

MINUTES
FORT MADISON CITY COUNCIL

July 7, 2009 7:00 P.M.
Municipal Building, 811 Avenue E, Fort Madison, Iowa

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

VISITORS

None.

AGENDA

With it so noted that a Closed Session was added to the Agenda, Rink MOVED and Chesnut SECONDED to approve the Agenda, as written.

MOTION PASSED 7 AYES

CONSENT AGENDA

Greenwald MOVED and Fraise SECONDED to approve:

- Minutes of June 16, 2009;
- Renewal of a Class “E” Liquor and Beer License to Niemann Foods, dba County Market #214, 182 Avenue H, effective August 1, 2009;
- Renewal of a Class “B” Beer Permit to Chuong Garden, 712 – 9th Street, effective July 21, 2009;
- New Five-Day Class “B” Beer Permit to American Combat Sports for the Rodeo Arena, 2092 – 303rd Avenue, effective July 23, 2009;
- Mayor’s appointment of Dianna Holmes to the Historic Preservation Commission, filling the unexpired term of Patty Tucker, term expiring December 31, 2011; and
- Payment of Claims.

MOTION PASSED 7 AYES

PUBLIC HEARING

Mayor Ireland opened the public hearing at 7:04 P.M. concerning Public Improvement Project 2009-#5, Water Treatment Plant. There being no oral or written comments, Randolph MOVED and Boeding SECONDED to close the public hearing.

MOTION PASSED 7 AYES

RESOLUTION NO. 2009-47, ADOPTING PLANS: Greenwald MOVED and Fraise SECONDED to approve a resolution adopting plans, specifications, form of contract and estimate of cost for the project.

MOTION PASSED 7 AYES

RESOLUTION NO. 2009-48, AWARDING CONTRACT: Chesnut MOVED and Lair SECONDED to approve a resolution awarding construction contract to Knutson Construction Services of Iowa City, Iowa, in the amount of \$10,255,000 for the project.

Lair expressed concern over surprises arising in this project as just recently happened in the cemetery road project. Andrew Marsh, representing the Howard R. Green firm, said the plans had been examined thoroughly. The engineer's estimate is high in comparison to the tight bids received on the project due to the economic climate. We are very fortunate in the timing of this large project. The Mayor also indicated the bids had been gone through carefully after bid opening in regard to the specifications.

MOTION PASSED 7 AYES

RESOLUTION NO. 2009-49, APPROVING CONTRACT AND BONDS: Rink MOVED and Fraise SECONDED to adopt a resolution approving contract and bonds of Knutson Construction Services, pending receipt of the documents.

Randolph mentioned that he had checked on this company. They built Iowa City's water plant and a couple of wastewater plants. They are a reputable company.

MOTION PASSED 7 AYES

ORDINANCES AND RESOLUTION

3RD READING, ORDINANCE C-484, RAISING GARBAGE FEES: Randolph MOVED and Chesnut SECONDED to approve the 3rd reading of an ordinance amending City Code Section 6-3-15(B) so as to allow for a rate increase in garbage fees from \$10.00 to \$12.50 per month effective July 15, 2009.

MOTION PASSED 7 AYES

RESOLUTION NO. 2009-50, ORDERING CONSTRUCTION, PIP 2009-10, IRIS LANE WATER MAIN REPLACEMENT: Rink MOVED and Greenwald SECONDED to approve a resolution ordering construction, setting public hearing and bid letting for Public Improvement Project 2009-#10, Iris Lane Water Main Replacement.

Norm Dodson, Plant Superintendent, advised the main is old and has been patched over the years. It is time to replace it.

MOTION PASSED 7 AYES

RESOLUTION NO. 2009-51, ORDERING CONSTRUCTION, PIP 2009-8, RIVERVIEW MARINA PARKING LOT BITUMINOUS SEAL COAT: Fraise MOVED and Greenwald SECONDED to approve a resolution ordering construction, setting public hearing and bid letting for Public Improvement Project 2009-#8, Riverview Marina Parking Lot Bituminous Seal Coat.

This is a FEMA project that involves seal coating Riverview Drive, Marina Road and the parking lot at the marina.

