

**MINUTES  
FORT MADISON CITY COUNCIL  
Tuesday, February 7, 2017**

The Fort Madison City Council met in adjourned session at 7:00 P.M. on Tuesday, February 7, 2017, 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. Council Members Chad Cangas and Travis Seidel were absent.

**VISITORS AND APPEARANCE REQUESTS –.**

Brian Boyd, owner of the can redemption center located at 1620 Avenue M, said he has been in operation for 17 years. He said he is the only approved redemption center in Fort Madison for Hy-Vee. He expressed concern over a “gypsy” vendor operating out of a trailer on the side of the street. Boyd said he had to jump through a bunch of circles for his business and didn’t feel it was right another vendor could set up down the block. He had concerns people could be hurt by being in the street to redeem cans. Mayor Randolph said the City will look into the legality of the other vendor.

**AGENDA**

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

**MOTION PASSED 5-0**

**CONSENT AGENDA**

Wright MOVED and Rink SECONDED to approve the Consent Agenda:

- Minutes of January 17, 2017;
- Mayor’s reappointment of Phyllis Brummitt to the Historic Preservation Commission, term expiring December 31, 2019;
- Resolution No. 2017-08, granting application for URTED to Rev Fitness, LLC, for property located at 815 Avenue G (remodel);
- Resolution No. 2017-09, granting application for URTED to Ryan A/Leslie A Peters, for property located at 813 Avenue G (remodel);
- Resolution No. 2017-10, granting application for URTED to Mark Pauly, for property located at 1117 Ave H (remodel);
- Resolution No. 2017-11, granting application for URTED to Bernard L/Brenda S Derr, for property located at 820 Ave G (rehabilitation);
- Liquor License Renewal: Parthenon Pizza and Steak House, 715 – 8<sup>th</sup> Street, effective February 16, 2017 – Class B Beer with Sunday Sales;
- January Financial Report; and
- Payment of Claims.

**MOTION PASSED 5-0**

**PUBLIC HEARINGS**

***Concerning an Amendment to Title 10, Zoning, Chapter 19, 3(A), Additional Parking Regulations***

Mayor Randolph opened the public hearing at 7:17 P.M. Chris Sorrentino, 412 Avenue D, said his understanding of the proposed ordinance was it would prohibit the use of commercial vehicles within city limits whatsoever. He felt the two city vehicles parked outside of City Hall tonight are in violation of city ordinance as they have shut Avenue E down to one lane and are restricting traffic. He said truck drivers have been allowed to park at their residences for years until one resident made a stink about it last year. Now truck drivers have had to move our vehicles over a 40 year old ordinance.

Sorrentino said there was no single accident on record inside the City of Fort Madison or the surrounding area concerning a tractor trailer that was parked in a bobtail formation. He said trucks are the drivers' homes, work office and transportation all rolled up in one.

Randolph said the City Council has been asked to act on a request from the Planning and Zoning Commission to make changes to the City Code.

Jim Herdrich, 2026 Avenue M, said he has been a truck driver for 39 years. He lives south of Avenue L where nobody cares. Nobody complains where he parks. He said he parks half of his truck in the grass. He wanted to know why this was an issue now.

Greenwald said when this was first brought to the Council it was presented that if it was going to be enforced for one person it should be enforced throughout town.

Lair asked Herdrich if his current employer, Johnson Trucking, provided him with a place to park? Herdrich said Johnson's does, but if he was going to be home for 30 minutes he will run in, shower and grab a cup of coffee.

Randolph said the purpose of this is to update the definition of commercial vehicle. The City Code is a living breathing document that has to adapt to changes that happen within a community. That's part of the reason why this is being looked at. We are undertaking a dynamic document and that's why are looking at it. He asked Planning and Zoning Director Doug Krogmeier to read the definition.

Krogmeier said the current definition of Commercial Vehicle is: *"All vehicles used for the transportation of passengers for hire and those constructed or used for transportation of merchandise."* The new definition expands upon that and sets height, length and width restrictions. The restrictions will allow some commercial vehicles, such as a plumber's or electrician's work truck, to be taken home and parked in a residential neighborhood. It also defines Food Trucks, Trailers and Recreational Vehicles.

