

**REGULAR MEETING**  
**August 5, 2019**

The City Council of the City of Forest City, Iowa, met in regular session on August 5, 2019, 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. and asked for a moment of silence for the recent shooting victims.

Mayor Ruitter announced it was the time and place for a public hearing on the sale of the property for the proposed new hotel. City Attorney Bakke noted we can move forward after the agreements are done. Since there were no written objections, nor were any oral objectors present at the meeting, the Mayor declared the meeting to be closed at 7:02 p.m.

Mayor Ruitter led the Pledge of Allegiance.

Councilmembers present at roll call included: Buffington, Davis, Holland, Mikes, Pehrson, Wooldridge and Zehren. Absent: None.

Grow Forest City Director Norma Hertzler gave her report for the Mayor and Council. The Mayor and Council thanked her for the information provided.

Moved by Wooldridge, seconded by Davis, to approve the consent agenda, as follows:

1. Agenda (8/05/19)
2. Council Minutes (7/15/19)
3. Board & Committee Minutes, as follows:
  - a. Planning & Zoning Commission (7/17/19)
  - b. IaCMA Summer Conference Report – Barbara Smith
  - c. Municipal Professional Academy Reports – Barbara Smith, Valerie Monson and Betty Burress
  - d. Heritage Park (7/16/19)
  - e. Library Board (6/19/19)
  - f. Personnel Committee (7/29/19)
  - g. Oakland Municipal Cemetery (7/22/19)
  - h. Housing Commission (7/30/19)
  - i. Forest City Economic Development Report
  - j. Forest City Chamber of Commerce Report
  - k. Grow Forest City Report
4. List of Claims

Motion carried unanimously.

Library Board Chairperson Tracy Broesder and Library Director Christa Cosgriff updated the Mayor and Council on the new Municipal Library Project. New Horizons has gotten the building cleaned up. They have started the design process and are setting it up in cardboard to create the most efficient and effective setup for both staff and patrons. The Mayor and Council thanked them for their report.

Chamber of Commerce Director Kathy Rollefson asked the Mayor and Council for permission to close Clark Street from School Street Lane to I Street on August 6, 2019, for National Night Out. The rain date will be August 13, 2019. Moved by Davis, seconded by Wooldridge, to approve the request. Motion carried unanimously.

City Administrator Barbara Smith asked the Mayor and Council to approve the Mike & Nate Comedy Performance contract in the amount of \$1,500, pending Park Board approval. This is a fundraiser for park improvements, which is planned for Friday, September 20<sup>th</sup>. Moved by Buffington, seconded by Mikes, to approve the contract, contingent upon Park Board approval. Motion carried unanimously.

Electric Department Manager Duane Kuhn asked the Council to approve Pay Request #5 Final in the amount of \$8,000 to Perrin Directional Drilling LLC for work on the Electric Distribution Improvements Project, Phase 1A. Moved by Holland, seconded by Pehrson, to approve the pay request. Motion carried unanimously.

Electric Department Manager Duane Kuhn asked the Council to approve Pay Request #3 Final in the amount of \$2,782.84 to Linahon Electric Inc. for work on the Electric Meter Cutover Project, Phase 1A. Moved by Zehren, seconded by Pehrson, to approve the request. Motion carried unanimously.

Councilmember Zehren introduced the first reading of Ordinance No. 801, AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, FOREST CITY, IOWA, BY INCREASING COLLECTION FEES FOR THE DISPOSAL OF RECYCLING PRODUCTS and moved its adoption. Councilmember Pehrson seconded the motion. Roll call vote – all ayes. This represents the first reading of Ordinance No. 801.

Councilmember Wooldridge moved that the rule requiring said Ordinance to be read on three different days be dispensed with. Councilmember Holland seconded the motion. Roll call vote – all ayes.

Councilmember Wooldridge moved that Ordinance No. 801 now be adopted. Councilmember Mikes seconded the motion. Roll call vote – all ayes. Whereupon the Mayor declared Ordinance No. 801 duly adopted.

Street Superintendent Mike O'Rourke asked the Council to approve Pay Request #5 in the amount of \$285,530.55 to Heartland Asphalt Inc. for work on the 2018 Street & Utility Improvements Project. Moved by Wooldridge, seconded by Zehren, to approve the request. Motion carried unanimously.

