

**MINUTES OF THE  
FORT MADISON CITY COUNCIL  
October 21, 2008 7:00 P.M.**

The Fort Madison City Council met in adjourned session on Tuesday, October 21, 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 Boeding present. Council Member Lair was absent.

Mayor Ireland presented a Proclamation for Red Ribbon Week.

**VISITORS AND APPEARANCE REQUESTS**

None.

**AGENDA**

Chesnut MOVED and Boeding SECONDED to approve the agenda, as written.

MOTION PASSED 6 AYES

**CONSENT AGENDA**

Randolph MOVED and Greenwald SECONDED to approve:

- Minutes of October 7, 2008, as written;
- Renewal of a Class "C" Liquor License to Kumar's Dining & Catering, 5001 Avenue O, effective November 1, 2008;
- Approving the 2008 Financial Report for fiscal year ending June 30, 2008; and
- Payment of Claims.

MOTION PASSED 6 AYES

**PUBLIC HEARINGS**

***Concerning Public Improvement Project 2008 - #5, Water Main Relocation, Highway 2 Interchange:***

Mayor Ireland opened the public hearing at 7:05.M. concerning Public Improvement Project 2008 - #5, Water Main Relocation, Highway 2 Interchange. There being no oral or written comments, Randolph MOVED and Boeding SECONDED to close the public hearing.

MOTION PASSED 6 AYES

**RESOLUTION NO. 2008-58, ADOPTING PLANS, SPECIFICATIONS:** Rink MOVED and Chesnut SECONDED to approve a resolution adopting plans, specifications, estimate of cost, and form of contract for the project.

MOTION PASSED 6 AYES

**RESOLUTION NO. 2008-59, AWARDING CONTRACT:** Greenwald MOVED and Fraise SECONDED to approve a resolution awarding construction contract for the project to Hennigar Construction of Fort Madison in the amount of \$213,246.36.

MOTION PASSED 6 AYES

**RESOLUTION NO. 2008-60, CONTRACT AND BONDS:** Rink MOVED and Boeding SECONDED to adopt a resolution approving contract and bonds of Hennigar Construction pending receipt of the documents.

MOTION PASSED 6 AYES

*Concerning the proposed authorization of a loan and disbursement agreement and the issuance of not to exceed \$242,860 Water Revenue Capital Loan Notes:*

Mayor Ireland opened the public hearing at 7:08 P.M. concerning the proposed authorization of a loan and disbursement agreement and the issuance of not to exceed \$242,860 Water Revenue Capital Loan Notes. There being no oral or written comments, Chesnut MOVED and Greenwald SECONDED to close the public hearing.

MOTION PASSED 6 AYES

**RESOLUTION NO. 2008-61, AUTHORIZING INTERIM LOAN AND DISBURSEMENT AGREEMENT:** Randolph MOVED and Fraise SECONDED to adopt a resolution approving and authorizing a form of interim loan and disbursement agreement by and between the City and the Iowa Finance Authority, and authorizing and providing for the issuance and securing the payment of \$242,860 Water Revenue Capital Loan Note Anticipation Project Note, Series 2008, of the City of Fort Madison, Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of said Note.

MOTION PASSED 6 AYES

## **ORDINANCES AND RESOLUTIONS**

### **OTHER**

**HIRING FIREFIGHTER:** Rink MOVED and Greenwald SECONDED to approve hiring one Firefighter and returning to a 4-man minimum due to reallocation of the City's Sales Tax revenue.

Greenwald began discussions by stating that he wanted to amend the motion to keep the 3-man minimum in place and put the burden on the person doing the scheduling. Once the extra person is in place and the 3-man minimum retained, he wanted it mandated that they have to answer

medical calls. He felt the only way to get this accomplished was to mandate that the 3-man shifts had to answer the calls. Ms. Fraise felt when the new person was hired and you have 5-man shifts, getting to 3 shouldn't happen.

Randolph questioned what Chief Herren's opinion was. If the citizens gave you this person back, you should now respond to medical calls and watch the overtime. He was counting on him to make this happen. He would still like to see a volunteer department in order to cut down on overtime and have supplemental people. Take them as they come on board and train them even if there is only 1 or 2.

Chesnut agreed there was merit in Greenwald's comments concerning going back to the way we were. Rink asked if Herren foresaw a lot of time these guys have to use up. Herren responded they had just the normal time off. Most of the older members with a lot of time had retired and the department was a younger group.

Mayor Ireland asked what the time frame was for having the other employee on board. Herren responded on January 1.

