

**MINUTES  
FORT MADISON CITY COUNCIL  
Tuesday, February 3, 2015**

The Fort Madison City Council met in regular session at 7:00 P.M. on Tuesday, February 3, 2015, at City Hall, 811 Avenue E, Fort Madison. Mayor Randolph presided with Council Members Chris Greenwald, Brian Wright, Kevin Rink, Rusty Andrews, Travis Seidel, Jason Huppert and Chad Cangas.

**VISITORS AND APPEARANCE REQUESTS**

Andy Andrews, 2020 G, reported \$28,546 has been raised for the purchase of the Battlefield Site. He thanked Carol Foss for her hard work with this project. The Archeological Conservatory will assist with up to \$25,000 for the purchase of the site but there are strings are attached.

Carol Foss, 412 Avenue F, asked if it would be possible to move the old Tourist Information Center built by the Lions Club in 1970s to be relocated to the battlefield site.

**AGENDA**

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

**MOTION PASSED 7-0**

**CONSENT AGENDA**

Seidel MOVED and Cangas SECONDED to approve:

- ♦ Minutes of January 20, 2015, as written;
- ♦ Resolution No. 2015-04, granting application for URTED to Elaina Franco for 1711 Avenue B;
- ♦ New Liquor License: Dollar General #15777, 428 Avenue H, effective February 22, 2015 – Class C Beer, Class B Wine & Sunday Sales;
- ♦ Liquor License Renewal: Parthenon Pizza & Steakhouse, 715 – 8<sup>th</sup> Street, effective February 16, 2015 – Class B Beer and Sunday Sales;
- ♦ Liquor License Renewal: Under the Sun, 733 Avenue G, effective March 1, 2015 – Class B Native Wine & Sunday Sales;
- ♦ Mayor’s appointment of Mark Lair, 2519 Avenue H, and Lani Gray, 4917 River Valley Road, to the Tourism Commission, terms expiring December 31, 2017;
- ♦ Mayor’s reappointment of Steve McCracken and Bev Gobble to the Sister City Commission, terms expiring January 6, 2018;
- ♦ Mayor’s appointment of Mark Lair to the Historic Preservation Commission, term expiring December 31, 2016 (to fill an unexpired term);

- ♦ Cigarette Permit; Dollar General #15777, 429 Avenue H, expiring June 30, 2015; and
- ♦ Payment of Claims.

**MOTION PASSED 7-0**

**PUBLIC HEARING**

***Concerning the Sale of Property Located at 1333-35 Avenue E/414 – 14<sup>th</sup> Street to Habitat for Humanity***

Mayor Randolph opened the public hearing at 7:07 p.m. Richard Pieper 404 – 14<sup>th</sup> Street, was appreciative of the work done in getting the properties cleaned up. He expressed concern regarding pests in the remaining building and if the occupants of the Habitat for Humanity home will maintain the property.

Tony Wolf, Habitat for Humanity, said he has previously contacted the Habitat homeowners when he has seen issues at the properties.

There were no written comments.

Cangas MOVED and Wright SECONDED to close the public hearing.

**MOTION PASSED 7-0**

**RESOLUTION NO. 2015-05, SELL 1333-35 E/414 – 14<sup>TH</sup> ST.:** Cangas MOVED and Wright SECONDED to adopt a resolution selling City-owned property located at 1333-35 Avenue E/414 – 14<sup>th</sup> Street to Habitat for Humanity in the amount of \$1.00 and authorizing the Mayor and Clerk's signatures on a Quit Claim Deed to Habitat for Humanity.

At a question from Rink regarding the contents of 414 – 14<sup>th</sup> Street, Fire Chief Herren said it has been some time since anyone from the City has been in the remaining building but he believed it was full of debris. Habitat for Humanity has a contractor who has agreed to demolish the property and remove all the debris. Herren had not seen or heard of any complaints regarding rodents but this will be looked into.

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

**MOTION PASSED 7-0**

The Mayor then declared said Resolution ADOPTED AND ENACTED on this 3rd day of February, 2015.

**ORDINANCES AND RESOLUTIONS**

**2nd READING, REZONE 1311-18<sup>TH</sup> STREET:** Wright MOVED and Seidel SECONDED to approve the second reading of an ordinance rezoning property located at 1311- 18<sup>th</sup> Street from I-1, Limited Industrial District, to I-2, General Industrial District.

At a question from Rink regarding information he received concerning propane tanks being stored at Feinberg’s current location, Marty Feinberg said the propane tanks are off to the side but admitted they were not punctured. He said the propane tanks come in all the time but they are all by themselves and away from where cutting is done. Randolph asked how this would be handled if the business moved to a smaller property. Feinberg said they would still have room.

