

**MINUTES  
FORT MADISON CITY COUNCIL  
Tuesday, April 4, 2017**

Mayor Bradley A. Randolph presided with Council Members Chris Greenwald, Brian Wright, Rusty Andrews and Mark Lair present. Council Members Kevin Rink, Chad Cangas and Travis Seidel were absent.

**VISITORS AND APPEARANCE REQUESTS**

David Taylor 1314 Avenue C, introduced himself as the new owner of 10<sup>th</sup> Street Station. Before moving back to Fort Madison, he said he had served on historic preservation commissions in two other communities undergoing downtown revitalization.

Richard Lurvey, 1239 – 25<sup>th</sup> Street, felt like he was being harassed by the city. The Police Department “stickered” a registered, licensed and insured vehicle Lurvey had parked in the street but had not driven for two weeks. When he called the police department about this, the officer said there had been a compliant. Lurvey said there was another vehicle with three flat tires and out-of-date registration and nothing was done to that vehicle. He moved his vehicle into yard and worried this will also be an issue. Chief Sittig said he would talk with him after the meeting.

Pat Hollister 305 - 34<sup>th</sup> Street, said this is the third time he has asked to have trees trimmed, especially along Avenue E. He said Old Settlers Park is one of the worst with branches hanging too close to the street. He also complained about the no parking signs along 34<sup>th</sup> Street by Richardson and said this has never been enforced. He felt either the signs need to be pulled or enforced. Randolph said the City would check with the school district to see what they want. He added trees in the right of way are a very sticky situation. The trees property owners have planted in the right of way are not necessarily the right ones to plant there. Many property owners do not want the City to trim them. Public Works Director Driscoll said notices have been sent out to 136 property owners with low hanging branches. If the property owners don't trim the trees, then the City will do so.

Mayor Randolph read an Employee Appreciation Day proclamation and presented it to Safety Committee member Todd Shields.

**AGENDA**

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

**MOTION PASSED 4-0**

**CONSENT AGENDA**

Greenwald MOVED and Wright SECONDED to approve the Consent Agenda:

- ♦ Minutes of March 21, 2017;
- ♦ Liquor License Renewal: Latin American Club, Inc. (LULAC), 1424 – 36<sup>th</sup> Street, effective April 18, 2017 – Class C Liquor with Sunday Sales; and
- ♦ Payment of Claims.

**MOTION PASSED 4-0**

**PUBLIC HEARINGS**

***Concerning the Sale of City-Owned Property South of Avenue P***

At 5:45 P.M., Mayor Randolph opened the public hearing. There were no oral or written comments.

**CLOSE PUBLIC HEARING:** Lair MOVED and Andrews SECONDED to close the public hearing.

**MOTION PASSED 4-0**

**ORDINANCE NO. D-42, VACATE 15<sup>TH</sup> PLACE, 16<sup>TH</sup>, 17<sup>TH</sup> & 19<sup>TH</sup> STREETS SOUTH OF AVENUE P:** Wright MOVED and Greenwald SECONDED to approve the third reading of an ordinance vacating 15<sup>th</sup> Place and 16<sup>th</sup>, 17<sup>th</sup> and 19<sup>th</sup> Streets south of Avenue P.

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

**MOTION PASSED 4-0**

The Mayor then declared said Ordinance PASSED and APPROVED this 4th day of April, 2017.

**RESOLUTION NO. 2017-19, SELL 15<sup>TH</sup> PLACE, 16<sup>TH</sup>, 17<sup>TH</sup> & 19<sup>TH</sup> STREETS SOUTH OF AVENUE P:** Wright MOVED and Lair SECONDED to adopt a resolution selling City-owned property known as 15<sup>th</sup> Place and 16<sup>th</sup>, 17<sup>th</sup> and 19<sup>th</sup> Streets south of Avenue P to Hall Towing, Inc. in the amount of \$33,889.83.

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

**MOTION PASSED 4-0**

The Mayor then declared said Resolution ADOPTED and ENACTED this 4th day of April, 2017.

***Concerning the Sale of City-Owned Property at 3034 Avenue K***

At 5:47 P.M., Mayor Randolph opened the public hearing. There were no oral or written comments.

**CLOSE PUBLIC HEARING:** Wright MOVED and Greenwald SECONDED to close the public hearing.

**MOTION PASSED 4-0**

**RESOLUTION NO. 2017-20, SELL 3034 AVENUE K:** Wright MOVED and Andrews SECONDED to adopt a resolution selling City-owned property known as 3034 Avenue K to Habitat for Humanity in the amount of \$1.00.

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

**MOTION PASSED 4-0**

The Mayor then declared said Resolution ADOPTED and ENACTED this 4th day of April, 2017.

