

**MINUTES
FORT MADISON CITY COUNCIL
Tuesday, February 7, 2012 7:00 P.M.**

The Fort Madison City Council met in regular session on Tuesday, February 7, 2012, at 7:00 P.M. at the Municipal Building, 811 Avenue E, Fort Madison. Presiding was Mayor Steven J. Ireland with Council Members Chris Greenwald, Brian Wright, Kevin Rink, Brad Randolph, Travis Seidel and Mark Lair present. Council Member Jason Huppert was absent.

Mayor Ireland read a proclamation for African-American History Month and presented it to Grace Harris.

VISITORS AND APPEARANCE REQUESTS

There were none.

AGENDA

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

MOTION PASSED 6 AYES

CONSENT AGENDA

Randolph MOVED and Rink SECONDED to approve:

- Minutes of January 17, 2012, as written;
- Mayor's appointment of Jacqueline Lumsden, 2411 Avenue H, to the Fort Madison Revolving Loan Fund Loan Review Committee, filling the unexpired term of Myrna Welder, term expiring December 31, 2013;
- Mayor's appointment of David Martinez, 1505 Avenue M and Michael Killoren, 14 Melody Terrace, to the Human Rights Commission, terms expiring January 1, 2015;
- Mayor's appointment of Steve McCracken, 1423 Avenue E, to the Sister Cities' Commission, term expiring January 6, 2015;
- Mayor's reappointment of Sharon Harp and Carol Foss to the Fort Madison Old Fort Commission, terms expiring March 21, 2015;
- Mayor's reappointment of Lauri Wondra and Jim Decker to the Park, Recreation & Dock Board, terms expiring April 1, 2016;
- Liquor License Renewal: Parthenon Pizza and Steak House, 715 – 8th Street, effective date February 16, 2012 – Class B Beer w/Sunday Sales;
- Liquor License Renewal: Under the Sun, 733 and 739 Avenue G, effective date March 1, 2012 – Class B Native Wine with Sunday Sales; and
- Payment of Claims.

MOTION PASSED 6 AYES

PUBLIC HEARINGS

Concerning Public Improvement Project 2011-07, Booster Station and Old Water Treatment Plant Demo

At 7:06 P.M. Mayor Ireland opened the public hearing. There being no oral or written comments, Greenwald MOVED and Lair SECONDED to close the public hearing.

RESOLUTION NO. 2012-03, ADOPT PLANS, SPECS: Rink MOVED and Seidel SECONDED to approve a resolution adopting plans, specifications, and form of contract for the project.

ROLL CALL: AYES: Greenwald, Wright, Rink, Randolph, Seidel, Lair
 NAYES: None

MOTION PASSED 6 AYES

The Mayor then declared said Resolution duly ADOPTED and ENACTED on this 7th day of February, 2012.

RESOLUTION NO. 2012-04, APPROVE CONTRACT TO WENDLER CONST.:
Greenwald MOVED and Wright SECONDED to approve a resolution awarding construction contract for the project to Wendler Construction, Inc., of Amana, Iowa, in the amount of \$1,194,400.00.

Randolph questioned if the contractor used the lower tonnage rate the City receives at the landfill in determining the contract price. A representative from G & B Construction, LLC, the sub-contractor who was to perform the demolition, was present, replied it had not been. He said some materials, such as clean concrete, can be recycled for other uses. Dinwiddie said a directive or addendum can be added to the contract with the intention of the contractor utilizing the discount.

ROLL CALL: AYES: Greenwald, Wright, Rink, Randolph, Seidel, Lair
 NAYES: None

MOTION PASSED 6 AYES

The Mayor then declared said Resolution duly ADOPTED and ENACTED on this 7th day of February, 2012.

RESOLUTION NO. 2012-05, APPROVE CONTRACT & BONDS: Lair MOVED and Greenwald SECONDED to adopt resolution approving contract and bonds of Wendler Construction, Inc., pending receipt of the documents.

ROLL CALL: AYES: Greenwald, Wright, Rink, Randolph, Seidel, Lair
 NAYES: None

MOTION PASSED 6 AYES

The Mayor then declared said Resolution duly ADOPTED and ENACTED on this 7th day of February, 2012.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. C-509, AMEND 10-12-4: Rink MOVED and Wright SECONDED to approve the 3rd reading of an ordinance amending Title 10, Chapter 12, Section 4 of the Zoning Code, adding a Special Use to allow apartments on the first floor of the B-1 Limited Business District provided required conditions are met.

ROLL CALL: AYES: Greenwald, Wright, Rink, Randolph, Seidel, Lair
 NAYES: None

MOTION PASSED 6 AYES

The Mayor then declared said Ordinance PASSED and APPROVED on its 3rd reading this 7th day of February, 2012.

Published in the Daily Democrat on February ____, 2012.

ORDINANCE NO. C-510, AMEND 10-4-10: Greenwald MOVED and Seidel SECONDED to approve the 3rd reading of an ordinance amending Title 10, Chapter 4, Section 10 of the Zoning Code, adding an exception to allow accessory buildings to be built on the alley half of split corner lots prior to a principal structure (house) on site provided required conditions are met.

