

**MINUTES  
FORT MADISON CITY COUNCIL  
Tuesday, April 17, 2012 7:00 P.M.**

The Fort Madison City Council met in adjourned session on Tuesday, April 17, 2012, at 7:00 P.M. at the Municipal Building, 811 Avenue E, Fort Madison. Presiding was Mayor Pro Tem Brad Randolph with Council Members Chris Greenwald, Brian Wright, Kevin Rink, Travis Seidel, Jason Huppert and Mark Lair present.

**VISITORS AND APPEARANCE REQUESTS**

Mary Ottson, Main Street Director, gave an update regarding Main Street's activities. Main Street has received seven grants totaling over \$600,000 and are in the process of applying for three more grants, one of which is for two million dollars. Efforts include regional tourism, event planning, bypass signage, start up business competition for local high schools, summer landscaping and a community clean up day.

**AGENDA**

With it so noted there was an additional agenda item regarding the Mayor's signature on a letter of support for a grant application, Rink MOVED and Lair SECONDED a motion to approve the agenda, as written.

**MOTION PASSED 7 AYES**

**CONSENT AGENDA**

Seidel MOVED and Greenwald SECONDED to approve:

- Minutes of April 3, 2012, as written;
- Mayor's reappointment of John Schier, to the Civil Service Commission, expiring April 1, 2016;
- Mayor's appointment of Bruce Niggemeyer to the Lee County 911 Service Board, and Joey Herren as alternate, term expiring April 17, 2014;
- New Liquor License: Walgreens, 2639 Avenue L, effective May 21, 2012 – Class E Liquor with Class B Wine, Class C Beer and Sunday Sales;
- Liquor License Renewal: Loyal Order of Moose #671, 624 Avenue G, effective May 1, 2012 – Class A Liquor License with Sunday Sales; and
- Payment of Claims.

**MOTION PASSED 7 AYES**

**PUBLIC HEARING**

***Concerning the sale of 16<sup>th</sup> Street Right-of-Way South of Avenue A Right-of-Way***

Mayor Pro Tem Randolph opened the public hearing at 7:11 P.M. There being no written or oral comments, Lair MOVED and Wright SECONDED to close the public hearing.

**MOTION PASSED 7 AYES**

**ORDINANCE C-517, VACATE PORTION OF 16<sup>TH</sup> ST. ROW:** Greenwald MOVED and Rink SECONDED to approve the 3<sup>rd</sup> reading of an ordinance vacating a portion of the 16<sup>th</sup> Street Right-of-Way south of Avenue A Right-of-Way.

ROLL CALL:           AYES: Greenwald, Wright, Rink, Randolph, Seidel, Huppert, Lair  
                              NAYS: None

**MOTION PASSED 7 AYES**

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 3<sup>rd</sup> reading this 17<sup>th</sup> day of April, 2012.

Published in the Daily Democrat  
on April \_\_\_\_, 2012.

**RESOLUTION NO. 2012-15, SELL PORTION OF 16<sup>TH</sup> ST. ROW S OF AVE. A:**  
Randolph MOVED and Greenwald SECONDED to approve a resolution selling and authorizing execution of a Quit Claim Deed for a portion of the 16<sup>th</sup> Street Right-of-Way South of the Avenue A Right-of-Way to Travis Boyer in the amount of \$500.00, plus administrative fees.

ROLL CALL:           AYES: Greenwald, Wright, Rink, Randolph, Seidel, Huppert, Lair  
                              NAYS: None

**MOTION PASSED 7 AYES**

The Mayor Pro Tem then declared said Resolution duly ADOPTED AND ENACTED this 17<sup>th</sup> day of April, 2012.

***Concerning the proposed Downtown Urban Renewal Plan***

Mayor Pro Tem Randolph opened the public hearing at 7:14 P.M. There being no written or oral comments, Rink MOVED and Lair SECONDED to close the public hearing.

**MOTION PASSED 7 AYES**

**RESOLUTION NO. 2012-16, APPROVE DOWNTOWN URBAN RENWAL PLAN:** Lair MOVED and Seidel SECONDED to approve a resolution determining an area of the City to be a blighted area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Downtown Urban Renewal Plan.

