

# PEN CITY CURRENT

It's **Black & White** and **Read** all over

Thursday, October 8, 2020 | 10 pages | Volume 4 • Issue 185



[www.pencitycurrent.com](http://www.pencitycurrent.com)

## Council gets pushback on franchise tax

**INDUSTRIES:** Local industry, economic leaders voice concerns over plan to implement fee on utilities

BY CHUCK VANDENBERG  
PCC EDITOR

FORT MADISON – Despite not having a franchise tax vote on the agenda as some thought may happen Tuesday night, three leaders from Fort Madison industries spoke out against the idea during public comment.

Bob Huffman, president of the Fort Madison Economic Development Corp. and vice president of Huffman Welding & Machine told the council a franchise tax would be detrimental to the FMEDC goals and to industry in general.

He said industry leaders have met with city officials recently and in the past to look at what impact a franchise tax would have on the economic landscape of Fort Madison.

“We appreciate the open dialogue so far and we hope that continues and if this process does continue, we’d like to have a voice in that,” Huffman said.

He said the FMEDC’s vision is to be the driving force behind the growth of jobs, new residents and enhanced quality of life in Fort Madison.

“We have to be cognizant of the concerns of when

See **FEE**, page 5



Courtesy photo

### Honorable help

Members of the Holy Trinity Catholic National Honor Society jumped in Monday night to help repair some of the lights on the Lighted Floats in the warehouse at 12th Street and Avenue I. Here Ali Robu and Chandler Rung help with one of the floats. Volunteers are still needed with work being done beginning at 5:30 p.m.



## Closed sessions with candidates fails public interest

There’s a lot of chat right now about extra taxes being assessed on city residents, businesses and industries in the form of a franchise fee, so it’s not easy to advocate for the cost of a special election.

But the city council and mayor have decided to allow possible closed session interviews with candidates who throw their hat in the ring for the vacant 2nd and 3rd Ward council seats.

We’d rather see an election.

It’s probably a moot point as far as filling the vacancies because one of the candidates, Jerry Hamelton, has said he won’t let the council “pick another friend” to serve and he’s going to file a petition for a special election. He’ll need just a handful of signatures to get that done.

That petition, according to Lee County Auditor Denise Fraise, if successful will also put the 3rd Ward seat up for election as well and remove the appointment process. But it’s still a very important discussion about why the council would allow a closed session interview to fill an elected position vacancy.

To be very, very clear. We disagree with the city and any legal interpretation of that code, which would permit closed session interviews to fill those vacancies.

Iowa Code at 21.5(1)(i) allows for a governing body to go into closed session to evaluate, and this is right out of the code folks, “the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual’s reputation and that individual requests a closed session.”

See **CANDIDATES**, page 8

## WEST POINT

## Parks Board asked to consider 5-year plan

BY CHUCK VANDENBERG  
PCC EDITOR

FORT MADISON – The Fort Madison Park Board left Wednesday’s meeting with a little giddy up in their step.

During the regular meeting of the city’s Park, Recreation, and Dock Board, Mayor Matt Mohrfeld asked board members to think about how to reinvent themselves and take a hard look at the role of the board.

Board member Paul Wilkerson said



MOHRFELD

the board would like to move toward that, but they’ve been looking for direction.

Mohrfeld then laid out the potential return to the board for investing the time and energy in formulating a plan to tackle issues in city parks.

He said groups like Rotary, Old Settler’s Association and the Fort Madison P.O.R.T. are examples of what can be

done with planning and implementation.

“When you look at a comprehensive plan and it makes sense, you can stand behind that and you can see the value to invest.”

Mohrfeld said he’s challenging other boards and departments within the city to take a more comprehensive look at Fort Madison’s future.

