

**MINUTES OF THE
FORT MADISON CITY COUNCIL
Tuesday, October 7, 2008 7:00 P.M.**

The Fort Madison City Council met in regular session on Tuesday, October 7, 2008, at 7:00 P.M., at the Municipal Building, 811 Avenue E, Fort Madison. Mayor Steven J. Ireland presided with Council Members Fraise, Greenwald, Rink, Randolph, Chesnut, and Lair present. Council Member Boeding was absent.

VISITORS AND APPEARANCE REQUESTS

None.

AGENDA

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

MOTION PASSED 6 AYES

CONSENT AGENDA

Fraise MOVED and Greenwald SECONDED to approve:

- Minutes of September 16, 2008;
- Renewal of a Class "B" Beer Permit to Sorrento's Pizza, 2515 avenue L, effective November 4, 2008;
- Renewal of a Class "C" Beer/Wine Permit to Aldi, Inc., 927 Avenue G, effective November 4, 2008;
- Renewal of a Class "B" Beer Permit to Pizza Hut, 1123 – 24th Street, effective December 8, 2008;
- Resolution No. 2008-53 approving an application for an URTED to Barnes, Inc., dba Humburd's Auto, 1214 – 40th Street; and
- Payment of Claims.

Rink questioned why the recent tax split issue was not on the agenda. Larry Dinwiddie believed the voters had spoken but there will be an agenda item for the next meeting on hiring for the Police/Fire Departments.

MOTION PASSED 6 AYES

PUBLIC HEARINGS

Concerning Public Improvement Project 2008 - #6, Sacred Heart Cemetery Road Replacement:

Mayor Ireland opened the public hearing at 7:03 P.M. concerning Public Improvement Project 2008 - #6, Sacred Heart Cemetery Road Replacement. There being no oral or written comments, Greenwald MOVED and Rink SECONDED to close the public hearing.

MOTION PASSED 6 AYES

RESOLUTION NO. 2008-54, ADOPTING PLANS, SPECS: Chesnut MOVED and Randolph SECONDED to approve a resolution adopting plans, specifications, estimate of cost and form of contract for the project.

MOTION PASSED 6 AYES

RESOLUTION NO. 2008-55, AWARDING CONTRACT: Chesnut MOVED and Rink SECONDED to approve a resolution awarding construction contract for the project to Abolt, Inc. of Fort Madison in the amount of \$76,875.56.

MOTION PASSED 6 AYES

RESOLUTION NO. 2008-56, APPROVING CONTRACT AND BONDS: Rink MOVED and Fraise SECONDED to adopt a resolution approving contract and bonds of Abolt, Inc., pending receipt of the documents.

Chesnut commented he was glad to see this project would be paid with Local Option Sales Tax funds.

MOTION PASSED 6 AYES

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 2008-57, SETTING HEARING DATE ON WATER REVENUE BONDS: Randolph MOVED and Greenwald SECONDED to approve a resolution fixing date for a meeting on the authorization of a loan and disbursement agreement and the issuance of not to exceed \$242,860 Water Revenue Capital Loan Notes of Fort Madison, Iowa, and providing for publication of notice.

Larry Dinwiddie advised this is part of the planning/design loan of the State Revolving Loan fund who will be funding the planning/design at no cost to us. We will receive three years of interest-free money.

MOTION PASSED 6 AYES

OTHER

CONTRACT WITH SEIRPC FOR HOME PROJECT: Chesnut MOVED and Rink SECONDED to approve the Mayor's signature on a Contract for Services between the City and Southeast Iowa Regional Planning for administration of Project No. 07-HM-101 (HOME Project).

MOTION PASSED 6 AYES

EQUAL OPPORTUNITY STATEMENT: Rink MOVED and Lair SECONDED to approve the Mayor's signature on an Equal Opportunity Policy Statement.

MOTION PASSED 6 AYES

AGREEMENT WITH STANLEY CONSULTANTS FOR STUDY AT WASTEWATER PLANT: Chesnut MOVED and Fraise SECONDED to approve the Mayor's signature on a Professional Services Agreement between the City and Stanley Consultants to conduct a local headworks limit study for the Wastewater Treatment Plant pre-treatment program.

Rick Kuhljuergen explained the State is requiring us to do this study regarding what kind of heavy metals are pumped into the sewage system. We have to limit that discharge into the plant in order to obtain a permit. Our lab is not capable of running metals as it is costly. Those limits have to be met. This particular study has not been conducted since 1983. Industries are regulated by permit. If they cannot meet regulations, they have to institute a pre-treatment program. DuPont currently has a pre-treatment program.

MOTION PASSED 6 AYES

FALL CLEAN-UP PROPOSAL: Chesnut MOVED and Greenwald SECONDED to approve the proposal of Allied Waste Services of Quincy, Illinois, for Fall Clean-up

Only this one proposal was returned. No local business responded.

