

MINUTES
FORT MADISON CITY COUNCIL
Tuesday, September 4, 2012 7:00 P.M.

The Fort Madison City Council met in regular session on Tuesday, September 4, 2012, at 6:30 P.M. at the Municipal Building, 811 Avenue E, Fort Madison. Presiding was Mayor Bradley A. Randolph with Council Members Chris Greenwald, Brian Wright, Kevin Rink, Jason Huppert and Mark Lair present. Council Members Neal Boeding and Travis Seidel were absent.

CLOSED SESSION

Wright MOVED and Rink SECONDED to go into closed session pursuant to Section 21.9 of the Iowa Code (Union Negotiations).

MOTION PASSED 5 AYES

With no action taken, Greenwald MOVED and Wright SECONDED to come out of closed session at 6:47 P.M.

MOTION PASSED 5 AYES

VISITORS AND APPEARANCE REQUESTS

Mary Jane Niggemeyer, 3030 Avenue K, said the electrical plug-ins at the City's campground are not adequate to meet the needs of the newer campers. She suggested the City improve the electric and add a better shower facility.

Bob Winkler, Southeast Iowa Port Authority Board, gave a brief history of the group. Lee County Economic Development Corporation had previously provided administrative services for the Board. Because of changes in staffing, LCEDC is no longer able to provide those services. Southeast Iowa Regional Planning will provide administrative services at a cost of \$6,000.00 per year. The City of Keokuk and Lee County Board of Supervisors have agreed to pay \$2,000.00 each. Winkler asked the City of Fort Madison to provide \$2,000.00 also.

Winkler said the Port Authority is looking to purchase land the group would then lease. This will allow the Authority to become self-sufficient. The Port Authority is working with the Quad Cities Port Authority to set up Foreign Trade Zones in southeast Iowa.

AGENDA

Rink MOVED and Wright SECONDED to approve the amended agenda.

MOTION PASSED 5 AYES

CONSENT AGENDA

Greenwald MOVED and Huppert SECONDED to approve:

- Minutes of August 21, 2012, as written; and
- Mayor's reappointment of C. Mike Pulis to the Board of Adjustment, term ending September 11, 2015;
- Liquor License Renewal: Casey's #2023, 1208 Avenue H, effective October 29, 2012 – Class C Beer Permit with Sunday Sales;
- Liquor License Renewal: Tena's, Inc., 5602 Avenue O, effective September 8, 2012 – Class C Liquor;
- Liquor License Renewal: Aldi, Inc., 927 Avenue G, effective November 4, 2012 – Class B Wine, Class C Beer and Sunday Sales; and
- Payment of Claims.

MOTION PASSED 5 AYES

PUBLIC HEARINGS

Concerning Public Improvement Project 2011-06, Denmark Hilltop Landslide

Mayor Randolph opened the public hearing. With no written or oral comments, Rink MOVED and Greenwald SECONDED to close the public hearing at 7:22 P.M..

MOTION PASSED 5 AYES

RESOLUTION NO. 2012-44, ADOPT PLANS, SPECS AND FORM OF CONTRACT:

Greenwald MOVED and Huppert SECONDED a resolution adopting plans, specifications and form of contract for the project

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

MOTION PASSED 5 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 4th day of September, 2012.

RESOLUTION NO. 2012-45, AWARD CONTRACT: Rink MOVED and Lair SECONDED to approve a resolution awarding construction contract for the project to Mepco of Wever, Iowa, in the amount of \$394,130.00.

Mayor Randolph wanted to ensure the project would be completed this year. Zach Pieper, Mepco, said unless the asphalt plants close early, the project will be completed this year. A slope mat and temporary seeding will be installed this fall and the final seeding completed in the spring of 2013. If the asphalt plants close early, a temporary road that will be able to be plowed will be installed.

As the Mepco's bid is \$110,000.00 higher than FEMA's estimation for the project, concern was expressed by Council if FEMA would reimburse the overage. Lisa Burch, engineer with Ament, said the price FEMA set for the project was based upon 2010 prices and they did not perform a topographical survey. Ament will provide documentation to support the City's request for additional funding from FEMA. Burch believes some engineering design changes could lower the price. This will be addressed with a change order.

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

MOTION PASSED 5 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 4th day of September, 2012.

RESOLUTION NO. 2012-46, APPROVE CONTRACTS, BONDS: Huppert MOVED and Wright SECONDED to adopt a resolution approving contract and bonds of Mepco of Wever, Iowa, pending receipt of the documents.

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

MOTION PASSED 5 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 4th day of September, 2012.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. C-523, REZONE 1001 – 48TH ST.: Rink MOVED and Greenwald SECONDED to approve the 3rd reading of an ordinance rezoning property located at 1001 – 48th Street, from R-6, Multi-Family Dwelling District, to B-2, Business District, General Retail.

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

MOTION PASSED 5 AYES

The Mayor then declared said Ordinance PASSED and APPROVED this 4th day of September, 2012.

RESOLUTION NO. 2012-47, ADOPT RECORD RETENTION MANUAL: Greenwald MOVED and Rink SECONDED to approve a resolution adopting the Record Retention Manual for Iowa Cities to determine the length of time records need to be retained for audit, legal, administrative and historical use.

Smith said City staff has followed the recommendations in the Record Retention Manual but the Manual has not been formally adopted.

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

MOTION PASSED 5 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 4th day of September, 2012.

