

**MINUTES
FORT MADISON CITY COUNCIL
Tuesday, July 5, 2016**

The Fort Madison City Council met in regular session at 7:00 P.M. on Tuesday, July 5, 2016, at City Hall, 811 Avenue E. Mayor Pro Tem Chris Greenwald presided with Council Members Kevin Rink, Rusty Andrews, Travis Seidel, Mark Lair and Chad Cangas present. Mayor Bradley A. Randolph and Brian Wright was absent.

VISITORS AND APPEARANCE REQUESTS

UPDATE ON SEWER PROJECTS: Andrew Marsh, HR Green, reported the design of the Hwy. 2 and 7th Street project is completed. In order to use \$160,000 of Federal Highway Administration (FHWA) funding for the project, the City must use the Iowa Department of Transportation bid schedule and have an archeological study of the intersection done. The project is now waiting for the Iowa Department of Natural Resources (IDNR) to request proposals for the archeological component. The State will pay for Phase 1 and the City of Fort Madison will be responsible for funding any additional archeology for anything identified in the Phase 1. He added the City needs to make some temporary repairs while waiting on these things as there is some significant damage at 7th Street. It was noted the City met with several persons form the State on May 6. The IDNR was to send out a request for proposal for the archeological work. This has not been done yet.

Marsh reported the Hwy. 2 CSO project has been a significant challenge. As Council is aware, the Environmental Protection Agency (EPA) mandated the separation of the combined sewers and the City is under a Consent Order. A goal of the project has been to either not disturb or detrimentally affect any of the significant history of the site. In addition, there are many who want to connect to sanitary sewer as soon as possible.

The project been divided into two phases, everything east has been packaged to the High Point/Blackhawk Heights sanitary sewer project and the other. The other phase is from 1-2nd Street to 7th Street. A small lift station will be installed at the old welcome center site. Some contamination has been found at that site also. Because the State Revolving Fund Loan (SRF) is partially funding the project, there are steps that must be followed. Again, the State is to send out requests for proposal for the Phase 1 archeological for both projects. Bids for the east half are due Friday. All of the bid schedules are contingent upon the timely completion of the archeological work. The City can stay the course and use the SRF Loan and follow all these requirements or the City can finance the project with other money and many of these steps are no longer required.

The State is paying for the Phase 1 Archeological. If anything historically significant is found that will trigger future phases to be done and the city will be responsible for funding those.

AGENDA

Lair MOVED and Seidel SECONDED to approve the agenda as written.

MOTION PASSED 6-0

CONSENT AGENDA

Cangas MOVED and Rink SECONDED to approve:

- Minutes of June 21, 2016;
- New Five-Day Liquor License: Riverfest LLC, 600 Riverview Drive, effective August 4, 2016 – Class B Beer with Outdoor Service and Sunday Sales;
- New Five-Day Liquor License: Holy Trinity Catholic Schools, Tri-State Rodeo Complex, effective September 7, 2016 – Class C Liquor with Outdoor Service and Sunday Sales;
- Liquor License Renewal: Hy-Vee Gas, 2632 Avenue L, effective September 5, 2016 – Class C Beer with Sunday Sales;
- Liquor License Renewal: Choung Garden, 712 – 9th Street, effective July 21, 2016 – Class B Beer, Class C Native Wine with Outdoor Service and Sunday Sales;
- Liquor License Renewal: Lost Duck Brewing Company, L.C., 723-725 Avenue H, effective July 15, 2016 – Class B Beer with Outdoor Service and Sunday Sales (pending dram shop endorsement);
- Mayor’s appointment of Candice Smrt to the Library Board, term expiring July 1, 2022;
- Council reappointment of Melinda L. Blind, as City Clerk, term expiring July 1, 2018;
- Council reappointment of Robert Johnson as City Attorney, term expiring July 1, 2018;
- Partial List of Cigarette Permits; and
- Payment of Claims.

MOTION PASSED 6-0

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. D-xx, REZONE 1115-23RD STREET: Seidel MOVED and Andrews SECONDED to approve the third reading of an ordinance rezoning property located at 1115 -23rd Street from R-4, Single Family Dwelling District, to B-4, Highway Business District.

ROLL CALL: AYES: Greenwald, Rink, Andrews, Seidel, Lair, Cangas
 NAYES: None

MOTION PASSED 6-0

The Mayor then declared said Ordinance PASSED and APPROVED this 5th day of July, 2016.

2nd READING, URBAN RENEWAL, DIVISION OF REVENUE: Lair MOVED and Cangas SECONDED to approve the second reading of an ordinance for the division of revenues under Iowa Code Section 403.18 for Business US Highway 61 Corridor Urban Renewal Plan.

ROLL CALL: AYES: Greenwald, Rink, Andrews, Seidel, Lair, Cangas
 NAYES: None

MOTION PASSED 6-0

The Mayor then declared said Ordinance PASSED and APPROVED this 5th day of July, 2016.

RESOLUTION NO. 2016-56, \$335,000 SEWER REVENUE NOTES: Seidel MOVED and Cangas SECONDED to adopt a resolution amending the original resolution, approved May 19, 2015, said Resolution Approving and Authorizing a Loan and Disbursement Agreement with the Iowa Finance Authority and Authorizing and Providing for the Issuance of Sewer Revenue Capital Loan Notes, Series 2015B, in Order to Provide for the Funding of a Sponsored Project Under the Terms of New Series 2015B Note to be Issued in the Principal Amount of \$3,564,207.24, which includes approval of a Supplemental Tax Exemption Certificate.