Randolph believed if we go with the 3-man shift minimum (and he hoped we wouldn't get there), Council would have to take the responsibility away from Herren and issue the mandate. Chesnut added that if the department did have to go to 3 men, possibly 4-5 times a year, the overtime should be allowed in emergency situations. Greenwald added he did not want to see overtime for 4-man shift staffing on the overtime sheet.

Randolph suggested coming back at a later time and evaluating what is happening at that time. Larry Dinwiddie interjected that as interim city manager, he could monitor the staffing. Ms. Fraise felt the City's department heads should be able to be trusted and do a responsible job.

Randolph then questioned if Herren had thought about a policy change to curb the overtime, or was it going back to the way it was. A policy needs to be implemented.

Greenwald spoke to Herren of several issues he felt were problems. Herren did not prepare a budget like Council asked him to do. Dinwiddie did say that request was unrealistic to prepare. Greenwald further did not know why volunteers were not coming forward and had heard that someone who was interested was not treated very receptively. He also said that he had heard members of the department called in sick in order to boost the salaries of others. Herren vehemently denied this accusation. Greenwald continued that he felt it was business as usual with the Fire Department and they will continue to find excuses not to respond to medical calls.

Chesnut stated he wanted to move forward. Dinwiddie agreed it was a good idea to monitor the situation and see if we have to come back to Council to tweak or change anything.

Greenwald MOVED to amend the motion to approve the hiring but leave the 3-man shift in place. Randolph SECONDED the motion.

A vote was taken on the motion to amend.

MOTION PASSED 6 AYES

A vote was then taken on the motion, as amended.

MOTION PASSED 6 AYES

**HIRING POLICE OFFICER:** Chesnut MOVED and Boeding SECONDED to approve hiring one Police Officer due to the reallocation of the City's Sales Tax revenue.

Ms. Fraise inquired if this was the investigator position. Chief Niggemeyer responded no, this would give him the 4<sup>th</sup> man on a 4-man shift. Currently, one shift only has 3 men.

MOTION PASSED 6 AYES

**J-40 INTERCHANGE FOR 61 BYPASS:** Rink MOVED and Fraise SECONDED to approve the Mayor's signature on an Addendum to a Pre-Construction Agreement regarding the J-40 Interchange at the U.S. 61 By-Pass.

Ernie Steffensmeier, representing the Lee County Engineer's Office, explained this project was started 3 years ago along with Lee County and West Point. The 3 entities involved contacted the DOT to put back the interchange which the DOT had deleted when the by-pass goes through. Currently there is available \$1,045,000 from STP funding and Harkin's office has been contacted for another million. We are still short \$260,000. The original cost was around \$5 million but the State found they could use some of the earth at the intersection to do the drainage ditches thereby reducing the cost to \$2.3 million.

Vern Meierotto representing West Point gave a history of traffic counts in that area. He forecasted 3-4,000 cars a day to go through the interchange. He also felt Fort Madison would be in a better position to retain the county seat site if that was ever brought up in the future because of its location. The by-pass is to be completed by December, 2011. This could potentially open up the area for annexation.

Chesnut questioned the fact that there will be an interchange at 15<sup>th</sup> Street already and just going a few blocks this one will be at 18<sup>th</sup> Street. Meierotto responded that the landfill, the airport, Rodeo Park and the industries in that particular area would use these interchanges and re-route a lot of traffic.

Greenwald asked if we were committing our funds by voting on this. Steffensmeier stated that the 3 communities would each be committing 1/3 of the funds. Mayor Ireland added we need to lobby our legislators and apply for more funding.

Larry Dinwiddie was asked what his opinion was of this proposal. Dinwiddie answered that if Council agrees to sign the document, we agree to pay for it. They don't care how we pay for it, we just pay for it. Greenwald asked if we could re-word this to give us a way out if we can't secure the funding. Meierotto said he was confident we would get the remaining funds. The 3

entities have been working on this for 3 years and to pull the plug now we might wish we hadn't. It needs to be passed for the future of Fort Madison.

MOTION PASSED 6 AYES

**PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSION**

Nothing remarkable to report.

**ADJOURNMENT**

At 8:05 P.M., Rink MOVED and Fraise SECONDED to adjourn until ***Monday, November 3, 2008, at 7:00 P.M.***

VOICE VOTE APPROVAL

MANUAL CLAIMS AND WARRANTS: See Claims dated October 16, 2008, in the amount of \$261,296.92.

PAYROLL – October 10, 2008

General	\$130,073.17
RSVP	1,255.40
Old Fort	2,456.11
Road Use	21,092.42
Water	35,428.77
Sewer	31,106.49
Solid Waste	13,645.82
Storm Water	<u>3,080.44</u>
	\$238,138.62

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Steven J. Ireland, Mayor

ATTEST:

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Suellen M. Mead, City Clerk