Wright asked Feinberg how long the tanks are aired out once they are punctured or have the tops removed. Feinberg said about a month or so. He said you can empty them right away by putting CO2 in them or filling them with water.

City Manager Varley reminded Council they are here to rezone a property, from I1 to I2, and this is not a debate on a business or a person. The person or a business should not be discussed. The question Council needs to ask is whether this piece of land should be rezoned. Once the property would be rezoned to I2 anybody can go there. He asked what is best for the City for that piece of property. Council should not be bringing people, personalities or businesses into account.

Wright questioned if the zoning were changed what type of business can move in there. Bob Manka, 49 Alta Drive, felt there was an error in the City Code as it shows apartments as a special use in I2. He believed this should not proceed until corrected. (Following the meeting it was determined there was no error in the City Code. The City Code was amended in 1995 to allow this use.)

Greenwald did not believe a scrapyards can be run in this area without trouble. He said history has shown it’s too close to residential. Feinberg argued that downtown Coralville and Nashville have scrapyards.

Randolph said the question is should Council look at rezoning this property as a betterment to the community. The current planning and zoning head and the past one did not think this was a good idea. This is what the decision should be made on.

Andrews said there are residential properties next to some I-2 districts in the City and listed DuPont, Baxter Construction and Independent Can Company as examples.

Seidel called the question.

ROLL CALL:           AYES: Wright, Rink, Andrews, Seidel, Huppert  
                              NAYES: Greenwald, Cangas

**MOTION PASSED 5-2**

The Mayor then declared said Ordinance PASSED AND APPROVED on it’s second reading this 3rd day of February, 2015.

**RESOLUTION NO. 2015-06, FIX DATE FOR MEETING ON \$1,571,575 SEWER**

**CAPITAL LOAN NOTES:** Rink MOVED and Seidel SECONDED to adopt a resolution fixing date for a meeting on the authorization of a Loan and Disbursement Agreement and the issuance of not to exceed \$1,571,575 Sewer Revenue Capital Loan Notes of the City of Fort Madison, Iowa, and providing for publication of notice thereof.

Public Works Director Driscoll said the State of Iowa will offer the City 0% interest for three years for engineering fees for the planned rehab of the wastewater treatment plant. In three years the loan can either be paid for internally or the City can add this to the bond.

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

**MOTION PASSED 7-0**

The Mayor then declared said Resolution ADOPTED AND ENACTED on this 3rd day of February, 2015.

**OTHER**

**MARINA DREDGING:** Rink MOVED and Seidel SECONDED to accept the proposal of Newt Marine, Dubuque, Iowa, for mechanical dredging of the City's Riverview Marina in an amount not to exceed \$100,000.

Driscoll said this is the first phase of dredging and will cover approximately one-third of the dredging needed. The spoils will be taken to Rodeo Park and stockpiled. He has met with Rodeo Committee members regarding this. Andrews asked that Driscoll contact the Rodeo Committee and meet with them on site regarding the location of the spoils.

FEMA will fund the dredging projects up to \$200,000. There is roughly \$60,000 in the marina fund. It is planned to do an internal loan and raise boat slip fees to cover the difference. A solution for the long-term has been looked at but with the regular flooding it will not stop the silting issue.

Driscoll said the remainder of the project will be put out for bid within a few months.

**MOTION PASSED 7-0**

**DISCUSSION ITEMS**

There were no discussion items.

**DEPARTMENT HEAD REPORTS**

Driscoll said a public meeting will be held at the Library on February 11 concerning the road construction on Avenue E and 24<sup>th</sup> Street this year. A public notice will be sent to businesses along old Highway 61 concerning the proposed plans. An open house will be held for the public in March and the project will be brought back to the City Council in April.

**PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS**

Huppert reported the Tourism Commission met last week.

**ADJOURNMENT**

At 7:54 P.M., Wright MOVED and Seidel SECONDED to adjourn until Tuesday, February 17, 2015 at 7:00 P.M.

**VOICE VOTE APPROVAL**

**MANUAL CLAIMS AND WARRANTS:** See Claims dated January 29, 2015, in the amount of \$150,183.04.

<u>PAYROLL</u>	<u>1/23/2015</u>
General	\$161,160.63
RSVP	882.80
Old Fort	2,428.51
Road Use	20,771.05
Hotel/Motel	1,344.87
Water	27,755.37
Sewer	33,833.09
Solid Waste	18,718.53
Storm Water	689.76
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	\$267,584.61

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Mayor Bradley A. Randolph  
City of Fort Madison

ATTEST:

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Melinda L. Blind, City Clerk