

**MINUTES
FORT MADISON CITY COUNCIL
Tuesday, May 21, 2013 - 7:00 P.M.**

The Fort Madison City Council met in adjourned session on Tuesday, May 21, 2013, at 7:00 P.M. at the Municipal Building, 811 Avenue E, Fort Madison. Presiding was Mayor Pro Tem Chris Greenwald with Council Members Brian Wright, Kevin Rink, Neal Boeding, Travis Seidel, Jason Huppert and Mark Lair present. Mayor Bradley A. Randolph was absent.

VISITORS AND APPEARANCE REQUESTS

Mayor Pro Tem Greenwald read a proclamation for American Legion Poppy Days and presented the proclamation to George Shields.

There were no other visitors or appearance requests.

AGENDA

Lair MOVED and Seidel SECONDED to approve the agenda, with additional agenda item 13a.

MOTION PASSED 7 AYES

CONSENT AGENDA

Rink MOVED and Boeding SECONDED to approve:

- Minutes of May 7, 2013, as written;
- Mayor's reappointment of Craig Wilkens and Duane Sherwood to the Band Commission, terms expiring April 1, 2016;
- Mayor's reappointment of Lillian Daniel, Mary Hitchcock and Sam Lozano to the Fort Madison Housing Authority, terms expiring June 30, 2015;
- Liquor License Renewal with conditions: Fraternal Order of the Eagles, Aerie No. 1287, 4821 Avenue O, effective July 1, 2013 – Class A Liquor with Outdoor Service and Sunday Sales;
- Partial List of Cigarette Permit Renewals effective July 1, 2013; and
- Payment of Claims.

MOTION PASSED 7 AYES

PUBLIC HEARING

Concerning the City's Comprehensive Plan:

Mayor Pro Tem Greenwald opened the public hearing at 7:07 p.m. Lori Beckert, 2006 Hwy. 61, expressed the following:

- She felt the plan was presented as having community input when at the meetings she had attended there was little input;
- The meetings were run using a technique which she believed was a manipulative way to move to a consensus;
- She had concerns with the incorporation of Main Street, Fort Madison Chamber and Southeast Iowa Regional Planning Commission (SEIRPC) into the plan;
- Made comparisons with a fascist form of government;
- Saw fascism in page 64 of the printed plan which mentions a city supported and sponsored entity which is a spin-off of SEIRPC;
- Objected to citizens being put at a disadvantage as it concerns the flood plain map;
- Believed the flood plain map was difficult to find online.

She felt the citizens deserved better than having the Chamber and Main Street involved and pointed out the City Manager is on the board of directors for both SEIRPC and Main Street. She has spoken up at each of the meetings she attended and felt she was not treated properly. She said the adoption of the Comprehensive Plan needed to be tabled.

Rink noted Beckert has repeatedly brought up negative points though out the process. He asked if she could see any positives about the plan. Beckert said she likes to hike but doesn't like that the trails have to come out of someone's private property. She also likes Riverview Park but has heard that the people involved with the trust for the reflecting pond have some issues with the City regarding the reflecting pool. She did add that there were some good things in the plan.

Derek Gosnell, 5635 Bluff Road, said the public is being misled by voluntary annexation. He said if your neighbors are gullible and sign up for voluntary annexation, then you can become involuntary annexed. He felt this was just a way for the City Manager to procure money for the insiders on Avenue G.

Rink MOVED and Seidel SECONDED to close the public hearing.

MOTION PASSED 7 AYES

RESOLUTION NO. 2013-37, ADOPT CITY'S COMPREHENSIVE PLAN: Wright MOVED and Greenwald SECONDED to approve a resolution the City's Comprehensive Plan.

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

MOTION PASSED 7 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 21st day of May, 2013.

Concerning the 2012-13 Budget Amendment:

Mayor Pro Tem Greenwald opened public hearing at 7:19 p.m. There were no oral or written comments.

Rink MOVED and Huppert SECONDED to close the public hearing.

MOTION PASSED 7 AYES

RESOLUTION NO. 2013-38, AMEND FY 2012/13 BUDGET: Greenwald MOVED and Wright SECONDED to approve a resolution amending the 2012-13 Budget for fiscal year ending June 30, 2013.

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

MOTION PASSED 7 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 21st day of May, 2013.

Concerning the Proposed Issuance of Not to Exceed \$6,000,000 General Obligation Bonds, Series 2013

Mayor Pro Tem Greenwald opened public hearing at 7:21 p.m.

Joe Heinrich, 1335 Avenue C, had questions based upon a May 9 newspaper article. He felt 24th Street from Avenue G-L should be fixed instead of from Avenue A-L. He questioned why the 16th Street project cost so much less than the other projects. Smith explained 16th Street would be done using a different process.

Smith offered to provide Heinrich with a list of projects as Smith did not believe the Democrat had printed the entire list. Heinrich questioned why \$30,000 was proposed for electrical upgrades at Rodeo Park. Smith explained the City has a campground and the electric needs to be upgraded. Heinrich felt \$250,000 for "Other Improvements" was ambiguous. Smith explained those improvements requires more detailed planning and will come back to the City Council for approval.

Heinrich did not think playgrounds were essential and felt the bond issue was mainly for streets. Greenwald explained the parks are a quality of life issue. Heinrich added 13th Street from Avenue C-E was terrible and should be looked at.

Carol Foss, 412 Avenue F, said there has been vandalism at Old Settlers Park. She asked for a surveillance camera and sign warning of the camera to be installed there.

There were no written comments.

Lair MOVED and Boeding SECONDED to close the public hearing.

