

**MINUTES
FORT MADISON CITY COUNCIL
Tuesday, May 6, 2014**

The Fort Madison City Council met in regular session on Tuesday, May 6, 2014, at 7:00 P.M. at City Hall, 811 Avenue E, Fort Madison. Presiding was Mayor Bradley Randolph with Council Members Chris Greenwald, Brian Wright, Kevin Rink, Rusty Andrews, Jason Huppert and Mark Lair. Council Member Travis Seidel was absent.

Mayor Randolph recognized the passing of Cheryl Bachman, an Water Department office clerk for eight years.

PROCLAMATION

Mayor Randolph read a proclamation reminding citizens that May11-17 is National Police Week and presented it to Police Chief Niggemeyer

VISITORS AND APPEARANCE REQUESTS

Steve Gelsthorpe, 1425 Avenue G, complained about property in the 1400 block of Avenue G owned by Stan Higdon. There is mold in his apartment and in two other of Higdon's properties in the block. A water pipe in the basement broke during the winter and it took Higdon a month to remove the water. There is water in the basement now. Gelsthorpe was in last week to complain to Building Inspector Doug Krogmeier about this. He did not want to undermine Krogmeier but wanted to bring this to the Council's attention. Fire Chief Herren said he is aware of this matter and will be meeting with Krogmeier when he returns next week.

AGENDA

Lair MOVED and Wright SECONDED to approve the agenda, as written.

MOTION PASSED 6-0

CONSENT AGENDA

Rink MOVED and Andrews SECONDED to approve:

- Minutes of April 15, 2014, as written;
- Liquor License Renewal: Elks Lodge, 719 Avenue H, effective July 1, 2014 – Class A License with Sunday Sales;

- Setting Public Hearing for May 20, 2014, at 7:00 P.M. on the Fiscal Year 2013-14 Budget Amendment; and
- Payment of Claims.

MOTION PASSED 6-0

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. D-12, ADOPT NEW CITY SEAL: Greenwald MOVED and Wright SECONDED to approve the third reading of an ordinance amending Title 1, Chapter 15, Section 3, of the City Code of Fort Madison by adopting a new City Seal.

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

MOTION PASSED 6-0

The Mayor then declared said Ordinance PASSED and APPROVED this 6th day of May, 2014.

2nd READING, INNSBROOK PROPERTY TAXES: Huppert MOVED and Andrews SECONDED to approve the second reading of an ordinance providing that general property taxes levied and collected each year on all property located within the Innsbrook Residential Urban Renewal Area, in the City of Fort Madison, County of Lee, State of Iowa, by and for the benefit of the State of Iowa, City of Fort Madison, County of Lee, Fort Madison Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Innsbrook Residential Urban Renewal Area (Project #1 Area of the Innsbrook Residential Urban Renewal Plan).

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

MOTION PASSED 6-0

The Mayor then declared said Ordinance PASSED and APPROVED this 6th day of May, 2014.

2nd READING, REZONE 1225 – 37TH STREET: Lair MOVED and Rink SECONDED to approve the second reading of an ordinance rezoning property located at 1225 – 37th Street from R-6, Multi-Family Dwelling District to B-3, Service and Wholesale District.

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

MOTION PASSED 6-0

The Mayor then declared said Ordinance PASSED and APPROVED this 6th day of May, 2014.

2nd READING AMEND 8-7-2(A,B) SEWER RATES: Greenwald MOVED and Wright SECONDED to approve the second reading of an ordinance amending Title 8, Chapter 7, Section 2 (A and B) so as to increase sewer rates effective June 1, 2014.

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

MOTION PASSED 6-0

The Mayor then declared said Ordinance PASSED and APPROVED this 6th day of May, 2014.

RESOLUTION NO. 2014-18, FINAL PLAT INNSBROOK PLAT V: Huppert MOVED and Andrews SECONDED to adopt a resolution approving and accepting Final Plat for Innsbrook Subdivision Plat V.

