

**MINUTES
FORT MADISON CITY COUNCIL
Tuesday, March 6, 2012 7:00 P.M.**

The Fort Madison City Council met in regular session on Tuesday, March 6, 2012, at 7:00 P.M. at the Municipal Building, 811 Avenue E, Fort Madison. Presiding was Mayor Pro Tem Brad Randolph with Council Members Chris Greenwald, Brian Wright, Kevin Rink, Travis Seidel, Jason Huppert and Mark Lair present. Mayor Steven J. Ireland was absent.

VISITORS AND APPEARANCE REQUESTS

There were none.

AGENDA

Noting Item #14 was moving to Item #2B on the agenda, Lair MOVED and Seidel SECONDED a motion to approve the agenda, as written.

MOTION PASSED 7 AYES

CONSENT AGENDA

Greenwald MOVED and Wright SECONDED to approve:

- Minutes of February 21, 2012, as written;
- New Liquor License: Dollar General Store, 4809 Avenue O, effective date March 8, 2012 - Class C Beer, Class B Wine with Sunday Sales;
- Liquor License Renewal : LULAC Council 304, 1424 - 36th Street, effective date April 18, 2012 - Class C Liquor with Sunday Sales; and
- Payment of Claims.

MOTION PASSED 7 AYES

OTHER

REQUEST TO INSTALL SKATE PARK AT VICTORY PARK: Greenwald MOVED and Wright SECONDED to approve the request of the Bad Blood Skate Team to install a concrete skate park in Victory Park.

The Parks Department has granted the group permission to proceed with plans to install a concrete skate park at Victory Park. Jimmy Wendorf, RSVP Director, has been assisting the group with the process. Members of the group present were: Tyler

Landrum, Alec Novak, Kolton Johnson, Corey Hesford, Tim Regan and Jacob Blakeman. Wendorf said a dedicated location for the skate park was needed prior to applying for grants. The cost is estimated to be \$75,000. The group has already applied for a \$25,000 grant from the Tony Hawk Foundation and plan to fundraise and apply for grants for the remainder. RSVP volunteers will monitor the skate park. Ambient solar lighting will be used. The facility will be open from 9 a.m. to 9 p.m. and be open to bicycles also. Wendorf said the group feels the Ivanhoe Skate Park is too far away and is in poor condition. Signatures of persons interested in another skate park in Fort Madison was turned in. The City will be responsible for insuring the skate park. Wendorf felt the skate park could be the first step to getting more grants for Victory Park.

Council members commended the group for their enthusiasm and initiative but expressed concerns regarding maintenance, proximity to the neighbors, aesthetics and smaller kids using the facilities.

Randolph noted this will alter the park substantially and asked if the group had spoken to the neighbors surrounding the park. Rink said he has been receiving calls from the neighbors and did not believe anyone had gone through the neighborhood. He questioned if the group had formed a 501(c)(3) and Wendorf said they had.

Tom Schulz, 723 ½ Avenue G, said he had seen the same concerns regarding a skate park in another community he lived in. The skate park turned out to be a great asset to the community. He felt this was a great concept but was not sure it was the best location.

Greenwald felt the youth of Fort Madison needed to be given somewhere to go. Huppert requested the group lobby the neighborhood. He agreed this was a good idea but was not sure it was the best location.

Randolph said if the project would have to be engineered then the cost could be much higher than \$75,000. Wendorf said the grant required a skate park designer to be hired.

Jacqueline Lumsden, 2411 Avenue H, was in favor of opportunities for youth but was opposed to a skate park at Victory. She said there was already another skatepark in town and felt Victory could be put to better use. She pointed out that the sidewalks, tennis courts, bleachers and playground at Victory are in need of repair or replacement.

Wendorf said if the group does not receive the Tony Hawk grant they will not go forward.

Randolph MOVED and Rink SECONDED to table the motion until March 20, 2012.

MOTION PASSED 5 AYES
2 NAYES (Greenwald, Wright)

It was requested the group appear at the March 20 meeting with the results of the neighborhood canvass. Wright requested a copy of the grant.

PUBLIC HEARINGS

Concerning the Fiscal Year 2012-13 Budget

Mayor Pro Tem Randolph opened the public hearing at 7:44 P.M. concerning the Fiscal Year 2012-13 Budget. There being no written or oral comments, Lair MOVED and Wright SECONDED a motion to close the public hearing.

MOTION PASSED 7 AYES

RESOLUTION NO. 2012-07, ADOPT 2012/13 BUDGET: Rink MOVED and Seidel SECONDED to approve a resolution adopting the Fiscal Year 2012-13 Budget, and directing that the appropriate filings be made as required by law.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Resolution ADOPTED AND ENACTED this 6th day of March, 2012.

Concerning Rezoning Property South of 1125 - 48th Street from R-4, One-Family Dwelling District, to B-2, Business District General Retail

Mayor Pro Tem Randolph opened the public hearing at 7:45 P.M. concerning rezoning property south of 1125 - 48th Street from R-4, One Family Dwelling District, to B-2, Business General Retail. Greenwald MOVED and Lair SECONDED a motion to close the public hearing.