ROLL CALL: AYES: Greenwald, Wright, Rink, Randolph, Seidel, Lair
 NAYES: None

MOTION PASSED 6 AYES

The Mayor then declared said Ordinance PASSED and APPROVED on this 7th day of February, 2012.

Published in the Daily Democrat on February ____, 2012.

ORDINANCE NO. C-511, AMEND 2-13 & 2-14: Rink MOVED and Randolph SECONDED to approve the 3rd reading of an ordinance amending Title 2, Chapters 13 and 14, by deleting Chapter 13, Plumbing Board, and Chapter 14, Electrical Board, and enacting a new Chapter 13, entitled "Construction Board of Appeals".

ROLL CALL: AYES: Greenwald, Wright, Rink, Randolph, Seidel, Lair
 NAYES: None

MOTION PASSED 6 AYES

The Mayor then declared said Ordinance PASSED and APPROVED on its 3rd reading this 7th day of February, 2012.

Published in the Daily Democrat on February ____, 2012.

RESOLUTION NO. 2012-06, SET P.H. ELECTRIC FRANCHISE: Lair MOVED and Seidel SECONDED to approve a resolution setting public hearing for February 21, 2012, at 7:00 P.M. regarding a franchise to Interstate Power and Light Company.

ROLL CALL: AYES: Greenwald, Wright, Rink, Randolph, Seidel, Lair
 NAYES: None

MOTION PASSED 6 AYES

The Mayor then declared said Resolution duly ADOPTED and ENACTED on this 7th day of February, 2012.

OTHER

APPROVE UNION CONTRACTS: Greenwald MOVED and Wright SECONDED to approve Union Contracts with the Public Professional and Maintenance Employees Local 2003 (Public Works and Police) and Fort Madison Fire Fighters Association, Local No. 607, effective July 1, 2012.

MOTION PASSED 6 AYES

SEIRPC AGREEMENT: Greenwald MOVED and Randolph SECONDED to approve the Mayor's signature on an agreement with Southeast Iowa Regional Planning to administer the CDBG Downtown Revitalization Fund Grant.

MOTION PASSED 6 AYES

MAIN STREET SUBRECIPIENT AGREEMENT: Lair MOVED and Seidel SECONDED to approve the Mayor's signature on a subrecipient agreement with Fort Madison Main Street for the CDBG Downtown Revitalization Fund Grant.

Main Street will be responsible for collecting the matching share from property owners involved in the project. The property owners must provide their matching share prior to work being performed.

MOTION PASSED 6 AYES

APPROVE ENGINEERING SERVICES: Randolph MOVED and Greenwald SECONDED to approve the Mayor's signature on an agreement with Metzger-Johnson Architects to provide architectural, engineering and design services for the CDBG Downtown Revitalization Fund Grant.

If there is a cost overrun in engineering, the property owner would be responsible for the additional cost. The grant was written anticipating 15-18% cost overrun for engineering.

MOTION PASSED 6 AYES

SLUDGE HAULING AGREEMENT: Seidel MOVED and Wright SECONDED to approve the Mayor's signature on a one year renewal of a sludge hauling contract with S & H Enterprises, Ltd.

MOTION PASSED 6 AYES

ANNEXATION STUDY: Randolph MOVED and Greenwald SECONDED to accept the annexation study presented by Veenstra and Kimm and Frank Smith.

Lair noted Council would just be accepting the study and changes can be made at a later date.

MOTION PASSED 6 AYES

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

The Parks Board plans to raise pool fees. The Airport Commission approved a new farm land leaseholder. A group of youngsters is trying to raise funds to build a new skate park at Victory Park and will be present at the next City Council meeting. Randolph asked for sub-contractor lists to be included Council packets.

REPORTS BY DEPARTMENT HEADS

There were none.

At 7:35 P.M. a five minute break was taken prior to going into closed session.

CLOSED SESSION

At 7:40 P.M. Wright MOVED and Rink SECONDED to go into closed session to discuss the purchase or sale of particular real estate pursuant to Iowa Code Section 21.5(1)(j).

MOTION PASSED 6 AYES

Wright MOVED and Randolph SECONDED to come out of closed session.

MOTION PASSED 6 AYES

ADJOURNMENT

At 8:08 P.M., Randolph MOVED and Rink SECONDED to adjourn until Tuesday, February 7, 2012, at 7:00 P.M.

VOICE VOTE APPROVAL

MANUAL CLAIMS AND WARRANTS: See Claims dated February 2, 2012 in the amount of \$308,476.00, Manual Claims dated January 31, 2012 in the amount of \$288,830.71 and Library Claims dated January 19, 2012 in the amount of \$5,292.48.

| <u>PAYROLL</u> | <u>January 27, 2012</u> |
|----------------|-------------------------|
| General | \$132,383.19 |
| Library County | 125.85 |
| Ins. | 22.00 |
| RSVP | 1,166.96 |
| Old Fort | 1,915.80 |
| Road Use | 24,280.69 |
| Water | 36,631.82 |
| Sewer | 33,366.24 |
| Solid Waste | 11,437.27 |
| Storm Water | <u>2,688.64</u> |
| | \$244,018.46 |

Steven J. Ireland, Mayor
City of Fort Madison

ATTEST:

Melinda L. Blind, City Clerk