

MINUTES
OF THE FORT MADISON CITY COUNCIL
Tuesday, May 19, 2009 7:00 P.M.
Municipal Building, 811 Avenue E, Fort Madison, Iowa

The Fort Madison City Council met in adjourned session on Tuesday, May 19, 2009, at 7:00 P.M. in the Council Chambers of the Municipal Building, 811 Avenue E, Fort Madison, Iowa. Presiding was Mayor Steven J. Ireland with Councilors Carrie Fraise, Chris Greenwald, Kevin Rink, Brad Randolph, Bob Chesnut, Neal Boeding and Mark Lair present.

VISITORS AND APPEARANCE REQUESTS

None.

AGENDA

With the addition of a Class “C” Beer Permit to Walgreen’s, Lair MOVED and Rink SECONDED to approve the agenda, as written.

MOTION PASSED 6 AYES

CONSENT AGENDA

Greenwald MOVED and Boeding SECONDED to approve:

- Minutes of May 5, 2009;
- New 6-month Class “B” Wine Permit to the Fort Madison Area Convention & Visitors Bureau for the Tourist Information Center, 804 – 10th Street, effective June 1, 2009;
- New Class “C” Beer Permit to Walgreen’s #11759, 2639 Avenue L, effective May 21, 2009;
- Mayor’s appointments of Joel Amandus and Ed Delaney of Fort Madison to the Planning & Zoning Commission, terms expiring March 18, 2010; and
- Payment of Claims.

Sandy Brown, CVB Director, spoke concerning her Wine Permit Application. She has found that other centers selling native wines have been successful. RSVP volunteers man the Tourist Information Center and the RSVP Director had some concerns about the volunteers selling the wine. Ms. Brown stated she was working on the situation and wants to be able to secure the product and sell it correctly. The center will also be selling souvenir wine for the ESPN Bass Tournament on June 10-14. If Council desires more information or an update she would be glad to provide that information

Note: Councilman Randolph arrived at 7:05 P.M.

MOTION PASSED 7 AYES

PUBLIC HEARINGS

Concerning the Fiscal Year 2008-09 Budget Amendment:

Mayor Ireland opened the public hearing at 7:07 P.M. concerning the Fiscal Year 2008-09 Budget Amendment. There being no oral or written comments, Rink MOVED and Randolph SECONDED to close the public hearing.

MOTION PASSED 7 AYES

RESOLUTION NO. 2009-37, AMENDING BUDGET: Lair MOVED and Chesnut SECONDED to approve a resolution amending the current City Budget for Fiscal Year 2008-09.

MOTION PASSED 7 AYES

Concerning the Sale of 16th Street Right-of-Way South of Avenue D:

Mayor Ireland opened the public hearing at 7:08 P.M. concerning the sale of 16th Street right-of-way south of Avenue D. There being no oral or written comments, Boeding MOVED and Rink SECONDED to close the public hearing.

MOTION PASSED 7 AYES

ORDINANCE NO. C-483, VACATING 16TH STREET RIGHT-OF-WAY: Lair MOVED and Chesnut SECONDED to approve the 3rd reading of an ordinance vacating an 18 foot by 145 foot portion of the 6th Street right-of-way south of Avenue D.

MOTION PASSED 7 AYES

RESOLUTION NO. 2009-38, SELLING 16th STREET RIGHT-OF-WAY: Randolph MOVED and Boeding SECONDED to approve a resolution selling and authorizing execution of a Quit Claim Deed for the 16th Street right-of-way south of Avenue D to Rick and Joan Fraise in the amount of \$500.00, plus administrative fees.

MOTION PASSED 7 AYES

Concerning Public Improvement Project 2009-#2, Airport Turn-Around Project:

Mayor Ireland opened the public hearing at 7:10 P.M. concerning Public Improvement Project 2009-#2, Airport Turn-Around Project. There being no oral or written comments, Fraise MOVED and Randolph SECONDED to close the public hearing.

MOTION PASSED 7 AYES

RESOLUTION NO. 2009-39, ADOPTING PLANS, SPECS: Lair MOVED and Chesnut SECONDED to approve a resolution adopting plans, specifications, form of contract and estimate of cost for the project.

MOTION PASSED 7 AYES

RESOLUTION NO. 2009-40, AWARDING CONTRACT: Chesnut MOVED and Fraise SECONDED to approve a resolution awarding construction contract to Shipley Contracting of Burlington, Iowa, in the amount of \$329,826.77, subject to FAA approval.

MOTION PASSED 7 AYES

RESOLUTION NO. 2009-41, APPROVING CONTRACT AND BONDS: Rink MOVED and Lair SECONDED to adopt a resolution approving contract and bonds of Shipley Contracting, pending receipt of the documents, and pending FAA approval.

MOTION PASSED 7 AYES

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 2009-42, ACCEPTING PIP 2007-1: Randolph MOVED and Fraise SECONDED to approve a resolution accepting Public Improvement Project 2007-#1, Airport Snow Removal Equipment Storage Building.