Electric Department Manager Duane Kuhn asked the Council to approve Pay Request #3 in the amount of \$74,174.67 to Perrin Directional Drilling LLC for work on the Electric Distribution Improvements Project, Phase 1B. Moved by Mikes, seconded by Holland, to approve the pay request. Motion carried unanimously.

City Administrator Barb Smith explained the 2019 Outstanding Obligations Disclosure Statement to the Mayor and Council. Revenue bonds are at \$5,114,033.70, and G.O. bonds at \$7,820,892.35.

Councilmember Buffington introduced Resolution No. 19-20-08, A RESOLUTION APPROVING THE CITY STREET FINANCIAL REPORT FOR FISCAL YEAR 2018-2019 FOR FOREST CITY, IOWA, and moved its adoption. Councilmember Wooldridge seconded the motion to adopt. Roll call vote – all ayes. Whereupon the Mayor declared the resolution duly adopted.

City Attorney Bakke led the discussion on the Planning & Zoning Commission's recommendation to rezone the property located on the south side of Park Street between South 4<sup>th</sup> Street and the west property line of 102 West Park Street from Heavy Industrial to Arterial Commercial. Councilmember Wooldridge introduced Resolution No. 19-20-09, A RESOLUTION SETTING A HEARING FOR AMENDING ZONING,

CHAPTER 165 OF THE CODE OF ORDINANCES, FOREST CITY, IOWA, TO REZONE PORTIONS, and moved its adoption. The Resolution died for lack of a second.

Councilmember Buffington introduced the first reading of Ordinance No. 802, AN ORDINANCE AMENDING CHAPTER 69.07 OF THE CODE OF ORDINANCES, FOREST CITY, IOWA, ADDING THREE HANDICAPPED PARKING SPACES ON THE EAST SIDE OF JOHN K. HANSON DRIVE FROM THE TERMINATION OF THE NO PARKING ZONE IN FRONT OF THE BOMAN FINE ARTS CENTER TO G STREET and moved its adoption. Councilmember Wooldridge seconded the motion. Roll call vote – all ayes. This represents the first reading of Ordinance No. 802.

Councilmember Wooldridge moved that the rule requiring said Ordinance to be read on three different days be dispensed with. Councilmember Holland seconded the motion. Roll call vote – all ayes.

Councilmember Wooldridge moved that Ordinance No. 802 now be adopted. Councilmember Buffington seconded the motion. Roll call vote – all ayes. Whereupon the Mayor declared Ordinance No. 802 duly adopted.

City Administrator Barbara Smith noted that four RFP's were sent out to auditors this year. Moved by Wooldridge, seconded by Davis, to approve the contract with Larry Pump CPA as the City of Forest City auditor for the next three-year period. Motion carried unanimously.

Police Chief Tom Montgomery noted that Police Secretary Jean Yeager will be retiring Friday, August 9<sup>th</sup>. This is a shared position, and he requested that the other Police Secretary, Josi Gunderson, now be made full time. Moved by Zehren, seconded by Pehrson, to approve Josi Gunderson be hired as a full-time Police Secretary effective 8/12/19. Motion carried unanimously.

Mayor Ruiter asked that it be noted in the minutes that Dana Oudekerk has been hired as a Street & Sanitation Floater at \$20.72 per hour, and Ricky Grunhovd has been hired as a part-time Cemetery Sexton at 15.00 per hour.

The Mayor and Council noted that the first September Council meeting will be held Tuesday, September 3<sup>rd</sup>, due to the Labor Day holiday.

Moved by Wooldridge, seconded by Zehren, to enter into closed session under Iowa Code 21.5(c) to discuss strategy with Council in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Roll call vote – all ayes. The Council entered closed session at 8:48 p.m. The Council re-opened the meeting at 9:03 p.m. and took the following action:

Mayor Ruiter and the Council accepted the reports of City Attorney Steve Bakke and Sarah Keely of Siegrist, Jones & Bakke Law Office provided during closed session.

