

**MINUTES OF THE  
FORT MADISON CITY COUNCIL  
February 17, 2009 7:00 P.M.**

The Fort Madison City Council met in adjourned session on Tuesday, February 17, 2009, at 7:00 P.M., in the Council Chambers of the Municipal Building, 811 Avenue E, Fort Madison, Iowa. 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 Randolph SECONDED to approve the agenda, as written.

MOTION PASSED 6 AYES

**CONSENT AGENDA**

Chesnut MOVED and Randolph SECONDED to approve:

- Minutes of January 27, and February 3, 2009;
- Renewal of a Class "B" Native Wine Permit to Under the Sun, 733-739 Avenue G, effective March 1, 2009;
- Renewal and Change of Ownership to Cigarette Outlet, 1737 Avenue H, effective April 17, 2009;
- Mayor's reappointments of Lesley Bear and Beverly Morawitz, to the Sister Cities Commission, terms expiring January 6, 2012; and
- Payment of Claims.

MOTION PASSED 6 AYES

**PUBLIC HEARING**

***Concerning the Fiscal Year 2009-10 Budget:***

Mayor Ireland opened the public hearing at 7:03 P.M. concerning the Fiscal Year 2009-10 Budget. There being no oral or written comments, Rink MOVED and Greenwald SECONDED to close the public hearing.

MOTION PASSED 6 AYES

**RESOLUTION NO. 2009-11, ADOPTING BUDGET:** Greenwald MOVED and Lair SECONDED to approve a resolution adopting the Fiscal Year 2009-10 Budget, and directing that the appropriate filings be made as required by law.

The Mayor praised Larry Dinwiddie and staff for going through another budget process and producing a balanced budget. Greenwald commented it was good going into a budget and not talking about lay-offs.

MOTION PASSED 6 AYES

### **ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. C-478, AMENDING BUILDING AND RESIDENTIAL CODES:** Rink MOVED and Randolph SECONDED to approve the 3<sup>rd</sup> reading of an ordinance amending Title 3, Chapter 1, Sections 3 and 4 of the Municipal Code concerning adoption of the International Building and Residential Codes.

MOTION PASSED 6 AYES

**1<sup>ST</sup> READING, REPEALING HANDICAP SPACES:** Lair MOVED and Rink SECONDED to approve the 1<sup>st</sup> reading of an ordinance amending Title 9, Chapter 7, Section 18 of the City Code entitled “Handicap Parking” by repealing Subsection E in its entirety.

Ms. Fraise mentioned that she had spoken with Mr. Burner, the party in opposition at the last meeting, and the issue has been resolved. He had not been happy with how the matter had been initially handled but was now okay with it. Additionally, ResCare across the street will be installing handicap spaces.

MOTION PASSED 6 AYES

**1<sup>ST</sup> READING, RAISING WATER RATES:** Chesnut MOVED and Greenwald SECONDED to approve the 1<sup>st</sup> reading of an ordinance repealing Title 6, Chapter 5, Section 6 of the City Code and enacting in lieu thereof a new Title 6, Chapter 5, Section 6 so as to provide for a new water rate schedule effective April 1, 2009.

Lair indicated he had received some calls over the last few days. Once the plant is running, he would hope the rates would hold steady. Larry Dinwiddie advised he could not say the rates won't raise again because the final total cost of the plant is unknown. When it is completed he will know if the rates have to be raised, possibly held or lowered. If some of the stimulus money comes through, rates will more than likely be lowered. It was asked if customers could be picked up on that end of town as a result of the new plant. More than likely Siemens will connect once water is available. Climax is another possibility. Greenwald commented that Rathbun had not increased rates due to a capital item participation clause. We are still hoping to get help from Rathbun.

MOTION PASSED 6 AYES

**AMENDING URBAN RENEWAL AREA #12:** Greenwald MOVED and Randolph SECONDED to approve the 1<sup>st</sup> reading of an ordinance amending Ordinance No. C-452 providing that general property taxes levied and collected each year on all property located within the Amended Urban Renewal Area #12 (River Bend TIF District) 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 Amended Urban Renewal Area #12.

MOTION PASSED 6 AYES

**WAIVING RULES TO PASS ORDINANCE:** Chesnut MOVED and Lair SECONDED to dispense with the statutory rules requiring three readings of an ordinance on three different days in order to pass the above ordinance.

MOTION PASSED 6 AYES

**ORDINANCE NO. C-479, AMENDING URBAN RENEWAL AREA #12:** Chesnut MOVED and Rink SECONDED to approve the aforementioned Ordinance, No. C-479, on its 3<sup>rd</sup> reading.

MOTION PASSED 6 AYES

### **OTHER**

**TAXES ON 813-815 AVENUE G:** Fraise MOVED and Chesnut SECONDED to authorize staff to pay the March, 2009, property taxes and then rebate the City's portion of the taxes until March, 2011, for the buildings at 813-815 Avenue G as long as Lyle and Gwen Brown own the properties.

Rink asked what the total dollar amount of this would be. Mr. Smith advised it would be \$2,698. The Browns had requested \$10,000 and the City countered with this offer.

MOTION PASSED 6 AYES

**SIMPLY THE BLUES HOTEL/MOTEL FUNDS:** Rink MOVED and Chesnut SECONDED to approve an expenditure of \$500.00 from the Hotel/Motel Tax Fund for Simply the Blues on May 8-9, 2009, at Rodeo Park.

A comment was made that it was appreciated the event coordinator contacted the City early.

MOTION PASSED 6 AYES

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

Nothing remarkable to report.

**ADJOURNMENT**

At 7:25 P.M., Rink MOVED and Greenwald SECONDED to adjourn until Tuesday, March 3, 2009.

VOICE VOTE APPROVAL

MANUAL CLAIMS AND WARRANTS: See Claims dated February 12, 2009, in the amount of \$250,597.86.

PAYROLL – February 13, 2009

General	\$130,855.89
RSVP	1,253.97
Old Fort	1,178.61
Road Use	21,373.89
Water	35,081.36
Sewer	25,213.08
Solid Waste	14,001.46
Storm Water	<u>2,959.64</u>
	\$231,917.90

---

Steven J. Ireland, Mayor  
City of Fort Madison, Iowa

ATTEST:

---

Suellen M. Mead, City Clerk