ROLL CALL:           AYES: Greenwald, Wright, Rink, Randolph, Seidel, Huppert, Lair  
                          NAYS: None

**MOTION PASSED 7 AYES**

The Mayor Pro Tem then declared said Resolution duly ADOPTED AND ENACTED this 17th day of April, 2012.

**1<sup>st</sup> READING, DOWNTOWN URBAN RENEWAL AREA:** Greenwald MOVED and Wright SECONDED to approve the 1<sup>st</sup> reading of an ordinance providing that general property taxes levied and collected each year on all property located within the Downtown 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, Southeastern Community College 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 Downtown Urban Renewal Area.

ROLL CALL:           AYES: Greenwald, Wright, Rink, Randolph, Seidel, Huppert, Lair  
                          NAYS: None

**MOTION PASSED 7 AYES**

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 1st reading this 17th day of April, 2012.

**ORDINANCES AND RESOLUTIONS**

**1<sup>st</sup> READING, AMEND 3-5 HOUSING:** Lair MOVED and Wright SECONDED to approve the 1<sup>st</sup> reading of an ordinance amending Title 3, Building, Chapter 5, Housing, of the City Code of Fort Madison.

Krogmeier said these changes were initiated by Council during goal setting sessions. Staff has been working on these changes and researching other communities' codes for several months. The majority of the changes are required by existing state code but for

easier reference have been included in this section. Staff has met with landlords and the local landlord's association. The Construction Board has reviewed the changes. The dwelling standards relate to all properties in Fort Madison. Responsibilities of the tenant are also outlined. Facilities inspected by another government agency, such as the Kensington or Hillview Village, are not included but the City will receive copies of those inspections for the record. As long as the condition is not deemed unsafe, an exemption has been added for properties that were built prior to the codes. These properties will be allowed that exemption until such time as the property is remodeled or the article included in the exemption is no longer operable.

Randolph asked Angela Link, president of the Fort Madison Landlord Association, if she had any comments. She did not.

ROLL CALL: AYES: Greenwald, Wright, Rink, Randolph, Seidel, Huppert, Lair  
NAYS: None

**MOTION PASSED 7 AYES**

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 1st reading this 17th day of April, 2012.

**RESOLUTION NO. 2012-17, ORDER CONSTRUCTION PIP 2012-01, WATER MAIN REPLACEMENT BURLINGTON HILL:** Rink MOVED and Seidel SECONDED to adopt a resolution ordering construction and setting public hearing for Public Improvement Project 2012-01, Burlington Hill Water Main.

ROLL CALL: AYES: Greenwald, Wright, Rink, Randolph, Seidel, Huppert, Lair  
NAYS: None

**MOTION PASSED 7 AYES**

The Mayor Pro Tem then declared said Resolution duly ADOPTED AND ENACTED this 17th day of April, 2012.

**RESOLUTION NO. 2012-18, NONBARGAINING PAY INCREASES:** Randolph MOVED and Rink SECONDED to adopt changes to the Non-Bargaining Resolution No. 2011-41, in order to increase Hazmat Certification Pay from \$42 to \$60 per month and providing a 1.25% raise on July 1, 2012 and a 1.25% raise on January 1, 2013.

ROLL CALL: AYES: Greenwald, Wright, Rink, Randolph, Seidel, Huppert, Lair  
NAYS: None

**MOTION PASSED 7 AYES**

The Mayor Pro Tem then declared said Resolution duly ADOPTED AND ENACTED this 17th day of April, 2012.

**RESOLUTION NO. 2012-19, URGE LEE CO. BOARD OF SUPERVISORS TO FUND SPORTS COMPLEX:** Randolph MOVED and Rink SECONDED to adopt a resolution urging the Lee County Board of Supervisors to increase their level of funding for the Fort Madison Sports Complex Project.

Randolph felt the Sports Complex was an investment for both the City and the County and would be part of a quality of life package that would both attract and retain business and industry.