MOTION PASSED 7 AYES

OTHER

PSBA AGREEMENT FOR 48TH/61 IMPROVEMENTS: Rink MOVED and Chesnut SECONDED to approve the Mayor's signature on a Professional Services Agreement with Poepping, Stone & Bach for the design of the 48th Street and Highway 61 Safety Enhancement Project.

MOTION PASSED 7 AYES

OVERLAY ON RIVERVIEW DRIVE: Fraise MOVED and Greenwald SECONDED to approve a proposal from Bates Asphalt in the amount of \$10,101 to overlay a section of the road from the east end of Riverview Drive on the west end of the parking lot 455 feet west.

Lair questioned the difference in the two bids. Steve Hayes advised it could be due to moving the equipment in and out and where the contractors get their asphalt.

MOTION PASSED 7 AYES

APPROVE GOAL SETTING: Lair MOVED and Rink SECONDED to approve the result of Council's goal setting sessions, and adopt the "City of Fort Madison City Council Action Plan" effective July, 2009, through June, 2011.

Mayor Ireland stated he was pleased with the sessions and the reports that followed. He thanked everyone for attending.

MOTION PASSED 7 AYES

AGREEMENTS WITH SIEMENS: Chesnut MOVED and Boeding SECONDED to approve the Mayor's signature on various agreements with Siemens, the Iowa Department of Transportation (IDOT) and the Iowa Department of Economic Development (IDED).

MOTION PASSED 7 AYES

2ND STREET TOURIST INFORMATION CENTER: City Manager Byron Smith said that due to the amount of damage to the structure, FEMA has mandated that we have to raise the building or flood-proof it. Because of the cost, we would like to just use it as a rest area for now. The FEMA money will make the bathroom accessible and the north side will be opened up and picnic tables placed there. The Mayor added it would be best to not pour a lot of money into the building and try to use FEMA money for the improvements. John Luna stated that just today they had heard from FEMA who is requesting us to apply for an alternative project cost for the project.

Chesnut MOVED and Fraise SECONDED to accept the recommendations as set out in Council Report No. 09-45 which are to make the building a rest area with accessible rest rooms and open up the north end and place picnic tables for travelers.

Chesnut added if the repairs should happen to exceed the amount of FEMA money, come back to Council with a report. Randolph said the building is highly used and he would hate to see it go away. Mr. Luna would like to put vending machines in and add signage directing travelers to the new Tourist Information Center.

MOTION PASSED 7 AYES

CHANGE ORDER ON SACRED HEART CEMETERY PROJECT: Mr. Smith began discussions by stating that the submitted change order was so high, he wanted to bring it before Council. The original cost was about \$100,000 and this change order is for \$163,000 which is a huge increase.

Greenwald said he had done some research and learned that over 95% of cemeteries in the United States are gravel. He felt the \$163,000 could be used on roads which are more traveled and need it worse than the cemetery road. He suggested putting the road back in gravel and let it settle for a few years.

Bill Richards, representing Poepping, Stone & Bach, advised due to the type of soil there it would be a waste of money to put down just gravel. A one-foot base material would not make a difference. Ms. Fraise indicated she had a problem with spending \$100,000 on this cemetery road in the first place let alone putting another \$163,000 into it. Greenwald asked what the cost would be to just put in a base without the concrete. Richards indicated if they would proceed with the south side of the project it would cost \$240,000; if the contractor stops now it would cost \$120,000; if they continue and end the road at 48th Street it will cost \$144,000; so if the southern part is not paved there will only be a savings of \$20,000. Greenwald stated he was not liking the options. Richards answered there was no good solution.

Craig Abolt, the contractor performing the work, threw out a suggestion of taking the north road out and just having the south road open for travel. He knew that would be inconvenient, however. Greenwald asked if they could be given a good medium solution for \$144,000 by

putting base material and gravel back. It was again stated we would only be saving \$20,000 by not installing concrete. Greenwald suggested continuing with the south side for \$144,000 and leave the north side as is.

Fraise MOVED and Greenwald SECONDED to complete the south road of Sacred Heart Cemetery to 48th Street and leave the north road as is.

MOTION PASSED 7 AYES

PRESENTATIONS BY LIAISONS TO BOARD AND COMMISSIONS

Nothing remarkable to report.

ADJOURNMENT

At 7:45 P.M., Rink MOVED and Lair SECONDED to adjourn until Tuesday, June 2, 2009, at 7:00 P.M.

VOICE VOTE APPROVAL

Manual Claims and Warrants: See Check Register dated May 14, 2009, in the amount of \$250,013.74.

Payroll – May 8, 2009

General	\$131,795.66
RSVP	1,253.99
Old Fort	2,533.81
Road Use	20,805.14
Water	36,395.95
Sewer	30,490.35
Solid Waste	14,504.64
Storm Water	<u>3,529.41</u>
	\$241,308.95

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

ATTEST:

Suellen M. Mead, City Clerk