The following invoices were approved for payment:

<b>CLAIMS REPORT</b>		
<b>VENDOR</b>	<b>REFERENCE</b>	<b>AMOUNT</b>
ADVANCED SYSTEMS	MAINTENANCE	32.37

ADVANCED SYSTEMS	COPIER PAYMENT	275.00
AGVANTAGE FS	BULK DEF	219.81
AMARIL	SAFETY EQUIPMENT	575.76
AMERICAN FAMILY LIFE	GROUP INS PAYABLE	1,176.55
AMERICAN LEGION	FLAGS	90.00
AMERICAN LIBRARY ASSOC.	MEMBERSHIP DUES	220.00
BAKER & TAYLOR COMPANY	BOOKS	1,143.22
STEVEN BAKKE	CONSUL/PROF FEES	7,314.83
BEAR CREEK GOLF COURSE	GOLF MEMBERSHIP	213.74
BLUE CROSS-BLUE SHIELD	GROUP INS PAYABLE	2,600.27
BMC AGGREGATES LC	ROADSTONE	1,989.14
BOMGAARS SUPPLY	MISC SUPPLIES	1,289.35
BORDER STATES ELECTRIC	ELECTRICAL SUPPLIES	155.15
BROWN SUPPLY	MISC PARTS	1,505.51
BETTY BURRESS	MEAL REIMBURSE/ACADEMY	51.83
CAMPUS VIEW APARTMENTS	AUG RENT/S AMRSTRONG	650.00
CANON FINANCIAL SERVICES	LEASE PAYMENT	148.66
CITY OF FOREST CITY	SPECIAL PICK UP	21.54
COLLECTION SERVICE CENTER	CHILD SUPPORT	314.30
COLLECTION SERVICE CENTER	CHILD SUPPORT	314.30
COMPUTER SYSTEMS UNLIMITED	SERVICE CALL	55.00
CONTINENTAL RESEARCH	MISC SUPPLIES	387.12
CHRISTA COSGRIFF	REIMBURSEMENT	95.98
CULVER HAHN	150-WATT HIGH BAY	6,405.22
DALE'S BODY SHOP	VEHICLE REPAIR	1,072.72
DEMCO	OFFICE SUPPLIES	579.55
DGR ENGINEERING	PHASE 1B DIST IMPROVEMENTS	3,184.64
DINGES PARTNERS GROUP, LLC	SERVICES	419.77
EDDY'S GLASS & DOOR	SERVICE CALL	70.00
EFTPS	FED/FICA TAX	26,203.73
EFTPS	FED/FICA TAX	25,648.13
F C CHAMBER OF COMMERCE	REBATE/M HARMS	450.00
F C EMPLOYEE ASSN	FLOWER FUND	44.50
F C FIRE DEPT	REIMBURSE CREDIT CARD CHARGE	11.40
F C MUN UTILITIES	UTILITIES	14,555.34
FAIRBANKS MORSE	REPAIR #6 ENGINE	910.94
FARM & CITY INSURANCE	18-19 BOILER & MACHINERY	35,341.00
FARMER'S CO-OP ASSOC	FUEL	244.83
FARUS CONTRACTING	RENT REIMBURSE/TENANT #27	95.00
FAST LANE MOTOR PARTS	TRUCK CLEANING SUPPLIES	147.29
FEDERAL FIRE EQUIPMENT	EXTINGUISHER INSPECTION	44.00
FIRST BAPTIST CHURCH	ASSIST W/PROGRAM	50.00
FIRST FOR WOMEN	SUBSCRIPTION	19.97
FLETCHER-REINHARDT	ELECTRICAL SUPPLIES	7,381.41
FOREST CITY FORD	BRAKE PADS/SEALS/ROTOR #171	1,343.85
G C DISTRIBUTING	BAGS	4,358.64
GALL'S	UNIFORMS	447.15
GRAINGER	RECHARGEABLE LIGHT	262.95
H & S AUTO PARTS	PORTA POWER	361.48
HANSON SHOWS	SHOW PERFORMANCE	350.00
HAUGEN CONTRACTING	O STREET CULVERT REPAIR	3,358.50
JANET HAUGEN	PROGRAM FEE	25.00
MIKE HAUGEN	UNIFORM ALLOWANCE	107.00
HAWKINS INC	CHEMICALS	2,262.58
HEARTLAND ASPHALT	CEMETERY PAVING	27,020.00
HEARTLAND ASPHALT	PAY REQUEST #5	287,452.40
HEIMAN, INC	ANNUAL INSPECTION	126.00
HERMEL WHOLESALE	WATER	58.29

