the minutes that Wastewater Foreman Brandon Schmidt received his Grade II Wastewater certification and is entitled to a \$25/hr. wage increase.

City Administrator Barbara Smith asked the Council's consideration of the first reading of Ordinance No. 788, regarding Park Board terms. This Ordinance was changed during recodification, and the Park Board prefers to stay with six-year terms. Councilmember Wooldridge introduced Ordinance No. 788, an ORDINANCE AMENDING SECTION 23.02 OF THE CODE OF ORDINANCES, FOREST CITY, IOWA, BY CHANGING THE TERM OF THE PARK COMMISSIONERS FROM 4 YEARS TO 6 YEARS, which was seconded by Councilmember Zehren. Roll call vote – all ayes.

Councilmember Wooldridge moved that the rule requiring said Ordinance to be read on three separate days be dispensed with. Councilmember Mikes seconded the motion. Roll call vote, with Holland voting nay. Motion carried.

Councilmember Davis moved that Ordinance No. 788 now be adopted. Councilmember Wooldridge seconded the motion. Roll call vote, with Holland voting nay. Motion carried. Mayor Ruitter declared Ordinance No. 788 duly adopted.

Electric Department Manager Duane Kuhn asked the Council to approve Change Order No. 1 for Phase 1A of the Electric System Improvements Project. This is an increase of \$2,723.83 and incorporates the State

inspection fee for Linahon Electric Inc. Moved by Holland, seconded by Zehren, to approve this Change Order. Motion carried unanimously.

Electric Department Manager Duane Kuhn asked the Council to approve Pay Request No. 2 in the amount of \$28,990.34 to Linahon Electric Inc. for Phase 1A of the Electric System Improvements Project. This portion of the project has been completed, and retainage will be released after 30 days. Moved by Holland, seconded by Wooldridge, to approve this Pay Estimate. Motion carried unanimously.

The Mayor and Council discussed a nuisance abatement at 506 South 6th Street. Notice was sent on 8/29/18 to abate this nuisance within 30 days but was not cleaned up. City Administrator Barbara Smith asked how the Council wished to proceed. Moved by Wooldridge, seconded by Buffington, to have the Police Department give 24-hour notice. If not taken care of, the Street Department will remove the nuisance, store the materials, and assess storage and removal costs to the property owner. Motion carried unanimously.

City Administrator Barbara Smith asked the Council to set a date for a capital improvement plan (CIP) workshop. Moved by Davis, seconded by Mikes, to set the date for Thursday, November 29th. Motion carried unanimously.

Under staff reports, Police Chief Tom Montgomery noted the Police Department had served 350 people at their Halloween supper. He also warned those in attendance about recent IRS scams. City Administrator Barbara Smith noted the recertification election for the Public Works' union resulted in this union being dissolved on July 1, 2019. City Administrator Barbara Smith also informed the Council that the City's checking account was being moved to Manufacturer's Bank & Trust to save on bank fees.

Moved by Davis, seconded by Pehrson, to enter into 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 9:02 p.m. The Council re-opened the meeting at 9:13 p.m. and took the following action:

Moved by Davis, seconded by Pehrson, to approve City Attorney Bakke's report that was presented during closed session. Motion carried unanimously.

The following invoices were approved for payment:

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT
IRVIN RODRIGUES	COACHING	150.00
GERMAN ROMERO	COACHING	150.00
SAMMY YOHANSEN	COACHING	150.00
ABDULRAZIK ABDULKHALIK	COACHING	150.00
ALYSON WALKER	COACHING	100.00
MEN'S WALDORF SOCCER	COACHING	400.00
MIRACLE RECREATION	ROOF FOR HEPTAGON DECK	3,481.06
ADVANCED DOOR SYSTEMS	LINE SHED GARAGE DOOR	3,600.00
ADVANCED SYSTEMS	MAINTENANCE	102.23
AMARIL	SAFETY CLOTHING	3,621.67
AMERICAN FAMILY LIFE	GROUP INS PAYABLE	1,752.69
ANTHONY MIKES	REFUND	40.00
BAKER & TAYLOR COMPANY	BOOKS	597.89

