

MINUTES
FORT MADISON CITY COUNCIL
Tuesday, April 15, 2014

The Fort Madison City Council met in adjourned session on Tuesday, April 15, 2014, at 7:00 P.M. at City Hall, 811 Avenue E, Fort Madison. Presiding was Mayor Prom Tem Chris Greenwald with Council Members Brian Wright, Kevin Rink, Rusty Andrews, Travis Seidel, Jason Huppert and Mark Lair. Mayor Bradley Randolph was absent.

PROCLAMATION

Mayor Pro Tem Greenwald read a proclamation naming May as Historic Preservation Month and presented it to Historic Preservation Commission members Andy Andrews, Bob Morawitz and Diana Holmes.

VISITORS AND APPEARANCE REQUESTS

John Richers, 1132 Avenue F, expressed concern regarding safety issues with the proposed golf cart ordinance. He had collected signatures for a petition opposing the golf cart ordinance and said citizens were concerned about retaliation from members of the Council if they signed it or had the petition at their business for others to sign.

AGENDA

Lair MOVED and Andrews SECONDED to approve the agenda, as written.

MOTION PASSED 7-0

CONSENT AGENDA

Seidel MOVED and Rink SECONDED to approve:

- Minutes of April 1, 2014, as written;
- Liquor License Renewal: Moose Lodge, 624 Avenue G, effective May 1, 2014 – Class A License with Sunday Sales (pending dram shop endorsement);
- Liquor License Renewal with conditions: Horan's Cabaret, 1337 Avenue G, effective May 7, 2014 – Class C Liquor License with Outdoor Service (pending dram shop endorsement);

- New Liquor License: Romero's LLC, 709 Avenue H, effective May 1, 2014 – Class B Liquor License with Sunday Sales (pending Special Use Permit);
- Mayor's appointment of Michele Young, 3375 Country Club Lane, to the Tourism Commission, term expiring March 15, 2017; and
- Payment of Claims.

MOTION PASSED 7-0

PUBLIC HEARINGS

Concerning the Proposed Innsbrook Residential Urban Renewal Plan

Mayor Pro Tem Greenwald opened the Public Hearing at 7:09 p.m. There were no oral or written comments. At 7:11 p.m., Andrews MOVED and Seidel SECONDED to close the public hearing.

MOTION PASSED 7-0

RESOLUTION NO. 2014-14, INNSBROOK URBAN RENEWAL AREA: Lair MOVED and Huppert SECONDED to adopt a resolution determining an area of the City to be an economic development 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 Innsbrook Residential Urban Renewal Plan.

Smith said this is the new subdivision at the northeast corner of 33rd Street and Bluff Road. The Urban Renewal Plan has been approved by the Planning and Zoning Commission and a legally required consultation was held so the school district and county could provide input. This project will allow the City to offer tax increment financing funds for public infrastructure such as streets, water, sidewalks and storm sewers within the development. A total of 56 lots are proposed. He said residential TIFs are a little different as 38 ½ percent of the tax generated is set aside to be used for low to moderate income housing projects anywhere in the City. He added the developer does not plan to build any low to moderate income houses at this time.

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

MOTION PASSED 7-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 15th day of April, 2014.

1ST READING, INNSBROOK PROPERTY TAXES: Wright MOVED and Andrews SECONDED to approve the first reading of an ordinance providing that general property taxes levied and collected each year on all property located within the Innsbrook Residential 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, 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 Innsbrook Residential Urban Renewal Area (Project #1 Area of the Innsbrook Residential Urban Renewal Plan).

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

MOTION PASSED 7-0

The Mayor then declared said Ordinance PASSED and APPROVED this 15th day of April, 2014.

Concerning a Proposal to Enter Into a Development Agreement with MM Real Estate, LLC

Mayor Pro Tem Greenwald opened the public hearing at 7:17 p.m. There were no oral or written comments. At 7:18 p.m. Seidel MOVED and Lair SECONDED to close the public hearing.

