

**MINUTES
FORT MADISON CITY COUNCIL
Tuesday, January 2, 2018**

Mayor Bradley A. Randolph presided with Council Members Chris Greenwald, Bob Morawitz, Kevin Rink, Rusty Andrews (arrived at 5:52 P.M.), Travis Seidel, Mark Lair and Chad Cangas present.

OATH OF OFFICE: Mayor Randolph gave the Oath of Office to new Second Ward Council Member Bob Morawitz.

VISITORS AND APPEARANCE REQUESTS

There were none.

AGENDA

Cangas MOVED and Lair SECONDED to approve the agenda.

MOTION PASSED 6-0

CONSENT AGENDA

Lair MOVED and Seidel SECONDED to approve the Consent Agenda:

- Minutes of December 19, 2017;
- Liquor License Renewal: Dollar General #1577, 429 Avenue H, effective February 10, 2018 – Class B Wine, Class Beer & Sunday Sales;
- Liquor License Renewal: Casey’s General Store #2319, 1428 – 38th Street, effective March 1, 2018 – Class B Native Wine, Class C Beer & Sunday Sales;
- Resolution No. 2018-01, URTED application for MBRME, LLC, 3506 Woodland Heights (new condominium);
- Resolution No. 2018-02, URTED application for MBRME, LLC, 3504 Woodland Heights (new condominium);
- Resolution No. 2018-03, URTED application for MBRME, LLC, 3502 Woodland Heights, (new condominium); and
- Payment of Claims.

MOTION PASSED 6-0

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 2018-04, FIX DATE FOR MEETING: Morawitz MOVED and Cangas SECONDED to adopt a resolution fixing date for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$1,700,000 Water Revenue Capital Loan Notes, of the City of Fort Madison, State of Iowa, and providing for publication of notice thereof.

Public Works Director Larry Driscoll said this will fund the rehabilitation of the two reservoirs and water tower. This is the first step in funding.

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

MOTION PASSED 6-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 2nd day of January, 2018.

RESOLUTION NO. 2018-05, ACCEPT AVENUE E: Rink MOVED and Seidel SECONDED to adopt a resolution accepting Avenue E from Vica Lane to 33rd Street.

Public Works Director Larry Driscoll reported the contractor is working on the punch list items as weather permits.

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

MOTION PASSED 6-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 2nd day of January, 2018.

RESOLUTION NO. 2018-06, ACCEPT WOODLAND HEIGHTS INFRASTRUCTURE: Cangas MOVED and Greenwald SECONDED to adopt a resolution accepting the improvements in the Woodland Heights Subdivision Phase 1, including “Woodland Heights” a concrete drive, right-of-way, and public improvements, including a storm sewer, sanitary sewer and water main.

Driscoll reported the city will own from Bluff Road to the top of the bluff and the road then becomes private. The outstanding item on the punch list was a manhole cover and some storm sewers that need to be addressed. Morawitz questioned an issue with the sewer line. Driscoll said the specs and design called for roadstone and the developer used sand. The developer has offered a five year warranty instead of a two year warranty. Driscoll believed if the pipe would sag it would do so during the warranty. Morawitz wanted a performance bond instead of a warranty. Driscoll felt the chances of anything happening to the pipe.

Council discussed accepting all the public improvements but the sewer. City Attorney Robert Johnson noted performance bonds are for two years. Driscoll said Council had previously approved the warranty as opposed to a performance bond.

Morawitz MOVED and Rink SECONDED to amend the motion to remove acceptance of the sanitary sewer until a surety of performance bond was in place.

ROLL CALL: AYES: Morawitz, Rink
 NAYES: Greenwald, Seidel, Lair, Cangas

MOTION FAILED 2-4

A vote was then taken on the original motion.

ROLL CALL: AYES: Greenwald, Rink, Seidel, Lair, Cangas
 NAYES: Morawitz

MOTION PASSED 5-1

The Mayor then declared said Resolution ADOPTED and ENACTED this 2nd day of January, 2018.

OTHER

ENGAGEMENT AGREEMENT: Seidel MOVED and Cangas SECONDED to approve the Mayor's signature on an engagement agreement with Ahlers & Cooney, P.C., of Des Moines, Iowa, for their services as bond counsel in connection with the issuance of not exceed \$1,700,000 Water Revenue Capital Loan Notes. (Andrews arrived at 5:52 P.M.)

MOTION PASSED 7-0

2018 COUNCIL MEETING DATES: Cangas MOVED and Seidel SECONDED to approve Council meeting dates in 2018.

There will be two Monday meetings, June 4 and November 5, due to the primary and state elections.

MOTION PASSED 7-0

BRIDGE STUDY AGREEMENT: Lair MOVED and Greenwald SECONDED to approve the Mayor's signature on an Iowa Department of Transportation Agreement for Surface Transportation Block Grant Program funds for a planning study for the Mississippi River Bridge with a local grant match of \$72,000.