MOTION PASSED 7 AYES

RESOLUTION NO. 2009-52, ORDERING CONSTRUCTION, PIP 2009-#11, WASTEWATER TREATMENT PLANT PAVEMENT REPLACEMENT: Rink MOVED and Chesnut SECONDED to approve a resolution ordering construction, setting public hearing and bid letting for Public Improvement Project 2009-#11, Wastewater Treatment Plant Pavement Replacement.

This is also a FEMA project to repair/replace portions of the parking lot surface due to the flood last year.

MOTION PASSED 7 AYES

OTHER

SANTA FE DEPOT PROJECT: Randolph MOVED and Boeding SECONDED to approve the Mayor and Clerk's signatures on contracts with the IDOT and Southeast Iowa Regional Planning regarding the Santa Fe Depot project.

City Manager Smith explained these were two separate agreements. One is to have Regional Planning administer the grants and help us go through the project. The second is for an enhancement grant to elevate the depot 4-5 feet. Lair asked what stage we were at on this project. We are still trying to fill the gap on funding.

MOTION PASSED 5 AYES
2 NAYS
(Greenwald, Rink)

EXTENDING CVB LEASE: Lair MOVED and Rink SECONDED to approve an extension of the CVB lease at the Tourist Information Center through December, 2009, in order to hold the Christmas Store for children at that location.

Sandy Brown, Director of the CVB, asked for the extension for the Christmas store to be open the first 3 Saturdays in December. She would like to keep the store close to downtown. The current Tourist Information Center is large enough for the store with ample parking. She could also store the Christmas items at the CVB site. If the City grants this extension, the CVB offered to pay one-half of the utilities from January 1 through April 1 as opposed to transferring the utilities back to the City and then transferring them back to the CVB in April.

MOTION PASSED 7 AYES

CONTRACT WITH REGIONAL PLANNING FOR 822-826 AVENUE G: Chesnut MOVED and Fraise SECONDED to approve a Contract for Services in the amount of \$5,000 with Regional Planning to administer the SSMID project located at 822-826 Avenue G.

Rink inquired why we needed to do this. City Manager Smith advised these grants require compliance reports every 6 months on low/moderate income inhabitants for 5 years. Ms. Fraise asked if SSMID sold the building if we could get any money back that has been spent by the City. Councilors had other questions that could not be answered as there was no representative present from Regional Planning.

Fraise MOVED and Lair SECONDED to TABLE this item until some of these questions can be answered.

MOTION TO TABLE PASSED 7 AYES

CONTRACT FOR TRANSPORTATION SERVICES WITH REGIONAL PLANNING: Lair MOVED and Rink SECONDED to approve the Mayor's signature on a Contract for Transportation Services with Regional Planning for transit services effective July 1, 2009, through June 30, 2010.

MOTION PASSED 7 AYES

Discussion and possible action on the public meeting held on June 30, 2009, regarding closing the 19th Street Railroad crossing: Mr. Smith placed this item on the agenda for informational purposes and input before going forward. One letter was received from a resident in support of the closure. One resident came to the meeting with good questions on closing the access but in support of it. There were many houses in the area that are vacant. Unless otherwise, we will go forward with the agreement with Burlington Northern and the DOT. The general consensus was to proceed.

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

Lair reported on the Airport Commission. John Dearing was elected the new Chairperson. The meeting overall went well. Nothing else remarkable to report by Councilors.

A short break was taken at 7:30 P.M. prior to going into closed session.

CLOSED SESSION

At 7:38 P.M. Randolph MOVED and Rink SECONDED to go into closed session pursuant to Iowa Code Section 21.5(1)(c), pending litigation.

MOTION PASSED 7 AYES

At 7:53 P.M. Chesnut MOVED and Fraise SECONDED to come out of closed session.

MOTION PASSED 7 AYES

SETTLEMENT OF APPEAL: Chesnut MOVED and Lair SECONDED to approve the settlement of \$4,287.50 per acre, which also includes splitting court costs, of the appeal of the Sheriff's jury award in the condemnation lawsuit regarding land at the new Water Treatment Plant site.

MOTION PASSED 7 AYES

ADJOURNMENT

At 7:55 P.M., Rink MOVED and Randolph SECONDED to adjourn until Tuesday, July 21, 2009, t 7:00 P.M.

VOICE VOTE APPROVAL