

PROCEEDINGS OF THE CITY COUNCIL

MINUTES FORT MADISON CITY COUNCIL Tuesday, November 17, 2020

The City Council met in adjourned session at 5:30 P.M. on Tuesday, November 17, 2020, at City Hall, 811 Avenue E, Fort Madison. Mayor Matt Mohrfeld presided with Council Members Mark Lair, Kevin Rink, Rebecca Bowker, Rusty Andrews and Chad Cangas present.

The meeting was held with participants present either in person or electronically (pursuant to Iowa Code Section 21.8) due to social distancing issues because of COVID-19.

2ND AND 3RD WARD COUNCIL VACANCIES

City Council members interviewed Tom Schulz and Jerry Hamelton, candidates for the 2nd Ward Council vacancy. Council members were able to ask candidates two questions of their own choosing and Mayor Mohrfeld moderated the interview. Following the interviews, Cangas MOVED and Bowker SECONDED to appoint Tom Schulz as 2nd Ward City Council Member.

MOTION PASSED 5-0

City Council members interviewed Mike Chapman, Jr., Donna Amandus and Brian Peterschmidt, candidates for the 3rd Ward Council vacancy. Council members could each ask candidates two questions of their own choosing and Mayor Mohrfeld moderated the interview. Following the interviews, Cangas MOVED and Lair SECONDED to appoint Mike Chapman, Jr. as 3rd Ward City Council Member.

MOTION FAILED 2-3

Rink MOVED and Bowker SECONDED to appoint Donna Amandus as 3rd Ward City Council Member.

MOTION PASSED 5-0

Mayor Mohrfeld gave the Oath of Office to Amandus and Schulz.

At 7:19 P.M., a 10-minute recess was called.

At 7:29 P.M., Council reconvened.

VISITORS AND APPEARANCE REQUESTS: There were none.

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AGENDA

Cangas MOVED and Lair SECONDED to approve the agenda.

MOTION PASSED 7-0

CONSENT AGENDA

Rink MOVED and Cangas SECONDED to approve the Consent Agenda:

- Minutes of November 2 and November 10, 2020;
- Liquor License Renewal: Kinnick South, 1310 – 14th Street, effective November 1, 2020 – Class C Liquor with Sunday Sales
- Liquor License Renewal: Garner Foods, 2236 Avenue L, effective December 15, 2020 – Class E with Sunday Sales;
- Claims dated November 12, 2020, October Manual Claims and October Financial Report; and
- Payroll of November 6, 2020.

MOTION PASSED 7-0

DEPARTMENT REPORTS: Mohrfeld said the Fire Chief will present the only department report in order to reduce the length of the meeting. Following the receipt of letters from the cities of Keokuk and Fort Madison requesting a control board be set up to provide oversight of the new ambulance service, the County said a control board cannot be set up as the ambulance service will be a county department. Herren was told if there are any issues the head of the department is to be contacted and, if there is no resolution, then the Board of Supervisors. He pointed out to them this is the way it has been for the last 7-10 years and the supervisors never addressed the issues. The director told Herren he would address all concerns. In addition there will be some additional changes, including a county rep, and the number of ambulances will be increased from three to six which is what was previously submitted by the cities of Keokuk and Fort Madison.

PUBLIC HEARINGS

Concerning Public Improvement Project 2020-08, Phase 2, Parking Lot Reconstruction and Storm Water Improvements

Mohrfeld opened the public hearing at 7:36 P.M. There were no oral or written comments. At 7:38 P.M., Mohrfeld closed the public hearing.

RESOLUTION NO. 2020-66, APPROVE PLANS, SPECS: Rink MOVED and Andrews SECONDED to adopt plans, specifications, form of contract and estimate of cost for PIP 2020-08, Phase 2, Parking Lot Reconstruction and Storm Water Improvements.

Public Works Director Mark Boussetot said this project is the second phase of the permeable paver project which includes the parking area in front of Council Chambers and the Pen City Parking Lot at 8th Street and Avenue H.

ROLL CALL: AYES: Bowker, Lair, Andrews, Rink, Cangas, Schulz, Amandus
NAYES: None

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MOTION PASSED 7-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 17th day of November, 2020.

RESOLUTION NO. 2020-67, AWARD CONTRACT: Cangas MOVED and Schulz SECONDED to adopt a resolution awarding construction contract in the amount of \$493,892.01 to Meller Excavating & Asphalt, Inc., and approving contract and bonds of Meller Excavating & Asphalt, Inc., pending receipt of the documents.