STEVEN BAKKE	CONSUL/PROF FEES	4,641.40
BARB'S STITCHERY	SERVICES	10.00
BEAR CREEK GOLF COURSE	GOLF MEMBERSHIP	146.30
BEN NORDSKOG	2ND HALF HOUSING REHAB	2,500.00
BETTER HOMES & GARDENS	SUBSCRIPTION	9.99
BLACKBURN	WATER/SEWER MARKING FLAGS	290.01
BLUE CROSS-BLUE SHIELD	GROUP INS PAYABLE	2,553.22
BMC AGGREGATES LC	ROADSTONE	677.46
BOMGAARS SUPPLY	MISC SUPPLIES	857.61
BORDER STATES ELECTRIC	LED STREET LIGHTS	5,375.31
BRASSE IMPLEMENT	2018 JOHN DEERE MOWER	26,023.55
BETTY BURRESS	MEAL REIMBURSEMENT/IMFOA	45.44
C.H. MCGUINNESS CO., INC.	PLANT BOILER REPAIR	416.45
CE POWER	REBUILD BLAST BREAKER	4,485.00
CITY OF FOREST CITY	DUMPSTERS FOR HOTEL	148.56
COLLECTION SERVICE CENTER	CHILD SUPPORT	254.30
COLLECTION SERVICE CENTER	CHILD SUPPORT	254.30
CHRISTA COSGRIFF	REIMBURSEMENT	171.35
CRESCENT ELECTRIC	ELECTRICAL SUPPLIES	306.96
CULVER HAHN	LINE SHED SHOP LIGHTS	255.00
D & D SALES	CITY VEHICLE DECALS	384.00
DAIRYLAND POWER CO-OP	TREE TRIMMING	4,929.65
DGR ENGINEERING	PHASE 1A DISTRIB IMPROVEMENTS	1,128.00
DXP ENTERPRISES, INC.	PARTS	170.06
EDDY'S GLASS & DOOR	LABOR & MATERIALS INSTALL DOOR	15,542.00
EDDY'S GLASS & DOOR	CAULK	209.53
EFTPS	FED/FICA TAX	22,196.66
EFTPS	FED/FICA TAX	22,749.35
ELECTRONIC ENGINEERING	EARPIECE	213.59
ELLE DECOR	SUBSCRIPTION	32.07
ELLIOTT EQUIPMENT	LATCH ARM/TRUCK #180	93.86
F C CHAMBER OF COMMERCE	REBATE/M ASHLAND	225.00
F C EMPLOYEE ASSN	FLOWER FUND	42.50
F C MUN UTILITIES	UTILITIES	12,305.69
DEB FARDAL	HALLOWEEN DANCE	125.00
FARM & HOME PUBLISHERS	BOOK	107.80
FLETCHER-REINHARDT	ELECTRICAL SUPPLIES	961.94
FOREST CITY FOODS	PIZZA/HALLOWEEN DANCE	168.00
FOREST CITY FORD	TIRE ROTATION/OIL CHANGE	43.01
GRAINGER	MISC PARTS	48.57
GROVES CONTRACTING	EAST E ST/DEADEND BY TRACKS	2,440.00
HACH CHEMICAL CO	CHEMICALS	446.29
HANSON TIRE SERVICE	TIRES	605.64
HAWKINS INC	CHEMICALS	2,945.44
HERMEL WHOLESAL	WATER	122.77
NORMA HERTZER	SERVICES	1,250.00
NORMA HERTZER	SERVICES	1,250.00
HOLIDAY INN DES MOINES AIRPORT	HOTEL/MEALS	413.49
ZACH HOLKESVIK	UNIFORM ALLOWANCE	179.71
HOLLAND CONTRACTING	TIRE REPAIR	70.00
IA ASSN OF MUN UTIL	NCISA	1,456.19
ICMA MEMBERSHIP RENEWALS	MEMBERSHIP DUES/B SMITH	680.00
IOWA ONE CALL	SERVICES	79.30
IOWA UTILITIES BOARD	FY 2019 ASSESSMENT	5,819.00
IOWA WATER MANAGEMENT	CHEMICALS	591.15
IRBY	RUBBER GOODS TESTING	1,356.67
KAISER AUTO REPAIR	BRAKE PADS	145.46
KELLI JO HILL	REIMBURSEMENT	13.99
KELTEK INC.	MAGNETIC MIC MOUNT	160.98
LINAHON ELECTRIC, INC.	METER ELECTRIC CUTOVER	18,990.34