MOTION PASSED 7 AYES

1ST READING, REZONE: Rink MOVED and Lair SECONDED to approve the 1st reading of an ordinance rezoning property south of 1125 - 48th Street from R-4, One-Family Dwelling District, to B-2, Business District General Retail.

In response to a question regarding the possibility of outside storage at the proposed storage facility, Jake Denning of A & M Holdings, said there are no plans at the present time. Lair was concerned regarding drainage issues with the large amount of concrete to be used. Denning said if more than an acre of ground is disturbed then the DNR is involved. The Planning and Zoning Commission required that a fence be built on the north side of the property at such time as the north side will be utilized.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 1st reading this 6th day of March, 2012.

ORDINANCES AND RESOLUTIONS

2ND READING, ELECTRIC FRANCHISE: Rink MOVED and Lair SECONDED to approve the 2nd reading of an ordinance granting a franchise to Interstate Power and Light Company within the City of Fort Madison.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 2nd reading this 6th day of March, 2012.

2nd READING, AMENDING 9-7: Seidel MOVED and Greenwald SECONDED to approve the 2nd reading of an ordinance amending portions of Title 9, Chapter 7 entitled "Stopping, Standing, Parking".

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 2nd reading this 6th day of March, 2012.

1st READING, AMEND TITLE 9: Lair MOVED and Randolph SECONDED to approve the 1st reading of an ordinance amending portions of Title 9, Traffic, to reflect changes in highway designations and speed limits.

Lair felt the speed limit east of Hwy. 61/2 interchange should be lower. Hayes said the City asked for the speed limit to be lowered to 45 mph instead of 50 mph but the IDOT said studies show drivers respond better when reducing speed to 50 mph.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 1st reading this 6th day of March, 2012.

1ST READING, VACATE 16TH ST. ROW: Seidel MOVED and Rink SECONDED to approve the 1st reading of an ordinance vacating a portion of the 16th Street right-of-way north of Avenue B.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 1st reading this 6th day of March, 2012.

RESOLUTION 2012-08, AMEND FLEX BENEFIT PLAN: Rink MOVED and Huppert SECONDED to approve a resolution amending the City of Fort Madison Flex Benefit Plan.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Resolution ADOPTED and ENACTED this 21st day of February, 2012.

OTHER

HIRE PUBLIC WORKS LABOR I: Greenwald MOVED and Seidel SECONDED to approve hiring a Labor I in the Public Works Department.

MOTION PASSED 7 AYES

APPROVE GOAL SETTING REPORT: Seidel MOVED and Wright SECONDED to approve the Goal Setting Report.

MOTION PASSED 7 AYES

APPROVE UNION NEGOTIATOR'S CONTRACT: Randolph MOVED and Greenwald SECONDED to approve Mayor and Clerk's signatures on a union negotiator's contract with Lynch Dallas, P.C..

Ray and Associates have transferred their business to this firm. The contract and fees are the same as what the City had with Ray and Associates.

MOTION PASSED 4 AYES

3 NAYES (Rink, Seidel, Huppert)

APPROVE ENGINEERING AGREEMENT WATER STORAGE TANKS: Randolph MOVED and Wright SECONDED to approve the Mayor's signature on an engineering services agreement with Klingner & Associates of Burlington, Iowa, for services to inspect and prepare a report on the condition of the three water storage tanks for the Water Department.

MOTION PASSED 7 AYES

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

Nothing to report.

REPORTS BY DEPARTMENT HEADS

Herren reported the City is going through an ISO audit. The results of the audit will determine if insurance rates could be lowered. Luna said staff is receiving training on how to use the new city website. The website will go live March 30. Krogmeier reported the Planning and Zoning Commission met last week for a special use permit for auto sales at 31st and Avenue L. Clendening reported on programs and events at the library.

CLOSED SESSION

Wright MOVED and Rink SECONDED to go into Closed Session to discuss strategy with counsel in matters involving litigation pursuant to Iowa Code Section 21.5(1)(c) and to evaluate an employee pursuant to Iowa Code Section 21.5(1)(i).

MOTION PASSED 7 AYES

Lair MOVED and Wright SECONDED to come out of Closed Session.

MOTION PASSED 7 AYES

ADJOURNMENT

At 9:45 P.M., Greenwald MOVED and Rink SECONDED to adjourn until Tuesday, March 20, 2012, at 7:00 P.M.

VOICE VOTE APPROVAL

MANUAL CLAIMS AND WARRANTS: See Claims dated March 1, 2012 in the amount of \$139,756.26 and Manuals dated March 1, 2012, in the amount of \$152,507.30.

<u>PAYROLL</u>	<u>February 24, 2012</u>
General	\$143,618.25
RSVP	1,166.95
Old Fort	1,915.80
Ins.	22.00
Road Use	23,034.92
Water	36,919.40
Sewer	33,436.91
Solid Waste	13,497.01
Storm Water	<u>2,696.31</u>
	\$256,307.55

Steven J. Ireland, Mayor

ATTEST

Melinda L. Blind, City Clerk