Bousselot reported there were four bids, ranging from \$493,892 to \$738,862. There was a small discrepancy in the winning bid. The bid tab did not match the quantities in the plans and the low bidder modified the bid tab to match the bid quantities. The change was less than \$140 and did not change who received the winning bid.

ROLL CALL: AYES: Bowker, Lair, Andrews, Rink, Cangas, Schulz, Amandus
NAYES: None

MOTION PASSED 7-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 17th day of November, 2020.

Concerning the City's Electric Franchise with Interstate Power and Light Company

Mohrfeld opened the public hearing at 7:43 P.M. There were no oral or written comments.

At 7:44 P.M., Mohrfeld closed the public hearing.

RESOLUTION NO. 2020-68, APPROVE REVENUE PURPOSE STATEMENT: Amandus MOVED and Bowker SECONDED to approve a resolution adopting a Revenue Purpose Statement regarding use of revenues from the proposed electric franchise fee pursuant to Iowa Code Section 364.2(4)(f).

ROLL CALL: AYES: Bowker, Lair, Andrews, Rink, Cangas, Schulz, Amandus
NAYES: None

MOTION PASSED 7-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 17th day of November, 2020.

1st READING ELECTRIC FRANCHISE: Cangas MOVED and Rink SECONDED approve the first reading of an ordinance repealing the current electric franchise, granting a new franchise to Interstate Power and Light, and imposing a franchise fee.

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Finance Director Peggy Steffensmeier reported the both franchise fees are set at 1.5% for 10 years. The proposed electric franchise agreement is for 20 years.

At a question from Cangas about the possibility of lowering the percentage after a few years, Mohrfeld said it is capped at 1.5% for 10 years. This 1.5% fee will supplant the existing 1% sales tax on gas and electric.

ROLL CALL: AYES: Bowker, Lair, Andrews, Rink, Cangas, Amandus, Schulz
NAYES: None

MOTION PASSED 7-0

The Mayor then declared the first reading of said Ordinance PASSED and APPROVED this 17th day of November, 2020.

Concerning the City's Gas Franchise with MidAmerican Power Company

Mohrfeld opened the public hearing at 7:48 P.M. There were no oral or written comments.

At 7:49 P.M., Mohrfeld closed the public hearing.

RESOLUTION NO. 2020-69, APPROVE REVENUE PURPOSE STATEMENT: Amandus MOVED and Cangas SECONDED to approve a resolution adopting a Revenue Purpose Statement regarding use of revenues from the proposed gas franchise fee pursuant to Iowa Code Section 364.2(4)(f).

ROLL CALL: AYES: Bowker, Lair, Andrews, Rink, Cangas, Schulz, Amandus
NAYES: None

MOTION PASSED 7-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 17th day of November, 2020.

1st READING GAS FRANCHISE: Lair MOVED and Amandus SECONDED approve the first reading of an ordinance repealing the current gas franchise, granting a new franchise to MidAmerican Energy Company, and imposing a franchise fee.

ROLL CALL: AYES: Bowker, Lair, Andrews, Rink, Cangas, Amandus, Schulz
NAYES: None

MOTION PASSED 7-0

The Mayor then declared the first reading of said Ordinance PASSED and APPROVED this 17th day of November, 2020.

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ORDINANCES/RESOLUTIONS

2nd READING, PARKING PROHIBITED: Lair MOVED and Bowker SECONDED to approve the second reading of an Amendment to Title 9, Traffic, Chapter 7, Stopping, Standing, Parking, Section 6, Parking Prohibited.

Police Chief Mark Rohloff reported they are continuing to monitor traffic on Avenue E. The construction on Avenue H ended on November 5 and traffic resumed it's normal course there. While this has led to a drop of 774 cars in a week, there are still over 3,000 cars traversing Avenue E per day. This is only a drop of 19%.

Mike Wilkens, 1717 Avenue E, said the street has been the same width for over 50 years. He said the issue is east of 15th Street and asked Council to deal with where the problem is at.

Chris Sorrentino, 412 Avenue D, supported the decision for parking on one side. He questioned if there was an exemption for construction trailers. Chief Rohloff said there is no exemption for construction trailers on the south side.

At a question of why the City had not addressed the issue, Mohrfeld was unable to say why the street did not meet the standard for an arterial road. He noted a history of not being in compliance does not grandfather the City from staying not in compliance.

Bowker said she has only heard from one additional person who is opposed. She felt this was a public safety issue and felt public safety trumps convenience. Andrews questioned what the city would do if the road standards changed next year.

Chief Rohloff did not see where there was any wiggle room. He said the standards are published by the Department of Transportation and Avenue E is classified as an arterial road by the Iowa Department of Transportation.