Mike Norris, Southeast Iowa Regional Planning Commission, said SEIRPC has been meeting with Burlington Northern Santa Fe Railroad, the Iowa and Illinois Department of Transportation staff, cities and area industries for three years regarding this. Currently the bridge has size and weight restrictions. BNSF doesn't want to manage the transportation deck. It was a decree of Congress that the bridge be used for public transportation. Following the completion of the study, SEIRPC will look at funding opportunities, such as the local port authority taking control of the bridge deck, bonding for improvements and then using the tolls to pay off the bonds. BNSF is requiring the study. The grant has a match of \$72,000 and SEIRPC hopes this will attract a private match.

Randolph said in theory, the port authority taking ownership of the bridge deck could work very well. In reality it could give the improvements needed to help from an economic development and commerce standpoint as well as open up the possibility of development. The Illinois Department of Transportation and Iowa Department of Transportation are providing 80% of the funding for this study. There is also interest from local businesses to contribute.

At a question of how long the nearly 100-year old structure would last, Norris said BNSF is working on plans to replace the swing span with a lift span.

Randolph said this does not commit the city to anything other than \$72,000 with the hope of donations from area businesses and industries to offset that. Varley said for every penny the private sector does not come up with the city will have to.

At a suggestion of amending the motion to reflect the City's desire to have a portion of the match met with private donations, Norris said the Iowa Department of Transportation only needs Council to approve the Mayor's signature on the document. The City can choose to do something internally regarding the private sector match.

Rink questioned if communities in Illinois would also contribute. Norris said with Fort Madison having such a larger economic presence, that Niota, Dallas City and Nauvoo have not been contacted. Randolph said a letter could be sent out to them or the county making the request.

Morawitz questioned if this would affect the 1886 agreement if the road deck is taken over by someone else. Norris said so far they have not found any deal killing potentials. If it gets to that point, this would be looked at further. Morawitz also wanted to know who would take responsibility for the maintenance. Randolph said this isn't even at that point yet. This is only a way to pay for the study.

Cangas MOVED and Seidel SECONDED to call the question.

MOTION PASSED 7-0

Andrews arrived at the meeting.

A vote was then held on the motion.

MOTION PASSED 6-1 (Rink)

COMMISSION APPOINTMENTS: Greenwald MOVED and Lair SECONDED a motion to approve the Mayor's appointments of:

- ◆ Corey Fraise to the Planning & Zoning Commission, to fill an unexpired term, term ending March 31, 2018;
- ◆ David Soppe to the Fort Madison Housing Authority, to fill an unexpired term, term ending June 2, 2018;
- ◆ Brian Wright to the Tourism Commission, term ending December 31, 2020.

MOTION PASSED 7-0

COMMISSION REAPPOINTMENTS: Morawitz MOVED and Seidel SECONDED a motion to approve the Mayor's reappointments of:

- ◆ Merlin Hellman to the Southeast Iowa Regional Riverboat Commission, term ending December 31, 2020;
- ◆ Loren "Andy" Andrews and Dan Reppert to the Historic Preservation Commission, term ending December 31, 2020.

MOTION PASSED 7-0

DISCUSSION ITEMS – No items

REPORTS BY DEPARTMENT HEADS

A three-unit apartment building on 10th Street had a fire. There were no utilities to the building so the fire was caused by a human factor. The library has been having issues with an older heating unit at the library. In order to fix it the repairman needs access to the unit which is on the roof and there is snow and ice on the roof. There has been a water main break on Alta Drive and 27 frozen water lines have been reported.

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

The City received a \$100,000 grant for the depot platform from SIRRC.

CLOSED SESSION

Cangas MOVED and Lair SECONDED to enter into Closed Session to evaluate employees pursuant to Iowa Code Section 21.5(1)(i).

MOTION PASSED 7-0

At 6:30 P.M., Randolph called for a five-minute recess before adjourning to Closed Session.

With no action taken, at 7:30 P.M., Rink MOVED and Lair SECONDED to come out of Closed Session.

MOTION PASSED 7-0

EXEMPT SESSION

Cangas MOVED and Morawitz SECONDED to enter into Exempt Session under Iowa Code 20.17(3) to discuss collective bargaining strategy with the City’s bargaining representative, Lynch Dallas, P.C.

MOTION PASSED 7-0

With no action taken, at 8:09 P.M., Morawitz MOVED and Seidel SECONDED to come out of Exempt Session.

MOTION PASSED 7-0

ADJOURNMENT

At 8:10 P.M., Cangas MOVED and Seidel SECONDED to adjourn until Tuesday, January 16, 2018 at 5:30 P.M.

VOICE VOTE APPROVAL

MANUAL CLAIMS AND WARRANTS: See Claims dated December 28, 2017, in the amount of \$564,430.48 and Library Claims dated December 21, 2017, in the amount of \$8,034.33.

<u>Payroll</u>	12/22/2017
General	\$171,519.25
Special Rev.	10,171.57
Road Use	24,820.94
Water	24,658.90
Sewer	39,926.86
Solid Waste	11,698.71
Storm Water	3,272.51
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	\$286,068.74

Mayor Bradley A. Randolph
City of Fort Madison

ATTEST:

Melinda L. Blind, City Clerk