He said the Park Board is uniquely

See **PARKS**, page 4

## INDEX

Business Directory.....P.6  
**CLASSIFIEDS**.....Ps.6-7  
 Clear View Vision Center.....P.2  
 Complete Rental.....P.4  
**CURRENT-LEE**.....P.2  
 Denmark UCC.....P.9  
 Fort Colony Family Restaurant.....P.5  
**FOR THE RECORD**.....P.3  
 Fort Madison Family YMCA.....P.5  
 Fort Madison.....P.5  
 Neighborhood Watch Programs.....P.5

**FROM THE FRONT**.....Ps.4-5,8  
 Fullenkamp Insurance.....P.8  
 Great River Regional Waste Authority.....P.3  
 Griffin Muffler & Brake Center.....P.5  
**HEALTH NEWS**.....P.4  
 Jeff Reichman for Iowa Senate.....P.2  
 LCK Roofing.....P.5  
 Lee County  
 Economic Development Group.....P.10  
 Lee County Health Department.....Ps.4,7  
**LEE COUNTY NEWS**.....P.4

**LOCAL NEWS**.....Ps.3-5  
**OPINION**.....Ps.2,8  
 Pen City Current.....Ps.2-8  
 Sonny’s Super Market.....P.8  
**SPORTS**.....P.5  
 Tri-State Outdoor Products.....P.5

## WEATHER

OpenWeatherMap  
 THU 08 Oct.....Sunny, 76° F/ 55° F  
 FRI 09 Oct.....Sunny, 82° F/ 60° F  
 SAT 10 Oct.....Scattered Clouds, 81° F/ 63° F

## IOWA LOTTERY

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# Opinion/Current-Lee

## CURRENT-LEE

The following is a list of upcoming events and gatherings in North Lee County.

### 2020 YMCA Trunk or Treat

The Fort Madison YMCA's annual Trunk or Treat will be held on Oct. 23 at Baxter Sports Complex. This year's event will be a drive through event to allow for social distancing. Business will have cars in the parking lot to hand out goodies to goblins from 5 p.m. to 6:30 p.m. Set up is from 4 p.m. to 5 p.m. Spots can be reserved by calling the Y at 319-372-2403 ext 1 or by email at [ryan.wilson@fortmadison.org](mailto:ryan.wilson@fortmadison.org)

### Players Workshop Theater

The Burlington Theater will be showcasing a series of online skits beginning on Sept. 24, with Mother Goose Interrupted: This Little Piggy. Future presentations will include a musical cabaret, a reader's theater, throwback tributes and a Christmas Show. For more information log onto the Facebook page or the PWT website at [www.playersworkshoptheater.com](http://www.playersworkshoptheater.com).

### Montrose Cemetery Cleanup

All plastic flowers that are in the ground must be picked up by Nov. 1. After that date they will be discarded. In addition Memorial Day flowers will now have to be picked up no later than two weeks after the holiday.

### Halloween Dinner and Comedy

The Kingsley Inn will be featuring a Halloween Dinner and Comedy on Oct. 31 beginning at with a social hour at 5 p.m., dinner at 6 p.m, with the show starting at 7 p.m. Tickets are \$20 per person and can be booked in advance by texting 309-221-9803

### Hitchcock in Old Settler's Park

The Old Fort Players will be presenting three Hitchcock shorts plays in Old Settler's Park on Sunday, Oct. 11 (Rain date Oct. 18). Concessions will be available for sale. No tickets will be sold, but a free will offering will be collected. We ask that you generously support Old Fort Players as they work hard to keep paying the bills.

### FM Beggar's Night

The traditional Beggar's Night will be held on Oct. 31 from 3 p.m. to 5 p.m. in Old Settler's Park and the citywide beggar's night will follow from 5 p.m. to 7 p.m. Vendors will be handing our candy with food and drink specials at the safe event.

### Montrose Trick or Treat

The Montrose City Treak or Treat will be held on Saturday, Oct. 31 from 5 p.m. to 7 p.m. Halloween guidance from the Iowa Department of Public Health can be found at <https://idph.iowa.gov/Emerging-Health-Issues/Novel-Coronavirus/Public>.

### Lighted Parade Work Nights

Work nights for the Fort Madison Lighted Parade are on Monday nights beginning at 5:30 p.m. at the Warehouse at 12th Street and Avenue I.

### Drive Thru Job Fair

On Wednesday, Oct. 21st from 10 a.m. to 2 p.m. the Baxter Sports Complex Parking Lot at 909 48th Street will be the site of a unique drive thru job fair experience where job seekers will be able to pick up packets of information about jobs hiring now and local resources in our communities. Register by contacting Dana at [dmillard@leecountyedg.com](mailto:dmillard@leecountyedg.com) or Deb at [debra.fox@iwd.iowa.gov](mailto:debra.fox@iwd.iowa.gov).

