

**MINUTES  
FORT MADISON CITY COUNCIL  
Tuesday, July 19, 2016**

The Fort Madison City Council met in adjourned session at 7:00 P.M. on Tuesday, July 19, 2016, at City Hall, 811 Avenue E. Mayor Bradley A. Randolph presided with Council Members Chris Greenwald, Brian Wright, Kevin Rink, Rusty Andrews and Mark Lair present. Council Members Travis Seidel and Chad Cangas were absent.

**VISITORS AND APPEARANCE REQUESTS**

Troy Scholl, 16 Melody Terrace, expressed concern regarding the goose population at Riverview Park. He cited health concerns regarding the fecal matter and presented handouts to the Council documenting his concerns. He requested the City take action to save Riverview Park. City Manager David Varley said the City has been in contact with the Iowa Department of Natural Resources and the City is taking the first step as recommended by the IDNR. This is using a gun that shoots something similar to a firework. This was delivered today. The City street sweeper has also been sent down to Riverview Park more often to remove the droppings from paved surfaces. There is a product that could be applied to the grass but that would have to be done next spring.

**AGENDA**

Lair MOVED and Rink SECONDED to approve the agenda as written.

**MOTION PASSED 5-0**

**CONSENT AGENDA**

Greenwald MOVED and Wright SECONDED to approve:

- Minutes of July 5, 2016;
- Liquor License Renewal: JoeDees, 1828 Avenue L, effective August 1, 2016 – Class C Liquor with Outdoor Service and Sunday Sales;
- June Financial Report; and
- Payment of Claims.

**MOTION PASSED 5-0**

**ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. D-033, URBAN RENEWAL, DIVISION OF REVENUE:** Lair MOVED and Andrews SECONDED to approve the third and final reading of an ordinance for the division of revenues under Iowa Code Section 403.18 for Business US Highway 61 Corridor Urban Renewal Plan.

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

**MOTION PASSED 5-0**

The Mayor then declared said Ordinance PASSED and APPROVED this 19th day of July, 2016.

***Fort Madison Business US Highway 61 Corridor Urban Renewal Plan***

**RESOLUTION NO. 2016-58, SOLICIT COMPETITIVE PROPOSALS:** Lair MOVED and Greenwald SECONDED to adopt a resolution (1) approving the minimum development requirements, competitive criteria, and procedures for disposition of certain property located within the Urban Renewal Area; (2) determining that the proposal submitted by Fareway Stores, Inc., satisfies the offering requirements and declaring the intent of the City to enter into a Purchase, Sale and Development Agreement by and between the City of Fort Madison, Iowa, and Fareway Stores, Inc., in the event that no competing proposals are submitted; and (3) soliciting competing proposals.

Varley said there are two strips of property that must be vacated and sold in the 1800 block of Avenue G for this project. There are certain regulations to do this within an Urban Renewal Area. This sets out the process and also allows competitive proposals from other groups.

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

**MOTION PASSED 5-0**

The Mayor then declared said Resolution ADOPTED and ENACTED this 19th day of July, 2016.

**RESOLUTION NO. 2016-59, SET PUBLIC HEARING FAREWAY STORES, INC. DEVELOPMENT AGREEMENT:** Rink MOVED and Greenwald SECONDED to adopt a resolution fixing date for a public hearing on the proposal to enter into a purchase, sale and development agreement with Fareway Stores, Inc., and providing for publication of notice thereof.

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

**MOTION PASSED 5-0**

The Mayor then declared said Resolution ADOPTED and ENACTED this 19th day of July, 2016.

**SET PUBLIC HEARING FOR SALE OF PORTION OF 1235 -25<sup>TH</sup> STREET (Westfall):** \_

Lair MOVED and Greenwald SECONDED to adopt a resolution setting public hearing for August 2, 2016, on the sale of a portion of City-owned property at 1235-25<sup>th</sup> Street (Lots 20, 21 and a portion of Lot 22) to Mary Westfall.

Westfall asked to purchase Lot 17 also. She understood the City wanted to keep Lot 17 to provide access to the creek and would grant an easement to the City for this purpose. Director Krogmeier said the sale price of the properties for sale would have to be adjusted.

Greenwald MOVED and Wright SECONDED to table the matter for 30 days. During discussion, it was determined the best course of action would be to vote down the motion to table and also the motions to set public hearing, let Krogmeier update the paperwork and then bring back the sales back before Council in September.

A vote was taken on the motion to table.

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

**MOTION FAILED 5-0**

A vote was then taken on the original motion.