MOTION PASSED 7-0

RESOLUTION NO. 2014-15, DEVELOPMENT AGREEMENT WITH MM REAL ESTATE, LLC: Seidel MOVED and Lair SECONDED to adopt a resolution approving and authorizing execution of a Development Agreement by and between the City of Fort Madison and MM Real Estate, LLC.

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

MOTION PASSED 7-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 15th day of April, 2014.

Concerning Rezoning 1225 – 37th Street from R-6, Multi-Family Dwelling District to B-3, Service and Wholesale District:

Mayor Pro Tem Greenwald opened the public hearing at 7:19 p.m. There were no oral or written comments. At 7:20 p.m., Lair MOVED and Seidel SECONDED to close the public hearing.

MOTION PASSED 7-0

1ST READING, REZONE 1225 – 37TH STREET: Seidel MOVED and Lair SECONDED to approve the first reading of an ordinance rezoning property located at 1225 – 37th Street from R-6, Multi-Family Dwelling District to B-3, Service and Wholesale District.

Planning and Zoning Director Krogmeier said this property was built as a commercial property but before zoning was implemented and was not used as a commercial property for some time. The owner now wants to use the property commercially and has asked for the property to be rezoned the same as two neighboring properties.

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

MOTION PASSED 7-0

The Mayor then declared said Ordinance PASSED and APPROVED this 15th day of April, 2014.

ORDINANCES AND RESOLUTIONS

2nd READING, ADOPT NEW CITY SEAL: Rink MOVED and Wright SECONDED to approve the second reading of an ordinance amending Title 1, Chapter 15, Section 3, of the City Code of Fort Madison by adopting a new City Seal.

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

MOTION PASSED 7-0

The Mayor then declared said Ordinance PASSED and APPROVED this 15th day of April, 2014.

2nd READING, ENACT NEW CHAPTER “GOLF CARTS”: Wright MOVED and Seidel SECONDED to approve the second reading of an ordinance enacting a new Title 9, Chapter 15, of the City Code of Fort Madison entitled “Golf Carts”.

Jim Posz, 919 Old Denmark Hill, gave the Council a copy of a golf cart owner’s manual and said the carts do not meet the safety requirements of a low speed vehicle for use on city streets. He uses a golf cart at a local campground. He said golf cart speeds are usually limited to 10-13 m.p.h. and this is dangerous on roads with speed limits of 25 m.p.h. The mechanical brakes on the carts are only on the rear wheels and a driver could lose control on Denmark Hill to Sunnyside and the tires are meant to be used on grass and not streets. He had statistics regarding injuries from the usage of golf carts on streets.

Greenwald noted petitions were received in opposition with over 500 signatures.

Mike Pulis, 216 - 12th Street, has a pickup truck with a high bumper and he felt if he would hit a golf cart it would probably cause a fatality. Richard Estrada, 1214 – 39th Street, felt Pulis’ truck would kill him if he were hit while walking across the street.

Wright thanked the committee that was formed to look at amending the ordinance. He said no matter what age limits are set, if someone is hit by a truck or car he believed they would be severely injured or killed.

Seidel said he had received a lot of calls from the public, mostly in opposition.

Rink called for the question.

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

MOTION FAILED 2-5

1ST READING AMEND 8-7-2(A,B) SEWER RATES: Lair MOVED and Wright SECONDED to approve the first reading of an ordinance amending Title 8, Chapter 7, Section 2 (A and B) so as to increase sewer rates effective June 1, 2014.

Smith said this has been discussed by Council and a lengthy discussion was held during budget sessions. Stanley Consultants did a rate study and determined the increases needed in order to finance the estimated \$24-27,000 million needed for the improvements. The ordinance sets rates for three years and a yearly 2% cost of living adjustment is proposed for each year after that.

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

MOTION PASSED 7-0

The Mayor then declared said Ordinance PASSED and APPROVED this 15th day of April, 2014.