ROLL CALL:           AYES: Greenwald, Wright, Rink, Randolph, Seidel, Huppert, Lair  
                          NAYS: None

**MOTION PASSED 7 AYES**

The Mayor Pro Tem then declared said Resolution ADOPTED AND ENACTED this 17th day of April, 2012.

**OTHER**

**SIDELINES LIQUOR LICENSE RENEWAL:** Rink MOVED and Greenwald SECONDED to approve a Liquor License Renewal with conditions as proposed to Sidelines, 1128 Avenue I, effective May 1, 2012 – Class C Liquor License with Outdoor Service and Sunday Sales.

Randolph requested Huppert leave the room for the discussion on this matter. Smith noted Sidelines has requested a total of 10 dates for outdoor events. Council discussed how it is difficult to treat all bars equally as the circumstances and locations are different for each. Greenwald felt a suitable compromise had been reached with Sidelines and it has been working.

**MOTION PASSED 6 AYES**

Huppert returned to Council Chambers at 7:40 p.m.

**LETTER OF SUPPORT FOR FRANTZ HOBART DOWNTOWN REHAB:** Greenwald MOVED and Lair SECONDED to authorize the Mayor's signature on a letter of support for a grant from the Iowa Economic Development Authority for the Frantz Hobart Downtown Redevelopment project.

**MOTION PASSED 7 AYES**

**Mayoral Appointment**

Randolph opened the floor for discussion regarding the Mayoral appointment. Blind has received no other inquiries about the position. Lair asked how Randolph planned to manage the Mayor’s duties with his other responsibilities. Randolph believed with a little advance planning, staff support and the ability to rely on the Mayor Pro Tem or Council members on occasion, the duties could be managed. Rink believed it would be easier for Randolph to rearrange his schedule to handle City matters since Randolph was self-employed. Greenwald, Wright and Seidel spoke in favor of Randolph’s appointment.

Greenwald MOVED and Rink SECONDED to appoint Brad Randolph as Mayor.

**MOTION PASSED 6 AYES  
1 ABSTAIN (Randolph)**

The Oath of Office was administered.

Randolph appreciated the opportunity and was looking forward to serving Fort Madison.

**RESOLUTION NO. 2012-20, BANKING AUTHORIZATION:** Lair MOVED and Wright SECONDED a motion to adopt a banking resolution authorizing signatures for the City’s checking account.

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

**MOTION PASSED 6 AYES**

The Mayor then declared said Resolution duly ADOPTED AND ENACTED this 17th day of April, 2012.

**TOURISM COMMISSION APPOINTMENT:** Rink MOVED and Seidel SECONDED to approve the Mayor’s appointment of Jason Huppert to the Fort Madison Tourism Commission.

**MOTION PASSED 5 AYES  
1 ABSTAIN (Huppert)**

**RESOLUTION NO. 2012-21, APPOINT TO FILL VACANCY:** Wright MOVED and Greenwald SECONDED to adopt a resolution directing the City Clerk to publish notice of the City Council’s intent to fill the vacancy created by Brad Randolph by appointment.

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

**MOTION PASSED 6 AYES**

The Mayor then declared said Resolution duly ADOPTED AND ENACTED this 17th day of April, 2012.

**PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS**

Old Fort Commission will meet tomorrow. Smith and Greenwald will travel to Washington D.C. next week with 10 others from the Great River Region. GRWWA will meet at 7:00 a.m. on Friday.

**ADJOURNMENT**

Wright MOVED and Greenwald SECONDED to adjourn until Tuesday, May 1, 2012 at 7:56 P.M.

**VOICE VOTE APPROVAL**

**MANUAL CLAIMS AND WARRANTS:** See Claims dated April 12, 2012 in the amount of \$233,689.97 and Manuals dated March 30, 2012 in the amount of \$232,006.59.

<u>PAYROLL</u>	<u>April 5, 2012</u>
General	\$137,097.11
RSVP	1,166.96
Old Fort	2,064.85
Road Use	22,384.36
Water	36,466.17
Sewer	32,928.28
Solid Waste	13,095.39
Storm Water	<u>2,616.21</u>
	\$247,819.33

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Brad Randolph, Mayor  
City of Fort Madison

ATTEST:

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Melinda L. Blind, City Clerk