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

**MOTION FAILED 5-0**

**SET PUBLIC HEARING FOR SALE OF PORTION OF 1235 -25<sup>TH</sup> STREET (Lurvey):**

Greenwald MOVED and Rink SECONDED to adopt a resolution setting public hearing for August 2, 2016, on the sale of a portion of City-owned property at 1235-25<sup>th</sup> Street (Lot 23 and a portion of Lot 22) to Richard Lurvey.

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

**MOTION FAILED 5-0**

**RESOLUTION NO. 2016-60, REVISED FINAL 28E PSAP AGREEMENT:** Lair MOVED and Rink SECONDED to adopt a resolution approving the Mayor and Clerk’s signatures on a Revised, Final 28E Agreement for Emergency Communication Services and Consolidated PSAP (Public Safety Answering Point).

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

**MOTION PASSED 5-0**

The Mayor then declared said Resolution ADOPTED and ENACTED this 19th day of July, 2016.

**RESOLUTION NO. 2016-61, ACCEPT PIP 2014-02:** Greenwald MOVED and Wright SECONDED to adopt a resolution accepting Public Improvement Project 2014-02, Reconstruction of 24<sup>th</sup> Street from Avenue A to Avenue E.

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

**MOTION PASSED 5-0**

The Mayor then declared said Resolution ADOPTED and ENACTED this 19th day of July, 2016.

**CORRECTIVE RESOLUTION 2003-55:** Greenwald MOVED and Wright SECONDED to adopt a corrective Resolution 2003-55 to reflect the accurate legal description of a part of the right-of-way of 16<sup>th</sup> Street south of Avenue F and the alley between Avenue F and Avenue G.

This is to amend an incorrect legal description from a piece of property the City sold in 2003.

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

**MOTION PASSED 5-0**

The Mayor then declared said Resolution ADOPTED and ENACTED this 19th day of July, 2016.

**OTHER**

**SEIBUS CONTRACT:** Rink MOVED and Andrews SECONDED to approve the Mayor's signature on a one-year Contract for Transportation Services between the City and Southeast Iowa Regional Planning Commission, effective July 1, 2016.

Varley reported this is the annual contract between SEIRPC and the City for bus services. Previously SEIRPC had a separate agreement with the Tri State Rodeo. SEIRPC was unable to continue providing services to the Rodeo under the old separate agreement. The City's contract with SEIRPC will provide these services for the Rodeo and will increase \$1,500. The City will be entering in an agreement with the Rodeo to cover the increase.

**MOTION PASSED 5-0**

**SUPPLEMENTAL AGREEMENT NO. 4, WWTP PHASE 2:** Rink MOVED and Greenwald SECONDED to approve the Mayor's signature on Supplemental Agreement No. 4, Waste Water Treatment Plant Phase 2, with Stanley Consultants for additional design, construction phase and inspection services.

This supplement is because of the changes in the design. By executing two alternatives and working with the contractor to identify value engineering savings, approximately \$2,000,000 worth of savings have been identified.

**MOTION PASSED 5-0**

**PURCHASE USED PASSENGER VAN:** Rink MOVED and Wright SECONDED to approve the expenditure of up to \$10,000 to purchase a used 2005 or newer 1-ton passenger van to transport the work crews from Iowa State Penitentiary.

**MOTION PASSED 5-0**

**DISCUSSION ITEMS** – None

### **DEPARTMENT HEAD REPORTS**

The Fire Department received a FEMA grant of \$131,500 to replace the SCBA and radios. The City's match is \$6,500. The Fire Department had budgeted \$22,000 to replace the SCBA air bottles. The 15<sup>th</sup> Street traffic lights are back in operation.

### **PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS**

Varley praised the work Chief Herren has done regarding the PSAP 28E. He reported Herren put together a user group together 6-8 months ago to hammer out issues, helped with the stalemate, and went to many of the smaller town's council meetings to talk to them about the matter. Varley said Herren has gone above and beyond what was expected.

### **ADJOURNMENT**

At 8:06 P.M., Greenwald MOVED and Andrews SECONDED to adjourn until Tuesday, August 2, 2016, at 7:00 P.M.

**VOICE VOTE APPROVAL**

**MANUAL CLAIMS AND WARRANTS:** See Claims dated July 14, 2016, in the amount of \$510,205.85.

<b>PAYROLL</b>	7/8/2016
General	\$193,526.72
Special Revenues	6,172.57
Road Use	19,891.93
Water	26,220.26
Sewer	33,660.66
Solid Waste	14,797.29
Storm Water	2,798.08
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	\$297,067.51

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Mayor Bradley A. Randolph  
City of Fort Madison

ATTEST:

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Melinda L. Blind, City Clerk