RESOLUTION NO. 2014-16, ORDER CONSTRUCTION PIP 2014-16, SW SEWER EXPANSION: Rink MOVED and Greenwald SECONDED to adopt a resolution ordering construction, setting public hearing and bid letting for Public Improvement Project 2014-03, Southwest Sewer Expansion.

Smith said the City was awarded a \$1.5 million EDA grant to install a sewer line to the Siemens area. The project is now ready to put out to bid.

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

MOTION PASSED 7-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 15th day of April, 2014.

RESOLUTION NO. 2014-17, AIRPORT ENGINEERING AGREEMENT: Lair MOVED and Seidel SECONDED to adopt a resolution approving the Mayor's signature on a contract for services with DGR Engineering to provide engineering services for the Fort Madison Municipal Airport for a term of five years.

Smith said the FAA requires the Airport to go through a selection process for engineering.

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

MOTION PASSED 7-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 15th day of April, 2014.

OTHER

APPROVE PURCHASE OF GENERAL GEN EYE CAMERA SYSTEM: Rink MOVED and Andrews SECONDED to approve the purchase of a General Gen Eye Camera System with locator in the amount of \$12,099.95 from USA Bluebook.

Public Works Director Driscoll said as the City continues with sewer separation this will be needed to determine which private lines have been abandoned and which are still in use.

MOTION PASSED 7-0

APPROVE PURCHASE OF SIDE LIFT FOR 90 GAL. TRASH DUMPING: Huppert MOVED and Andrews SECONDED to approve the purchase of a Side Lift for 90 gallon trash dumping with a cost of not to exceed \$7,500.00 from Elliott Equipment.

Smith said the cost of hiring private haulers for trash for City buildings was recently reviewed. This would offer a way for City employees to pick up trash for City buildings. With the increase in labor, it will take approximately three years to recover the initial investment. This will also allow us to see how this could be used for residential garbage collection.

MOTION PASSED 7-0

APPROVE PURCHASE OF GPS UNIT: Greenwald MOVED and Seidel SECONDED to approve the purchase of a GPS unit in the amount of \$6,700.00 from Seiler Geospatial Division.

Smith said with the purchase of this unit the City will be able to mark values and meters instead of hiring someone else to do so.

MOTION PASSED 7-0

HIRE CULLEN TO ASSIST WITH 13TH STREET SEWER REHAB: Seidel MOVED and Rink SECONDED to approve the hiring of Cullen Construction & Excavating, Inc. to assist City personnel with the 13th Street Sewer Rehab Project

Driscoll said this is the first of several of these rehab projects. This is a combination plan using a private contractor to assist City crews and will result in a significant cost savings. This is allowable under state bid guidelines for maintenance work. He hopes to continue doing this as they work on other sewer rehab projects. He plans to rotate the work on these projects between 3-4 local contractors.

MOTION PASSED 7-0

DISCUSSION ITEMS

There were none.

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

The Historic Preservation Commission is continuing their work on the Park to Park Historic District.

ADJOURNMENT

At 7:51 P.M., Wright MOVED and Seidel SECONDED to adjourn until Tuesday, May 6, 2014, at 7:00 P.M.

VOICE VOTE APPROVAL

MANUAL CLAIMS AND WARRANTS: See Claims dated April 10, 2014, in the amount of \$222,735.29 and Manual Claims dated March 31, 2014 in the amount of \$233,694.51.

<u>PAYROLL</u>	<u>4/4/2014</u>
General	\$156,173.49
RSVP	1,296.81
Old Fort	2,305.52
Merschon Trust	3,211.18
Road Use	18,469.84
Hotel/Motel	1,344.87
Water	27,435.28
Sewer	30,758.80
Solid Waste	16,632.10
Storm Water	2,982.08
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	\$260,609.97

Mayor Bradley A. Randolph
City of Fort Madison

ATTEST:

Melinda L. Blind, City Clerk