RESOLUTION NO. 2012-48, ORDER CONSTRUCTION PIP 2012-03: Wright MOVED and Greenwald SECONDED a resolution ordering construction, setting public hearing and bid letting for Public Improvement Project 2012-03, 20th Street and Avenue M Office Demo.

Dinwiddie said the previous request for bids targeted demolition contractors. The engineer has corrected this and is targeting general contractors now.

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

MOTION PASSED 5 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 4th day of September, 2012.

ACCEPT PIP 2010-03, 48TH ST./HWY 61 WIDENING PROJECT: Rink MOVED and Huppert SECONDED a motion to approve a resolution accepting Public Improvement Project 2010-03, 48th Street/Highway 61 Signalization and Widening Project.

Greenwald expressed concern about bumps that have developed. Hayes said this was caused by the different types of road surfaces in the area, both concrete and asphalt.

The plans for the intersection were approved by the IDOT. Concern was expressed regarding the fail rate for the asphalt.

ROLL CALL: AYES: Greenwald, Huppert, Lair
 NAYES: Wright, Rink

MOTION FAILED 3-2

Passage of a resolution or ordinance requires four “yes” votes – a majority of the seven members of the Council.

RESOLUTION NO. 2012-49, ADOPT 2011-12 STREET FINANCE REPORT: Rink MOVED and Lair SECONDED to approve a resolution adopting 2011-12 Street Finance Report.

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

MOTION PASSED 5 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 4th day of September, 2012.

OTHER

HIRE LABOR 1, PUBLIC WORKS: Wright MOVED and Greenwald SECONDED to approve hiring a Labor I in the Public Works Department.

MOTION PASSED 5 AYES

VINNIE’S LIQUOR LICENSE RENEWAL: Greenwald MOVED and Wright SECONDED to approve a Liquor License Renewal with conditions as proposed to Vinnie’s Santa Fe Avenue Tap, 2601 Avenue L, effective September 16, 2012 – Class Liquor with Outdoor Service and Sunday Sales.

Lair believed the music should stop at 12:00 midnight instead of 1:00 A.M. He pointed out other persons requesting an Outdoor Service Permit have agreed to stop the music at 12:00 midnight. Vinnie’s owner, Louis Vincent, said bands have stopped earlier.

Lair MOVED and Greenwald SECONDED to amend the conditions to read “12:00 midnight” instead of “1:00 A.M.”.

**MOTION PASSED 3 AYES
1 NAY (Wright)
1 ABSTAIN (Huppert)**

A vote was then taken on the amended motion.

**MOTION PASSED 4 AYES
1 ABSTAIN (Huppert)**

DISCUSSION OF POSSIBLE INFRASTRUCTURE INITIATIVE

Mayor Randolph pointed out the City has made investments to attract business and industry to Fort Madison and believed it was time to address quality of life issues. The citizen survey shows what Fort Madison residents want to have done.

Smith researched the possibility of a bond issue that would address some of these projects. Although the City currently could bond for \$12,000,000, Smith suggested a bond of \$6,000,000. Several bonds will be paid off in the near future and there are some refinancing options which could be included to lower the interest rate on existing bonds. If the City bonded for \$6 million, \$413,000 would be needed to cover the debt payment. An increase of \$1.50 per \$1,000.00 evaluation thousand would be needed. As a comparison, Smith said this would increase the taxes on a \$75,000 home by \$57.10 a year and a \$250,000 commercial property by \$375.00 per year. In addition, the City will receive \$600,000 in the remaining two years on the City's contract with Catfish Bend and these funds can also be used. Funding from the bond issue can be used for street improvements and parks related projects. If Council were to choose to move forward, a more thorough study can be done of possible projects.

Mayor Randolph said he did not take raising taxes lightly but said the tax increase would go directly back into improving where we live. He said the City's tax rate has gone down each of the last four years as the City has tried to improve its bottom line. Greenwald asked if the City could bond for \$2,000,000 instead. Smith said it would reduce the number of projects.

Randolph asked Council members if they wanted Smith to investigate the financial aspect and then hold some public forums for citizen input. Council members felt the matter should be pursued.

Smith noted a bond issue could be authorized by Council without going to a public vote as long the projects concern streets and existing parks.

REPORTS BY DEPARTMENT HEADS

Fire Chief Herren said the burn ban was lifted today. Clendineng encouraged persons to attend the "Remembering the Fallen" exhibit at the library this week.

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

Blind reported the Human Rights Commission is holding a Fiesta-themed coloring contest for kindergarten through third grade students.

ADJOURNMENT

Wright MOVED and Rink SECONDED to adjourn until Tuesday, September 18, 2012 at 8:12 P.M.

VOICE VOTE APPROVAL

MANUAL CLAIMS AND WARRANTS: See Claims dated August 30, 2012 in the amount of \$287,332.84.

| <u>PAYROLL</u> | <u>August 24, 2012</u> |
|----------------|------------------------|
| General | \$146,940.06 |
| RSVP | 1,221.30 |
| Marina | 324.53 |
| Old Fort | 4,286.03 |
| Road Use | 21,748.06 |
| Water | 37,202.22 |
| Sewer | 33,272.03 |
| Solid Waste | 17,287.12 |
| Storm Water | <u>2,715.49</u> |
| | \$264,996.84 |

Bradley A. Randolph, Mayor
City of Fort Madison

ATTEST:

Melinda L. Blind, City Clerk