Smith said this is the second of three phases for the subdivision. The developer has met all the requirements and has given the City a letter of credit in lieu of a bond for the infrastructure improvements. Smith recommended approval and acceptance.

Lair was concerned about the height of ground behind Alta Drive and if there would be drainage issues. Public Works Director Driscoll said this has been addressed. There is a private drainage easement behind Alta Drive and there is the possibility of installing a natural swale.

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

MOTION PASSED 6-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 6th day of May, 2014.

RESOLUTION NO. 2014-19, SET P.H. RE: FRANCHISE TO ITC MIDWEST LLC: Greenwald MOVED and Lair SECONDED to approve a resolution setting public hearing for May 20, 2014, at 7:00 P.M. regarding a franchise to ITC Midwest LLC.

Smith said this is a transmission company with some lines in the City. They do not have any direct customers other than Alliant Energy so there will be no section on franchise fees.

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

MOTION PASSED 6-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 6th day of May, 2014.

RESOLUTION NO. 2014-20, SET P.H. RE: DEVELOPMENT AGREEMENT: Rink MOVED and Wright SECONDED to adopt a resolution fixing date for a public hearing on the proposal to enter into a Development Agreement with Boulders Inn Fort Madison, L.L.C.

Smith said this is for a hotel project on the west end of town.

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

MOTION PASSED 6-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 6th day of May, 2014.

RESOLUTION NO. 2014-21, 28E WITH WEST BURLINGTON: Greenwald MOVED and Lair SECONDED to adopt a resolution approving a 28E Agreement between the City of Fort Madison and the City of West Burlington to provide mutual aid for significant emergencies.

Fire Chief Herren said this is a simple update. This 28E was last updated in 2001.

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

MOTION PASSED 6-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 6th day of May, 2014.

OTHER

APPROVE FIVE DAY LIQUOR LICENSE, EAGLES CLUB: Rink MOVED and Wright SECONDED to approve a new Five Day Class B Beer License with conditions to Pen City Aerie #1287 (Eagles Club), 4821 Avenue O, effective May 13, 2014 with Outdoor Service.

MOTION PASSED 6-0

DISCUSSION ITEMS

POTENTIAL INSTALLATION OF STOP SIGNS: Wright said this was brought to his attention by persons who live in the area. He had the Police Department research accidents at three intersections: 15th Street and Avenue E, 18th Street and Avenue E and 16th Street and Avenue B. There have been no accidents at 16th and B over the last five years, however, accidents at 15th and E have doubled since 2007 with five in 2013. He believes 15th and E is a trouble spot as the view of persons trying to cross Avenue E is hindered. He spoke with the City's insurance company and they said adding stop signs at this intersection would not increase the City's liability. He argued that traffic has increased since the bypass.

Smith said a traffic study was done in 2012 and that was six months after the bypass was in operation. The study covered Avenue E and the 15th and 18th Street intersections. The data was reviewed by an engineer who found the traffic count and number of accidents at those intersections did not meet the criteria to change these intersections into four way stops. Smith said the 16th and B intersection might warrant a yield sign on 16th Street but he did not feel the traffic volume warranted a stop sign.

Driscoll said if stop signs are added onto Avenue E, especially 15th Street, this will be a "double stop" because of the temporary stop sign Lincoln School puts up at 14th Street. He said there will be major backups. He suggested digital traffic speed limit signs.

said you can make an anecdotal argument for nearly every intersection in town but there are times when people don't do what they should.

Greenwald was in agreement on installing stop signs on 15th Street and Avenue E. He pointed out the temporary four way stops that are installed on Avenue E during Rodeo run well then. As for 16th and B, he liked the idea of a controlled intersection instead of a yield sign. He felt the persons who do the traffic studies don't live here and Council knows better what is needed than a study.

Smith said the studies look at the issue from a technical viewpoint instead of an emotional one. Wright said the counters are not going to see the obstructions or mindset of people crossing the intersection.