## Letter to the Editor

# 2nd Ward candidate says council should fill two vacancies

Dear Editor;

When it comes to filling the two recent vacancies on the FM city council a special election is a bad idea on several levels and I will explain why.

Much noise has been made by Jerry Hamelton about the amount of money wasted by the City of Fort Madison and evidently his solution is to help them waste some more by forcing a special election to seat a council member for about nine months.

A special election would cost the city about \$3,000 and would force voters to go out and vote or deal with another mail-in ballot in the dead of winter right after the holidays.

I can assure you voter turn out will be dismal. It is wasted money and undue stress on the electorate at an already difficult time. No matter how the seat is filled now there will be an election in 2021.

In addition, it will leave the residents of two wards without direct representation for about two additional months. If the council fills the seat it will be done in mid-November, an election will push this to January.

If Mr. Hamelton has some really great ideas to save money and provide needed services I am quite certain the council would love to hear them and if they are legitimate I'm sure he is a shoe in.

Rather what I see is a play based on blind ambition and way too much pride. Qualities we have little need of. I am happy to listen to his proposals and if they are genuine and workable I would be happy to step aside. Based on previous discussions I find that unlikely, but will keep an open mind.

I urge the citizens of Ft. Madison not to sign the petition for a special election.

Tom Schulz

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## For the Record/Local News



Dawn and Chuck Kempker stand with the brand new Traeger Grill won by Kurt Featheringill as part of Kempker True Value Rental's 50th Anniversary celebration held over the weekend.

### Kempker's announces 50th Anniversary Celebration prize winners

FORT MADISON - With a weekend full of celebrations, food, fun and prizes, Kempker's True Value Rental announces the winners from last weekend's events. (Provided by True Value National) \$25 Gift Certificates: Lex Whitcanack and Gayle Austin

- \$50 Gift Certificate: Larry Zachmeyer
- \$Girl's Side Gift Basket: Leslie Peters
- Black & Decker Weed Trimmer: Katy Peters
- \$1500 Traeger Grill: Kurt Featheringill
- Ambassador Gift Certificate Winners: Angela King, Angie Budnik, Chuck Vandenberg, Josh Ragar, and Mike Culbertson
- Mount Pleasant -
- \$25 Gift Certificates: Deborah Conner and Mark Proth
- Weber Grill: Rich Greenwood
- Burlington -
- \$50 Gift Certificate: Edie Jaeger
- Black & Decker Weed Trimmer: Tom Greene
- Weber Grill: Randy Russell
- FACEBOOK Bucket'O'Tools WINNER: Jeffrey Hubbs

### For the Record

**Fort Madison Police Report**  
 10/06/20 - 8:58 a.m.  
 - Fort Madison Police responded to a report of a larceny/theft in the 400 block of 20th Street.  
 10/06/20 - 8:58 a.m.  
 - Fort Madison Police responded to a report of a larceny/theft in the 5200 block of River Valley Road.  
 10/06/20 - 4:02 p.m.  
 - Fort Madison Police responded to a report of a larceny/theft in the 1800 block of 33rd Street.  
 10/06/20 - 7:01 p.m.  
 - Fort Madison Police responded to a report of a hit and run in the 800 block of Avenue E.

**Lee County Sheriff's Report**  
 10/06/20 - 11:43 a.m.

- Lee County Sheriff's deputies arrested Mariah Giselle Kirk, 23, of Camdenton, Mo., at the intersection of E. 233rd Street and 259th Avenue, on a charge of being a fugitive from justice. She was taken to the Lee County Jail and held.  
 10/06/20 - 12:21 p.m.  
 - Lee County Sheriff's deputies cited Christopher Daniel Smith, 45, of Alexandria, Mo., on Hwy. 61 and 233rd Street, on a warrant for 3rd-degree theft. We was released on a promise to appear.  
 10/06/20 - 6:29 p.m.  
 - Lee County Sheriff's deputies arrested Erica Ann Boudreau, 30, of Fort Madison, at the sheriff's office on charges of simple assault, violation of parole, 12 counts of

failure to obey a stop sign or yield the right of way, failure to maintain control, striking fixtures on a highway, and reckless driving. She was taken to the Lee County Jail and held.  
 10/06/20 - 9:18 p.m. - Lee County Sheriff's deputies arrested Suzanne Schmitz, 56, of Montrose, in the 2500 block of 280th Street in Montrose, on a charge of 3rd-degree theft. She was taken to the Lee County Jail and held.  
*Those listed above are presumed innocent until proven guilty in a court of law.*

**Fort Madison Fire & Rescue Report**  
 10/06/20 - Fort Madison firefighters responded to two medical calls.

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# Lee County News/From the Front



LCHD is reporting **16** additional cases added to the total case count in the last 24 hours.