LINCOLN NATIONAL LIFE INS CO	GROUP INS PAYABLE	2,254.79
AMY MEINECKE	HALLOWEEN DANCE	75.00
MERCY CLINICS	DRUG SCREEN	67.00
MERCY CLINICS	PHYSICAL	235.00
METERING & TECHNOLOGY SOLUTION	METERS/PARTS	69,293.81
METLIFE - GROUP BENEFITS	GROUP INS PAYABLE	247.80
MID-WEST ROOFING	ROOF REPAIR	24,800.00
DEE ANN MONSEN	MILEAGE REIMBURSEMENT	78.65
KATHY MONTGOMERY	HALLOWEEN DANCE	75.00
N I C A O	METER DEP REFUND/W HANSMEIER	114.99
NELSON PLUMBING & HEAT	HEATER/OAKLAND CEMETERY	93.92
NEW HORIZON CONTRACTING	PATIO BLOCK REPLACEMENT	467.00
NEXT GENERATION	SYSTEM SUPPORT	73.95
NORTH CENTRAL SALES & SERVICE	WIRING REPAIR	978.45
NORTH IA LUMBER & DESIGN	MISC SUPPLIES	581.43
OLD DOMINION BRUSH	GUTTER BROOMS	395.88
PAYROLLFORMS.COM	TIME & PAY FORMS	107.84
MIKE PEDERSEN	HALLOWEEN DANCE	350.00
PETTY CASH	REIMBURSE PETTY CASH	50.00
PHOENIX RENTALS	RENT REIMBURSE/TENANT #25	275.00
PITNEY BOWES	POSTAGE MACHINE INK	394.23
POWER LINE SUPPLY	UNDERGROUND PROJECT	3,257.19
QUILL CORPORATION	COPY PAPER, MOUSE PAD & HOOKS	76.19
QUILL CORPORATION	OFFICE SUPPLIES	683.28
RIVER CITY COMMUNICATIONS	MONTHLY SECURITY	25.00
ROBERT SNITZER	REIMBURSE LP EXCHANGE	40.64
TASC	FLEX PRE-TAX	802.27
TASC	FLEX PRE-TAX	802.27
TASC	TASC ADJUSTMENT/JENSON	28.84
TASTE OF HOME	SUBSCRIPTION	14.98
JASON BARNES	REIMBURSEMENT	165.21
TEST AMERICA LABORATORIES	TESTING	792.75
TIM KLEVELAND CONSTRUCTION	OFFICE/SHOP SIDING	3,933.20
TREAS, ST OF IOWA	STATE TAXES	8,755.00
U P S	UPS CHARGES	53.58
U.S. BANK	CREDIT CARD CHARGES	639.80
ULTRAMAX	AMMUNITION	374.00
VALIC	DEF COMP- 457	475.00
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VERIZON	ACCT# 880638503-00001	68.27
VERIZON	PHONE SERVICE	982.69
VESSCO	PUMP WET END KIT	241.89
HEATHER WELCH	HALLOWEEN DANCE	75.00
WINNEBAGO CO AUDITOR	2017 CITY ELECTION	4,465.54
WINNEBAGO CO HISTORICAL SOC	ANNUAL SUPPORT	7,000.00
WINNEBAGO COUNTY EXTENSION	B COPPES/A FABER	45.00
Y M C A	YMCA	351.00
TOTAL ACCOUNTS PAYABLE		320,043.78
PAYROLL CHECKS		132,353.56
**** PAID TOTAL ****		452,397.34
**** REPORT TOTAL ****		452,397.34

FUND RECAP:

FUND DESCRIPTION	CLAIMS
GENERAL FUND	162,537.16

PARK IMPR FUND	3,481.06
ROAD USE	16,851.22
LOW/MOD INCOME	2,775.00
HANSON FINE ARTS CENTER	87.50
MOTEL PROJECT	175.33
LIBRARY	67.08
CASEY'S STORE	38.17
WATER	21,388.63
SEWER	51,228.86
ELECTRIC	176,671.99
LANDFILL/GARBAGE	14,239.64
STORM WATER	2,855.70
TOTALS	<u>452,397.34</u>

Moved by Wooldridge, seconded by Davis to adjourn the meeting at 9:14 p.m. Motion carried unanimously.

ATTEST:

Barbara Smith, City Administrator/Clerk

Byron Ruiter, Mayor