ROLL CALL: AYES: Greenwald, Rink, Andrews, Seidel, Lair, Cangas
 NAYES: None

MOTION PASSED 6-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 5th day of July, 2016.

RESOLUTION NO. 2016-57, SUPPORT MAIN STREET: Lair MOVED and Seidel SECONDED to approved a resolution supporting Fort Madison Main Street.

ROLL CALL: AYES: Greenwald, Rink, Seidel, Lair, Cangas
 NAYES: None
 ABSTAIN: Andrews

MOTION PASSED 5-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 5th day of July, 2016.

OTHER

2016 ASPHALT OVERLAY: Cangas MOVED and Seidel SECONDED to approve the bid of \$1.69 per square foot from W. L. Miller Company, Hamilton, Illinois, for the 2016 Asphalt Overlay Program.

Public Works Director Driscoll reported some private citizens/businesses will be having their alleys asphalted and will pay 50% of the cost.

MOTION PASSED 6-0

THREE YEAR AGREEMENT WITH VISU-SEWER: Lair MOVED and Cangas SECONDED to approve a three-year agreement with Visu-Sewer for a cost of \$119.10 per foot to seal an average of 10-12 manholes per year.

MOTION PASSED 7-0

DISCUSSION ITEMS

CITY STREET WEIGHT LOAD RESTRICTIONS/SEMI TRACTORS PARKING IN RESIDENTIAL NEIGHBORHOODS: Chris Sorrentino, 4515 Avenue L, and Darryl Yeargin, 1020 Avenue F, requested the City remove the 10,000 pounds weight limit on city streets so drivers can bobtail their semi-tractor cabs and park them at their residences. They pointed out a Ford F350 is right at the 10,000 pounds limit and many recreational vehicles are over the weight limit. These trucks weigh anywhere from 13,500 to 16-17,000 pounds when bob tailed. The over-the-road truck drivers, such as they are, are usually home 3-5 days at a time. They would like to park their vehicles at a secure location, such as their residences, since the cab contains approximately \$50,000 in contents. Sorretino said these ordinances are old and need to be looked at.

Cangas asked if the tractor cab would be stored in a driveway or the street. Sorrentino noted some don't park in their driveways. Cangas said that is where the problem is.

Bob Manka, 35 Alta Drive, said he was in trucking business in Fort Madison. He never let an employee take a vehicle home unless they could park it on their property. If the vehicle is parked in a front yard it should be a paved driveway. He was also concerned about safety in residential areas. There are children riding bikes, as a citizen and grandfather he would prefer that these vehicles not be parked on the City streets. If the tractor cab is being parked in the street for 3-5 that is storing a vehicle and the street is just for parking.

City Manager David Varley said he met with the Police, Public Works and Zoning Departments regarding this. There are two issues. One is the weight limit. Trucks are only allowed on three streets. The Public Works Department does not feel that the weight from the tractor cab is going to ruin that street.

The second issue is Zoning. Commercial vehicles cannot be parked or stored on a private property or the street. This is the bigger issue. Generally cities do this because if a vehicle that big is parked it's hard to see around, and keeping them away from residential neighborhoods keeps the integrity of the neighborhood. If Council wants to think about changing this, Varley recommended sending this matter to the Planning and Zoning Commission to research and review what other cities in surrounding areas do. He added that some streets are just too narrow and would have to be disallowed.

Roberta McGhghy 4515 Avenue L, said their vehicle had minor damage issues when parked in Dollar General's parking lot.

Lisa Yeargin ,1020 Avenue F, said their truck does not idle, they plug it in during the winter. Greenwald noted it's people who don't run the extension cord that we would have set rules for.

Sorrentino said Millard's vans and Mohrfeld Electric's vehicles are all commercial vehicles.

Council members felt that Planning & Zoning Commission should look at this matter and make a recommendation. Greenwald pointed out these things take time, this isn't going to happen overnight.

DEPARTMENT HEAD REPORTS

It was reported the dog in the 2600 block of Avenue no longer lives there but is brought back to visit the child there. They do not let the dog out for these visits. The mail carrier is satisfied with this arrangement. An arrest was made using CrimeStoppers' tips. City police shot and killed a bank robber who robbed the west end branch of Fort Madison Bank & Trust NA last week. Planning and Zoning is working on an agreement with the bidders from property on 25th Street the City previously offered for sale. The issue with Rathbun Regional Water Association disputing the City's water increases seems to be resolved. Signs will be installed along the bike path on 24th Street within the next few weeks.

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

There were none.

ADJOURNMENT

At 7:55 P.M., Cangas MOVED and Seidel SECONDED to adjourn until Tuesday, July 19, 2016, at 7:00 P.M.

VOICE VOTE APPROVAL

MANUAL CLAIMS AND WARRANTS: See Claims dated June 30, 2016, in the amount of \$264,700.64 and Manual Claims dated June 30, 2016, in the amount of \$182,188.96.

PAYROLL	6/24/2016
General	\$175,953.96
Special Revenues	12,128.54
Road Use	20,239.26
Water	26,461.30
Sewer	34,706.14
Solid Waste	14,571.57
Storm Water	2,682.89
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	\$286,743.66

Mayor Pro Tem Chris Greenwald
City of Fort Madison

ATTEST:

Melinda L. Blind, City Clerk