NORMA J. GINTHER-HERTZER	SERVICES	1,300.00
NORMA J. GINTHER-HERTZER	SERVICES	1,300.00
HEWETT WHOLESAL INC.	CANDY	32.70
HMR SUPPLIES	METAL PLATES/ENGINE #6	62.41
HOLLAND CONTRACTING	TIRE REPAIR	40.00
HOUSE OF SPORTS	LAWN MOWER	2,975.00
HRS, LLC	SERVICES	3,000.00
HY-VEE ACCOUNTS RECEIVABLE	MISC SUPPLIES/SWIM MEET	96.88
INTERSTATE ALL BATTERY CENTER	BATTERIES	46.80
IOWA BARN	BOOK	29.95
SIMMERING-CORY/IA CODIFICATION	JULY 2019 SUPPLEMENT	222.00
IOWA DEPT OF NATURAL RESOURCES	ANNUAL NPDES PERMIT FEE	1,275.00
IOWA ONE CALL	SERVICES	106.80
IPRA	MEMBERSHIP/S EDMONDSON	170.00
IRBY	ELECTRICAL SUPPLIES	870.65
JET A USA	JET FUEL	7,903.55
JOHNSON CONTROLS FIRE PROTECT	ALARM SYSTEM MONITORING	400.00
K.C. NIELSEN, LTD.	JD GATOR & MOWER	14,424.84
KAISER AUTO REPAIR	LUBE/OIL/FILTER	39.17
LAHARV CONST	INTAKE WELDING/CIVIC AUD	325.00
LINAHON ELECTRIC, INC.	ELEC METER CUTOVER PHASE 1A	2,782.84
LOLAS PLANTS & GIFTS	CUSTOM OUTDOOR POTTING	150.00
MANUFACTURER'S BANK	RENT REIMBURSE/TENANT #29	187.50
MARTINEZ PROPERTIES	RENT REIMBURSE/TENANT #30	112.50
MASON CITY RECYCLING	RECYCLING CHARGES	3,988.20
MCMASTER CARR	REPAIR #6 ENGINE	507.33
METERING & TECHNOLOGY SOLUTION	METERS	226.75
METLIFE - GROUP BENEFITS	GROUP INS PAYABLE	285.87
MUSIC ON THE MOVE	DJ SERVICES	500.00
N I A C O G	TRANSIT OPERATION	2,655.59
N I C A O	REF CR BAL/R MURRA	163.38
NEW HORIZON CONTRACTING	DUMPSTER RENTAL	2,500.00
NO IA MERCY CLINICS	DRUG SCREENS	138.00
NO IA MERCY CLINICS	PRE-EMP DRUG/ALC SREEENS	321.00
NORTH CENTRAL SALES & SERVICE	TOWING/STORAGE	275.00
NORTH IA LUMBER & DESIGN	LUMBER/SCREWS	269.03
NORTH IOWA LIBRARIES	BEACON ANNUAL SUPPORT	2,189.94
OFFICE DEPOT	SHREDDER	190.88
OLD HOUSE JOURNAL	SUBSCRIPTION	31.00
OTIS ELEVATOR	ELEVATOR INSPECTION	600.00
PERRIN DIRECTIONAL DRILLING	ELEC IMPROVEMENTS PHASE 1B	82,174.67
PHOENIX RENTALS	RENT REIMBURSE/TENANT #26	150.00
PRAIRIE ENERGY CO-OP	UTILITIES	116.86
PRECISION TANK	LABOR	72.23
QUILL CORPORATION	OFFICE SUPPLIES	99.09
QUILL CORPORATION	OFFICE SUPPLIES	508.84
RESCO	PROJECT MATERIALS	297.43
RICK BURRESS	ABATEMENT MOW/CLEAN UP	202.50
RIVER CITY COMMUNICATIONS	MONTHLY SECURITY	25.00
ROXANNE SCHNEIDER	ATHENIAN DIALOGUE	70.00
BARB RUITER	PROGRAM FEE	77.00
SANDRY FIRE SUPPLY	SCBA REPLACEMENT FROM #176 FIR	21,638.50
SCOOPY DOOS	GIFT CERTIFICATES	150.00
NORTH AMERICAN BANKING COMPANY	SHREDDING	67.60
SUNDE SERVICES, LLC	DRAINAGE DITCH MOWING	45.00
TASC	FLEX DAY CARE	934.08
TASC	FLEX PRE-TAX	934.08
TASTE OF HOME	SUBSCRIPTION	14.98