**ORDINANCES AND RESOLUTIONS**

**2nd READING, AMEND 9-7 & 9-14, PARKING:** Greenwald MOVED and Wright SECONDED to approve the second reading of an ordinance amending Title 9, Traffic, Chapters & “Stopping, Standing, Parking” and Chapter 14, Snow Emergency Regulations.

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

**MOTION PASSED 4-0**

The Mayor then declared the second reading of said Ordinance PASSED and APPROVED this 4th day of April, 2017.

**RESOLUTION NO. 2017-21, STREET LIGHTS – GREEN OAK DEVELOPMENT:** Lair MOVED and Greenwald SECONDED to adopt a resolution approving the installation of two street lights in the Green Oak Development Subdivision.

Driscoll said the installation of two lights to the area is the bare minimum but people will complain it is too much light also. The developer will pay to have the lights installed. Greenwald questioned if a third light would be needed. City Manager David Varley said this is an area that is changing, other cities have adjusted their ordinances because new subdivisions want less light due to light pollution. Greenwald wanted to give staff flexibility

to add a light if necessary.

## **PROCEEDINGS OF THE CITY COUNCIL**

**351**

**MOTION TO AMEND:** Greenwald MOVED and Andrews SECONDED to amend the motion to allow for up to three lights if needed.

**MOTION PASSED 4-0**

A vote was then taken on the amended motion.

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

**MOTION PASSED 4-0**

The Mayor then declared said Resolution ADOPTED and ENACTED this 4th day of April, 2017.

### **OTHER**

**APPROVE MAYOR'S SIGNATURE ON CIVIL RIGHTS POLICIES FOR GRANT:** Wright MOVED and Greenwald SECONDED to approve the Mayor's signature on updated policies for Affirmative Fair Housing, Code of Conduct, Equal Opportunity Statement, Procurement and Residential Anti-Displacement and Relocation Assistance Plan for the Cattermole and old Lee County Bank building housing grant.

**MOTION PASSED 4-0**

### **DISCUSSION ITEMS**

#### **DISCUSSION/APPROVAL OF THE CITY AND FORT MADISON YMCA TO ENTER INTO NEGOTIATIONS FOR MANAGEMENT OF THE MUNICIPAL SWIMMING POOL:**

Varley said the YMCA does recreation and does it well. The only recreation the City does is the swimming pool. He felt this was an opportunity to let the YMCA do what they are best at and to allow the City to focus our energies on parks. The YMCA will also have economies of scale with two pools. The City will save staff time and may end up saving some money. He has met with the YMCA staff and board members and a preliminary draft agreement has been drawn up. The first agreement will be for one year. This will be a trial period. After the year is up the agreement will be reviewed, possibly with some changes made and a long term agreement will be drawn up. The City will be responsible for large expenses such as a landlord would typically pick up. He said over time this should save money.

Wright said the Fort Madison High School Band has been running the concession stand to earn money for their band trips. Varley said it would be up to the YMCA to determine if this were to continue. At a question from Lair, Varley said he believed the pool's hours would be extended and the Y has also talked about extending the season. Randolph

wanted to ensure the public has the same access to the pool as they did with the city, such as renting the pool for private parties.

## **352 PROCEEDINGS OF THE CITY COUNCIL**

Varley asked for City approval to enter into further negotiations. This will tell the YMCA the City plans to do this, if there are doubts then you shouldn't do this tonight. Lair was concerned the youth ball programs did not do well when the YMCA took over a few years ago. All Council members present said to continue negotiations with the YMCA.

### **DEPARTMENT HEAD REPORTS**

The Police Department has been making headway on garage/vehicle burglaries. Two stolen vehicles have been recovered. Officer Hartman attended a training last week and Officer Rairden attended a training on human trafficking.

Firefighter Easton finished arson investigation classes. The 15<sup>th</sup> Street project is having detour issues with trucks and the detour route is going to be reissued. Driscoll said there are 500 trees in the right of way and a budget of \$11,000 for tree removal. This accounts for the removal of only 20 trees a year. He believed a better tree ordinance was needed.

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

Nothing remarkable to report.

### **ADJOURNMENT**

At 6:23 P.M., Wright MOVED and Andrews SECONDED to adjourn until Tuesday, April 18, 2017 at 5:30 P.M.

### **VOICE VOTE APPROVAL**

**MANUAL CLAIMS AND WARRANTS:** See Claims dated March 30, 2017, in the amount of \$165,890.85.

<b>PAYROLL</b>	3/31/2017
General	\$142,572.95
Special Revenues	3,247.12
Road Use	15,932.96
Water	20,802.32
Sewer	29,200.27
Solid Waste	12,873.65
Storm Water	2,446.70
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	\$227,075.97

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Mayor Bradley A. Randolph  
City of Fort Madison

ATTEST:

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Melinda L. Blind, City Clerk