Cangas said it is his understanding the City Council originally planned to remove parking from both sides and then bounced the other direction.

Rod Hoskins, 2803 Avenue A, Apt. 39, said 90% of the places between 2nd to 13th Street should be utilizing their driveways.

Schulz said he will support this tonight but would like some more information before the third reading. He asked if anyone had counted the number of cars on average and if the traffic standard is voluntary or mandatory.

He was concerned the speed on the street would increase and there will also be a higher number of persons crossing the street to get to their homes.

Wilkens said the persons going to the End of the Month Meals at St. John's United Church of Christ pick up their meals on the south side of Avenue E. Bowker said they could pick up their meals on 10th Street instead. She offered to meet with anyone from St. John's to discuss this.

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ROLL CALL: AYES: Bowker, Lair, Andrews, Rink, Cangas, Schulz, Amandus
NAYES: None

MOTION PASSED 7-0

The Mayor then declared the second reading of said Ordinance PASSED and APPROVED this 17th day of November 2020.

OTHER

PIP 2020-03, CHANGE ORDER #1: Cangas MOVED and Bowker SECONDED to approve Change Order #1, Public Improvement Project 2020-03, GRHS-FMCH Community Health Foundation: Fort Madison High School to Rodeo Park Trail.

Bousselot said this change order is to increase the quantity for clearing and grubbing, modified subbase, curb and gutter, removal of driveways, removal of curb and gutter, special subgrade preparation, 6" PCC, inlet protection, remove and install existing fence, water service adjustment, traffic control signs, manhole adjustment and roof drain replacement. This also decreases the quantity for 5" PCC, 6" PCC, 6' chain link fence and combined sidewalk/retaining wall. This will increase the cost of the project by \$4,371.76. PORT has approved this amount and will pay for it.

Mohrfeld was frustrated as he told the team when he first met with them on this project that they have to be careful on Avenue B because this is going through peoples' front yards. He said the grades and water sets were not done right.

Bowker said Council probably needs to take the plans and walk through them in the future.

MOTION PASSED 7-0

PIP 2018-04, CHANGE ORDER #5: Cangas MOVED and Amandus SECONDED to approve Change Order #5 for Public Improvement Project 2018-04, Reconstruction of Old Hwy. 61 – 2nd to 6th Streets.

Bousselot said additional unexpected items have come up and need to be addressed. This adjustment is to increase the quantity for railroad flagging, traffic control flagging, and force account work for the temporary sewer, roof drain connections, meter pit relocations, sewer exploratory dig, replacing an intake top, rerouting a private sewer and manhole modifications. Previous change orders have increased the cost of the project by \$276,429. This Change will increase the cost \$14,546.09.

MOTION PASSED 7-0

PIP 2019-05, CHANGE ORDER #2: Lair MOVED and Rink SECONDED to approve Change Order #5 for Public Improvement Project 2020-05, Amtrak Station Platform Improvements.

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Bousselot pointed out Klingner went back to the drawing board on this project and did a lot of reengineering. This change order will reduce the cost of the project by \$112,000. He said the engineers are looking at another change order that could provide additional savings.

MOTION PASSED 7-0

PIP 2020-05, PROFESSIONAL SERVICE AMENDMENT #1: Cangas MOVED and Amandus SECONDED to approve Professional Service Agreement Amendment #1, for Public Improvement Project 2020-05, Reconstruction of Old Hwy. 61 – 6th to 10th Streets.

This agreement adds the sewer to the project as it was not in the original scope of work. This project will be let by the Iowa Department of Transportation in February.

MOTION PASSED 7-0

DISCUSSION ITEMS: None

COUNCIL MEMBER COMMUNICATIONS: The Historic Preservation Commission plans to inventory the City's brick streets and their condition and come up with a preservation plan.

MAYOR ANNOUNCEMENTS: Mohrfeld reported the City received an award from the Iowa Pavers Association for the 35th to 36th "S" curve project.

ADJOURNMENT: At 8:35 P.M., the regular meeting adjourned until Tuesday, December 1, 2020, at 5:30 P.M.

MANUAL CLAIMS & WARRANTS: See Claims dated November 12, 2020, in the amount of \$313,727.41 and October Manual Claims dated November 2, 2020, in the amount of \$63,376.16.

PAYROLL	11/06/2020
General	\$176,135.64
Old Fort	3,326.37
Road Use	25,925.85
Tourism	1,126.23
Water	29,862.04
Sewer	39,793.73
Solid Waste	11,138.57
Airport	486.54
Storm Water	<u>3,734.24</u>
	\$291,529.21

Matt J. Mohrfeld, Mayor

ATTEST:

Melinda L. Blind, City Clerk