MOTION PASSED 7 AYES

RESOLUTION NO. 2013-39, INSTITUTE PROCEEDINGS, \$6,000,000 GO BONDS: Huppert MOVED and Seidel SECONDED to approve a resolution instituting proceedings to take additional action for the issuance of not to exceed \$6,000,000 General Obligation Bonds, Series 2013.

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

MOTION PASSED 7 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 21st day of May, 2013.

RESOLUTION NO. 2013-40, ADVERTISE SALE OF \$6,000,000 GO BONDS: Lair MOVED and Greenwald SECONDED to approve a resolution directing the advertisement for sale of \$6,000,000 (dollar amount subject to change) General Obligation Bonds, Series 2013, and approving electronic bidding procedures.

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

MOTION PASSED 7 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 21st day of May, 2013.

ORDINANCES AND RESOLUTIONS

2ND READING, REZONE 2011 AVENUE L FROM R-4, TO B-4: Rink MOVED and Huppert SECONDED to approve the second reading of an ordinance rezoning property located at 2011 Avenue L from R-4, Single Family Dwelling District, to B-4, Highway Business District.

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

MOTION PASSED 7 AYES

The Mayor then declared said Ordinance PASSED and APPROVED this 21st day of May, 2013.

RESOLUTION NO. 2013-41, ACCEPT PIP 2012-03, 20TH ST. & AVE. M – OFFICE

DEMO: Lair MOVED and Seidel SECONDED to approve a resolution accepting Public Improvement Project 2012-03, 20th Street and Avenue M – Office Demo.

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

MOTION PASSED 7 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 21st day of May, 2013.

OTHER

SET P.H. RE: SRF LOAN APPLICATION NEW SEWER MAIN: Wright MOVED and Huppert SECONDED to set public hearing for June 18, 2013, at 7:00 P.M., to review an application for a State Revolving Fund (SRF) loan from the Iowa Department of Natural Resources, and to make available to the public contents of an environmental information documents and the City's Preliminary project plan for a project involving the construction of a new sewer main and lift station along Highway 61 and a railroad.

MOTION PASSED 7 AYES

APPROVE WATER MAIN EXTENSION WITH KL-MEGLA: Rink MOVED and Huppert SECONDED to approve a water main extension agreement with KL-Megla Architectural LLC for service to property located at 2495-280th Street, Montrose.

Smith said this property neighbors the water treatment plant. Rathbun cannot supply enough water pressure. The City's current policy is for anyone requesting water service but outside of City limits to sign a pre-annexation agreement. If the property would ever become contiguous to city limits they would automatically be annexed. He added the water treatment plant is not within City limits.

MOTION PASSED 7 AYES

LEASE AGREEMENT W/LEE CO. WASTEWATER LIFT STATION: Lair MOVED and Seidel SECONDED to approve the Mayor and Clerk's signature on a lease agreement with Lee County, Iowa, for property near the Lee County jail for a wastewater lift station.

Lair asked if there was an attempt to buy the property. Smith said that was discussed but the County was more comfortable with a long term lease. A three year notice is required if terms cannot be agreed upon. He added the County Jail will connect to the new sewer line.

MOTION PASSED 7 AYES

APPROVE UNION CONTRACTS: Lair MOVED and Greenwald SECONDED to approve Union Contracts with the Public Works, Police, Water and Library Unions, effective July 1, 2013.

Smith said this is a three percent total package increase for the unions.

MOTION PASSED 7 AYES

APPROVE THE DOCK LIQUOR LICENSE RENEWAL: Rink MOVED and Wright SECONDED to approve a Liquor License Renewal with conditions to The Dock at Fort Madison, 902 – 4th Street, effective June 11, 2013 – Class C with Outdoor Service and Sunday Sales.

MOTION PASSED 7 AYES

APPROVE NEW 5 DAY LIQUOR LICENSE, IAROCFEST: Greenwald MOVED and Lair SECONDED to approve a Five Day Class B Beer license with conditions to Iarocfest at 2094 – 303rd Avenue (Rodeo Arena), effective May 23, 2013 - with Outdoor Service and Sunday Sales pending dram shop endorsement.

Lair expressed concern regarding events coming before the Council at the last minute when their events have been advertised and being planned for months. He did not believe it was fair to the Council to have to make a decision within a few days of an event.

Terrence Scotten, event organizer, said no one buys tickets until the last two weeks before the event.

MOTION PASSED 7 AYES

UPDATE AND DISCUSSION ON COMBINED SEWER STUDY: Jay Brady, Stanley Consultants, gave a brief update on the progress of the Combined Sewer Study. During the next few weeks, Stanley will be working on concepts, cost analyses and an

implementation plan. This will be presented to Council on June 18 for a decision.

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

There were none.

ADJOURNMENT

At 8:07 P.M., Wright MOVED and Boeding SECONDED to adjourn until Tuesday, June 4, 2013 at 7:00 P.M.

VOICE VOTE APPROVAL

MANUAL CLAIMS AND WARRANTS: See Claims dated May 16, 2013, in the amount of \$283,481.38 and Library Claims dated May 13, 2013 in the amount of \$6,293.61.

<u>PAYROLL</u>	<u>MAY 17, 2013</u>	<u>APRIL 19, 2013</u>
General	\$140,784.69	\$143,602.40
RSVP	1,256.39	1,256.39
Old Fort	2,929.21	2,327.63
Road Use	17,784.89	19,610.38
Water	36,211.33	36,400.22
Sewer	30,849.53	31,502.86
Solid Waste	18,945.66	17,647.73
Storm Water	<u>2,827.36</u>	<u>2,846.94</u>
	\$251,589.06	\$255,194.55

Bradley A. Randolph, Mayor
City of Fort Madison

ATTEST:

Melinda L. Blind, City Clerk