Krogmeier continued that the changes to the code will still not allow the parking of an oversized commercial vehicle on a public street or private property. The Zoning Code has always stated that, it is a way to protect a residential neighborhood.

Sorrentino took issue with the City vehicles parked outside and said he as a citizen could have the police write a ticket. He accused the Council of sitting there and telling them how to live their lives.

Lair CALLED FOR THE QUESTION. Rink SECONDED the motion.

**MOTION PASSED 5-0**

Wright MOVED and Rink SECONDED to close the public hearing.

**MOTION PASSED 5-0**

**1<sup>ST</sup> READING, AMEND TRAFFIC, ZONING CODES: COMMERCIAL VEHICLES:** Rink MOVED and Wright SECONDED to approve the first reading of an ordinance amending Title 10, Zoning, Chapter 19, 3(A), Additional Parking Regulations and certain sections of Title 9, Traffic, Chapters 1, 7 and 11, to update definitions of commercial vehicles, provide an exception for recreational vehicles to be driven on residential streets and amend parking regulations for commercial vehicles, trailers and food trucks.

ROLL CALL:           AYES:     Greenwald, Rink, Andrews, Lair  
                          NAYES:    Wright

**MOTION PASSED 4-1**

The Mayor then declared said Ordinance PASSED and APPROVED this 7th day of February, 2017.

**ORDINANCES AND RESOLUTIONS**

**2<sup>ND</sup> READING, CHANGE COUNCIL MEETING TIME:** Rink MOVED and Lair SECONDED to approve the second reading of an ordinance amending Title 1, Administration, Chapter 6, Council, Section 3, Meetings, by changing the meeting time of the City Council from 7:00 P.M. on the first and third Tuesdays of each month to 5:30 P.M. on the first and third Tuesdays of each month and updating the method by which notice of Council meetings is given to Council members.

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

**MOTION PASSED 5-0**

The Mayor then declared said Ordinance PASSED and APPROVED this 7th day of February, 2017.

**RESOLUTION NO. 2017-12, ACCEPT PIP 2015-04:** Wright MOVED and Lair SECONDED to accept Public Improvement Project 2015-04, Phase 1 Wastewater Treatment Plant Raw Pump Station.

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

**MOTION PASSED 5-0**

The Mayor then declared said Resolution ADOPTED and ENACTED this 7th day of February, 2017.

**OTHER**

**TRAIL EASEMENT:** Wright MOVED and Andrews SECONDED to approve the Mayor and Clerk’s signatures on a permanent easement with Fort Madison Community School District for Phase 2 of the Port Trail to be located south of the Fort Madison Middle School.

**MOTION PASSED 5-0**

**DEPARTMENT HEAD REPORTS**

The Police Department has begun marking abandoned vehicles on the streets and will begin working on nuisance abatement of vehicles in yards with Planning and Zoning. The Library Board reviewed policies such as one concerning unattended children.

**PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS**

Varley reported the City has received the “404” permit for passenger platform.

**ADJOURNMENT**

At 7:41 P.M., Wright MOVED and Greenwald SECONDED to adjourn until Tuesday, February 21, 2017, at 7:00 P.M.

**VOICE VOTE APPROVAL**

**MANUAL CLAIMS AND WARRANTS:** See Claims dated February 2, 2017, in the amount of \$170,725.83; Manual Claims dated February 1, 2017, in the amount of \$229,619.12; and Library Claims dated January 18, 2017, in the amount of \$5,150.

<b>PAYROLL</b>	1/20/2017
General	\$170,298.52
Special Revenues	9,033.36
Road Use	20,559.59
Water	27,103.89
Sewer	35,443.61
Solid Waste	15,072.90
Storm Water	2,693.04
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	\$280,204.91

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Mayor Bradley A. Randolph  
City of Fort Madison

ATTEST:

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Melinda L. Blind, City Clerk