Total Positive Cases (as of 3:30pm 10.7.2020)	722
Total Cases Reported as Recovered	536
Current 14-day average Positivity Rate (number of people tested/number tested positive in last 14 days)	8.8%

LCHD continues to encourage the public to practice social distancing, wash your hands, avoid large crowds where social distancing is not possible, and to #MaskUpLeeCounty.

## LCHD reports 8th COVID-19 related death in county

LEE COUNTY - The Lee County Health Department reported an additional 16 positive cases of COVID-19 in the county in the last 24 hours.

The department also reported an eighth COVID-related death. The county's 14-day positive average rate is 8.8% an uptick from the weeks previous high of 8.6%. A total of 536 of those testing positive are reportedly recovered.

## Board excited about digging into comprehensive parks plan

**PARKS** - Continued from Page 1

situated to create an analysis and inventory of city park needs, moreso than the City Council is.

"What could the parks board do that the council can't? You have the unique opportunity to be in a casual setting and put boots on the ground and do an asset analysis of parks," he said.

"If this group was meeting at Victory Field, here's some things we'd see. We'd see a baseball diamond that gets used for pick up games and it's very nostalgic. We'd see some old bathrooms that should have been torn down years ago. We'd see a tennis court that either needs to be repurposed, torn out, or made purposeful."

The mayor said that adds another layer of passion to the city's 5-year comprehensive plan as a whole. He said a well thought out plan would attract the council's attention.

"This is exciting to me," said board member Sue Pieper. "I want to do flip flops all over the room. We just need to get a plan and get moving."

The improvements wouldn't all have to be funded in the public sector, the mayor said.

"With a plan in place you can then pursue funding streams from grants, service organizations, and yes, the general fund," he said.

When the City Council reviews the annual budget, Mohrfeld said it's easy to swipe away projects when they have to find funds or other necessities.

"But when we have the park board championing a five-year plan that they've put some priority to, some thought to, and some logic to - now it's a little harder to sweep that aside," he said.

He admitted that there would be funding shortfalls, but other revenue streams could help pick up where the city may have to leave off.

"What I'm looking for is empowering the parks board to use their love of parks to create a five-year plan that could be sold to council, the city, and to citizens, so we can move forward with park improvements with as many tools as are in the tool chest," Mohrfeld said.

In other action, the board:

- set Oct. 24 at 8:30 a.m. as a tree planting session for 12 trees. Five trees will be planted at Rodeo Park and seven will be planted at Riverview Park as part of the Alliant Branches Out program. A demonstration will be held at the Old Lions Shelter House in Rodeo Park prior to volunteers fanning out to plant the trees.
- heard from Old Settler's organization about the park's annual Trick or Treat event in the park. The event will be held from 3 p.m. to 5 p.m. and then annual city's Begger's Night will be held from 5 p.m. to 7 p.m. with a recommendation of caution and adhering to health guidelines around the COVID crisis.
- heard from representatives of the Canine Corral about tree planting that will be taking place there in November. The group has about 125 trees being delivered the week of Nov. 9.
- heard a request to try to find a place for outside Pickleball courts in Fort Madison. A suggestion was made to repurpose the courts at Victory Field to allow play there.

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Submissions are due by the end of the day Monday, November 9th.

**SAMPLE LISTINGS**

(NOT SHOWN ACTUAL SIZE)

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Korean War

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**LEE CHD**

## Sports/From the Front

# FMEDC weighs in on franchise tax proposal

**FEE** - Continued from Page 1

the city or other outside sources consider funding mechanisms that could potentially harm their global competitiveness and/or reduce their internal corporate advantage for future growth," Huffman said reading from a prepared statement.