TEST AMERICA LABORATORIES	TESTING	971.25
TITAN MACHINERY	PARTS	31.36
ROGER TORKELSON	OVERPAYMENT/SEWER HOOK UP	100.00
TREAS, ST OF IOWA	STATE TAX	8,396.00
U P S	UPS CHARGES	99.37
USA BLUE BOOK	HAND TITE PLUG	117.17
VALIC	DEF COMP- 457	475.00
VERIZON	PHONE SERVICE	36.82
VERIZON	PHONE SERVICE	36.82
VERIZON	PHONE SERVICE	830.51
VISA	CREDIT CARD CHARGES	1,320.97
VISA	CREDIT CARD CHARGES	78.98
VISA	CREDIT CARD CHARGES	1,702.93
VISUAL COMMUNICATION SERVICES	ENGINE SIGNS	231.00
WHKS & CO.	HOTEL SITE ASSISTANCE	19,334.38
WATER ENVIRONMENT FEDERATION	MEMBERSHIP/K REICKS	160.00
WINNEBAGO CO AUDITOR	CO COMM DISPATCHING EXPENSES	53,272.93
WINNEBAGO CO HISTORICAL SOC	DONATION/PROGRAM FEE	50.00
Y M C A	YMCA	277.00
TOTAL ACCOUNTS PAYABLE		719,048.62
PAYROLL CHECKS		168,884.93
**** PAID TOTAL ****		887,933.55
***** REPORT TOTAL *****		887,933.55

#### FUND RECAP:

FUND DESCRIPTION	CLAIMS
GENERAL	286,427.61
DRUG FORFEITURE	256.68
DROAD USE	22,446.79
LOW/MOD INCOME	830.83
MOTEL PROJECT	12,000.59
2018-20 STREET PROJECTS	285,530.55
LIBRARY	2,641.30
CASEY'S STORE	30.47
J STREET TRAIL	5,712.18
WATER	20,316.72
SEWER	32,049.05
ELECTRIC	187,999.34
LANDFILL/GARBAGE	26,789.99
STORM WATER	4901.45
TOTALS	<u>887,933.55</u>

#### MONTHLY FUND RECAP (June 2019)

FUND	DESCRIPTION	RECEIPTS
001	General	\$ 2,219,249.68
004	Park Improvement	\$ 6,715.04
110	Road Use	\$ 377,617.83
112	Employee Benefits	\$ 2,479.25
119	Emergency	\$ 185.54
121	Local Option Sales Tax	\$ 34,933.95
122	Hotel-Motel Tax	\$ 11,722.41
125	TIF	\$ 203,912.71
200	Debt Service	\$ 211,535.19
303	Westown Place	\$ 12,689.62
310	2018 Street Project	\$ 260,000.00
312	Casey's Store	\$ 100,000.00
313	J Street Trail	\$ 149,860.00

600	Water	\$	482,005.90
610	Sewer	\$	414,814.13
630	Electric	\$	416,595.07
670	Landfill/Garbage	\$	144,990.50
740	Storm Sewer	\$	115,098.33
	<b>TOTAL ALL FUNDS</b>	\$	5,164,405.15

**June Net Salaries** **163,202.50**

**July Net Salaries** **168,884.93**

Moved by Davis, seconded by Wooldridge, to adjourn the meeting at 9:03 p.m. Motion carried unanimously.

ATTEST:

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Barbara Smith, City Administrator

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Byron Ruitter, Mayor