MOTION PASSED 5 AYES
1 NAY (Rink)

DISCUSSION ON BUILDING LOCATED AT 813-815 AVENUE G: Fire Chief Herren wanted to let Council know what was going on with these properties. On September 1st he received a call from a local business in that area about the conditions. There appeared to be a heavy rat and mold infestation in the buildings. Those conditions are now affecting the businesses to the east and west of it. He began the abatement process on September 6th. The electricity was cut off due to the conditions. He estimates it will cost approximately \$30-35,000 to exterminate and demolish the properties. SSMID has expressed an interest in saving the properties but something must be done soon as it is a dangerous hazard. Chesnut asked how much money was budgeted for demolitions. Larry Dinwiddie answered none. Further, the Chamber has not mentioned getting involved as they sometimes have in the past. Chesnut then asked where the money would come from. The only place there is any money is out of the accumulated fund balance.

Dave Poland, Two Rivers Insurance, 817 Avenue G, spoke that back in March they experienced a bloom of mold which was above normal. At first he thought it was his building and spent a lot of money trying to figure it out; however, over the last two months the air quality has gone down. The problem is coming from 813-815 Avenue G. He recently had to move his office to 723 Avenue G. When the other building is gone or cleaned, he will have to clean his building again. Timing is of the essence to him. There's a possibility he would have an interest in that building. Lair then questioned if the City might have any liability in this matter. City Attorney Johnson advised the City did not cause this situation so there would be no liability on our part. We are doing what we're required to do and have taken all the necessary steps.

Gary Pilkington, 809 Avenue G, said he had caught four rats in his kitchen. He still believed anything could be fixed as long as it was structurally sound. SSMID would consider the project but they are in a bind right now due to the \$500,000 project across the street. The first thing we

need to know is if it is structurally sound. The problem here is Kwok Wong, we need to get the property out of his hands. Randolph suggested contacting the owner and letting him know we would put a lien on the property for the aforementioned costs or in the alternative he can sell it to us for \$1.00.

Michele Young, 3375 Country Club Lane, stated she was past president of the Historic Preservation Commission. She suggested putting a law on the books which prohibited storage in downtown business store fronts. The downtown is now a historic district and as such, eligible for tax credits for renovations. She further suggested not acting so quickly to tear the buildings down. She would like to have SSMID send a certified letter to the owner to see what his response was to them.

Chesnut added if the buildings were not structurally sound, there was no sense even talking about saving them, this is the first thing we need to do.

Greenwald said the City can start their process and SSMID can start theirs.

Mayor Ireland concurred we should work on parallel paths and communicating as we go through the steps. If SSMID can come up with a solution the City can stop their process. Randolph commented this was going to take considerable time and money to turn the situation around. We also run the risk of established businesses leaving the downtown such as Two Rivers Insurance.

Ms. Fraise inquired if there was anything we could do to change the code for other buildings in disrepair in the downtown. City Attorney Johnson responded abatement doesn't always mean demolition.

As clarification, Larry Dinwiddie confirmed that we were to continue to take care of the rat problem. That is correct. The roof is leaking badly so the mold will continue to be an issue. Chief Herren will continue with the bidding process for demolition.

Lair asked about all the piles of junk in alleys that folks have put out for clean-up and what we're going to do about them. They can always be cited.

PRESENTATION BY COUNCIL LIAISONS TO BOARDS AND COMMISSIONS

Nothing remarkable to report.

ADJOURNMENT

At 8:10 P.M., Randolph MOVED and Rink SECONDED to adjourn until Tuesday, October 21, 2008, at 7:00 P.M.

VOICE VOTE APPROVAL

WARRANTS AND CLAIMS: See Claims dated October 2, 2008, in the amount of \$324,852.59; Library Claims dated September 17, 2008, in the amount of \$8,529.82; and Manual Claims dated September 30, 2008, in the amount of \$271,303.88.

BENEFITS AND PAYROLL – September 26, 2008

General	134,057.10
RSVP	1,268.96
Docks	38.35
Old Fort	3,344.47
Insurance	22.00
Road Use	23,904.05
Water	36,397.99
Sewer	31,611.30
Storm Water	3,506.96
Solid Waste	<u>12,861.85</u>
	247,013.03

REVENUES 08/01/06 thru 08/11/06

General	11,857.64
Special Revenue Funds	27,197.03
Sales Tax	77,970.85
Water	3,986.70
Sewer	4,696.75

Solid Waste	148.00
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	125,856.97

EXPENDITURES

General	54,451.27
Special Revenue Funds	6,006.47
Road Use	24,280.81
Capital	740.90
Water	64,646.88
Sewer	22,690.57
Solid Waste	131.66
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	172,948.56