"The city's proposed franchise fee on both natural and electric is doing just that for many of our industries which are employment centers of our community."

Huffman said 50% or more of the proposed revenue increases for the city would be shouldered by just five industry partners.

Huffman said he'd like to see a larger sweep of city budget to identify additional cost saving measures vs. the ongoing discussion of cutting services.

Huffman said the concerns focus on keeping some of the industries competitive within their own companies.

"What is it going to cost us if we lose another company. And what would it cost us if we missed out on the next growth that puts 100 jobs here. I know that's not all on the franchise fee, but it's a part of it."

Bryan Langerud, plant manager at Con Agra said with the recent acquisition by ConAgra, now the Fort Madison facility is no longer the only canning

facility within the company.

Langerud said in reality, Fort Madison, despite adding new lines and more than 100 additional employees, is one of the smaller canning facilities in the ConAgra brand.

Langerud said at 1.5% the tax would cost ConAgra \$60,000 annually. He said at 5% when the new line expansion is figured in that number climbs to \$200,000.

"That's pretty significant. And it's tied to energy obviously, and the last electric increase we took was 13% - a \$2 million spend. So these things are starting to compound themselves and put us in a challenging position."

Emily Benjamin, with Climax Molybdenum, said the move is heavily disproportionate to industries and their ability to stay competitive.

She said Climax is committed to Fort Madison and was encouraged by discussions that are underway between the city and industry.

"I think its important to mention that COVID has required some uncomfortable changes for all the industries in the area," she said.

"We've all heard from our corporate offices that cost containment measures are necessary and capital projects planned for the next five years will

need to be postponed until some level of economic recovery is realized."

City Manager David Varley was not at Tuesday's meeting but said in a budget recap last month that overall the city's expenses, which are 81% payroll, exceed revenues by about \$400,000.

Mayor Matt Mohrfeld has advocated for the tax, but wants it phased in with a smaller hit up front and then a review to see if the rate needs increased, decreased or reset at 0. Varley said a 3% tax, would help build a minimum working capital and close city funding gaps for about five years.

He said bonding for the remaining Hwy. 61 rehabilitation project would also help put the city on better financial footing.

Five of the seven council members at the last city council meeting favored the franchise fee in some form, but arrived at no consensus on a specific rate or structure.

The council did unanimously approve an agreement with the law firm Ahlers Cooney out of Des Moines to represent the city in any negotiations with the utilities involved in collecting the franchise tax.

## HOUNDS CROSS COUNTRY

# Miller 4th, Weigand 9th at Centerville X-country

Miller, Gager run 4th and 5th at Red Invite

BY CHUCK VANDENBERG  
PCC EDITOR

CENTERVILLE - At the Timm Lamb Invitational two weeks ago, junior Austin Miller said he saw classmate Will Gager ahead of him on the course and raced to try and catch up.

On Tuesday, Miller caught Gager enroute to 4th place overall finish at the Centerville Big Red/Redette Cross Country Invitational at The Preserve Golf Course at Honeywood.

Miller just missed nipping the 17-minute mark on the 5K with a 17:02 time, nine seconds in front of 4th place Gager. The two top finishes helped the Bloodhounds to a 5th place overall finish in the 12-team meet.

Freshman Paetyn Weigand finished ninth for the Lady Hounds with a time of 22:41, 6th best in scoring runners, to lead Fort Madison to a 7th place overall finish. Another freshman, Jordyn Burch captured 20th place in the scoring runners with a time of 23:31.

Raquel Schneider was 29th with a time of 24:00, while Maddie Rashid finished 50th and Mylah Blanchard rounded out the scoring finishes at 61st for the Lady Hounds who totaled 166 points.

For the boys, Anthony Barnes was 26th across at 19:05, the third best time for the Hounds. Hayden Wolfe crossed at 19:27 for 34th place among scoring runners, and John Contrell was 54th with a time of 20:31.

In the middle school 1.5 mile girls run, Fort Madison took first place with Avery Rump leading the way at 10:12. Allison Lamb was 8th overall at 10:45, followed by Hailey Kemper (11th), Addison Rump (18th) and Ellie Huebner (21st), lead a group of three including Lillian Gelsthorpe (22nd) and Alexa Walz (23rd) fighting for the final scoring spot. Fort Madison won with 59 points, followed by Ottumwa Evans with 98 points.