Driscoll recommended using flashing red stop lights on 15th and Avenue E if a four way stop sign is needed.

Lair questioned if this should be tabled until the accident reports could be looked at to determine the reason for the accidents. Wright did not know why the reason would matter. He felt if a four way stop were installed it would stop the issues causing the accidents. Andrews felt it was needed to find the facts behind the five accidents. Greenwald felt if traffic on Avenue E were stopped it would calm the intersection down.

It was noted of the five accidents that occurred at 15th and Avenue E, two occurred during the road construction last year.

Randolph suggested experimenting and installing stop signs for six months and then looking at the matter again. A question rose regarding whether an ordinance was needed in order to write tickets and the Police Chief's ability to order temporary stop signs.

Smith said if there was any interest by Council to have the traffic counters set again to see if traffic has changed. The engineers could then run the data through the model. Greenwald said this was already done in 2012 and there were five accidents in 2013. He felt the signs should be installed at 15th and E and then see how that works.

Mike Chapman, 1617 Avenue B, said he was involved in an accident at 15th & E. There have been no accidents on Avenue B as far as he knows and he grew up there. He expressed concern regarding the resurfacing of Avenue B and how that will affect the speed of the traffic. There are few sidewalks from 16th to 18th Street and people and children walk in the street. He felt a four way stop was needed to control the speed. Driscoll suggested some type of speed hump or bump around the bridge to control speeders.

Andy Andrews, 2020 Avenue G, felt Avenue E needed to be a thoroughfare. From what he has heard, most of the accidents at 15th Street were by people who were negligent. He didn't think this intersection was worse than many other intersections in town. He was opposed to making four way stops on Avenue E.

Wright MOVED and Lair SECONDED a motion to have staff prepare an ordinance adding stop signs on Avenue E at 15th Street and having the first reading of said ordinance on the May 20 agenda.

Gelsthorpe said he did not see any reason for a stop sign there. Rusty Andrews said he has been asking people about this and has not found anyone in support of adding stop signs on Avenue E.

MOTION CARRIED 5-1 (Huppert)

REPORTS BY DEPARTMENT HEADS

Regional Police testing will take place at SECC on Saturday. The library will have a large print deposit collection at Sunnybrook. The 43rd Wright/Hershey track meet will take place Wednesday.

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

GRRWA might be purchasing equipment in an effort to increase life of the landfill. This would not affect landfill rates as GRRWA has the ability to pay for the equipment. The

Tourism Commission met and instituted term limits and are moving forward with signage for local attractions.

Purevision Technology, a company that makes celanostic ethanol, is interested in locating in our area. The company is interested in using corn stover (leftover corn stalk) in the process.

ADJOURNMENT

At 8:09 P.M., Wright MOVED and Rink SECONDED to adjourn until Tuesday, May 20, 2014, at 7:00 P.M.

VOICE VOTE APPROVAL

MANUAL CLAIMS AND WARRANTS: See Claims dated May 1, 2014, in the amount of \$128,354.36, Manual Claims dated May 1, 2014 in the amount of \$470,075.55 and Library Claims dated April 16, 2014 in the amount of \$13,912.43.

<u>PAYROLL</u>	<u>4/17/2014</u>	<u>5/5/2014</u>
General	\$155,854.49	\$ 168,330.89
RSVP	1,296.82	1,296.81
Old Fort	2,976.28	2,621.07
Road Use	18,161.66	18,084.00
Hotel/Motel	1,344.87	1,344.87
Water	28,196.20	29,701.61
Sewer	32,971.54	31,862.60
Solid Waste	18,501.69	16,759.43
Storm Water	2,982.09	3,332.28
	<u>\$262,285.64</u>	<u>\$273,333.56</u>

Mayor Bradley A. Randolph
City of Fort Madison

ATTEST:

Melinda L. Blind, City Clerk