In the middle school boys run, Peyton Lambert finished 5th at 9:40 to help the Little Hounds to a 4th place finish. Nolan Guzman (11th) and Jacob Shottenkirk (18th) rounded out the top 20 finishes for Fort Madison.

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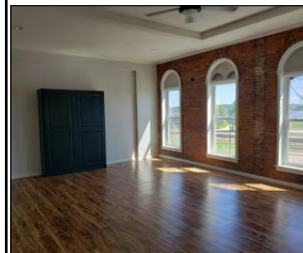
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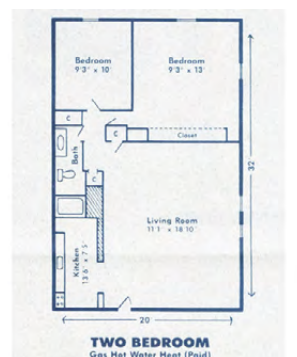
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From the Front

# No candidate should audition behind closed doors

**CANDIDATES** - Continued from Page 1

Fort Madison Mayor Matt Mohrfeld cited that language Tuesday night when asked by Councilman Mark Lair if candidate interviews would be conducted in closed session. The city's attorney Pat O'Connell was on via video conference and didn't interject.

We will. And we object.

The intent and grammar of 21.5(1)(i) does not give a city the option of interviewing candidates to fill a vacancy on the council out of public view, in our opinion. Nor does it serve the public interest in any way whatsoever.

Let's pick apart the code. Elections cannot require of candidates, and some times this is more clear than we want it to be, a level of "professional competency". Period. They are based on residence, age, and sometimes a criminal background. Nowhere in the U.S. will you find a candidate qualification for public office that requires a level of "professional competency", and that is all 21.5(1)(i) addresses.

That competency is measured by the electorate in a public format. i.e., news articles, debates, public forums etc.

Since there can be no premise of professional competency in a candidate for public office, there's no foundation for that discussion in closed session.

Case closed. And yes, we believe it's that simple.

The campaign process is all about the public getting to know the candidate. Holding a candidate interview in closed session is a huge skirt of the law,



and is even more disingenuous to the voters of the 2nd and 3rd wards.

It should also be suspect to every voter in Fort Madison.

Back to the code, the language the city's attorney is working off reads the closed session can only be held when necessary to prevent needless and irreparable injury to the individual's reputation.

Those who file to run in an election and campaign are subject to all those questions from the public. These candidates would get to sidestep that scrutiny by the very group that appoints them.

It very likely won't get to that point if Hamelton gets his petition filed, but in the future it could. We believe, the intent of that code is for the appointment of staff by managers or administrators. Fort Madison City Code at 1-9-2 (1) allows for the city manager to appoint certain city staff with council approval.

This closed meeting allowance, in our opinion, is intended for those appointments that need to be approved by the council... and absolutely not for

interviewing for council vacancies.

As an aside, the same Iowa Open Meetings code 21.5 reads at the very top, any ambiguity in the code is to be resolved in favor of openness. It's a huge, huge stretch to believe these interviews should be done outside the public purview.

We are calling for all council members to vote against any closed session interviews of any candidates filling vacancies for public office. Forever.

By the way, rumor is that no one has stepped up for the 3rd Ward seat vacated by Tyler Miller Tuesday. That's the district between 16th and 24th streets from Avenue P to A with a jog north on 24th.

It's a tough draw historically, but now's the time. The city is facing the possibility, and likelihood, of imposing a franchise tax on gas and electric usage to help climb out of a financial funk. That vote will be a critical vote as industries and economic development officials oppose it, but the city's financial picture is not good.

Level heads and well-versed individuals are going to need to be a part of that discussion... and many, many others. But we believe, based on conversations at Tuesday's meeting, that issue will be in front of the council in short order.

Someone in that district has had a thought of running for office while reading a PCC article. Call the mayor at 319-470-0937. He'd love to hear from ya - but that's Beside the Point.

Chuck Vandenberg is the editor and co-owner of the Pen City Current and can be reached by email at [editor@pencitycurrent.com](mailto:editor@pencitycurrent.com)



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