

**MINUTES  
FORT MADISON CITY COUNCIL  
Tuesday, January 5, 2010 6:30 P.M.**

The Fort Madison City Council met in regular session on Tuesday, January 5, 2010, at 6:30 P.M. in the Council Chambers of the Municipal Building, 811 Avenue E, Fort Madison, Iowa. Presiding was Mayor Steven J. Ireland with Councilors Chris Greenwald, Kevin Rink, Brad Randolph, Bob Chesnut, Jason Huppert and Mark Lair present.

**FIRST WARD COUNCIL SEAT**

The meeting was moved to 6:30 P.M. in order to review letters of interest for the First Ward Council seat created by the resignation of Carrie Fraise. Tim Waggoner of Fort Madison was the only citizen who submitted a letter of interest for the seat. Councilors interviewed Mr. Waggoner.

Chesnut MOVED and Rink SECONDED to approve Tim Waggoner as First Ward Councilman.

MOTION PASSED 6 AYES

The Oath of Office was then administered by Mayor Ireland and Mr. Waggoner took his seat at the Council table.

**VISITORS AND APPEARANCE REQUESTS**

None.

**AGENDA**

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

MOTION PASSED 7 AYES

**CONSENT AGENDA**

Rink MOVED and Randolph SECONDED to approve:

- Minutes of December 15, 2009, as written;
- New Class “E” Liquor License to Cigarette Outlet #3, 1737 Avenue H, effective January 5, 2010;
- Renewal of a Class “C” Liquor License to Lee’s Dining & Catering, 5001 Avenue O, effective January 12, 2010;
- Renewal of a Class “C” Beer Permit to Casey’s Store #2319, 1428 – 38<sup>th</sup> Street, effective March 1, 2010;
- Renewal of a Class “C” Liquor License to WID Services, dba Two-Of-A-Kind, 1127 Avenue H, effective January 19, 2010; and
- Payment of Claims.

MOTION PASSED 7 AYES

**ORDINANCES AND RESOLUTIONS**

**RESOLUTION NO. 2010-04, ACCEPT PIP 2009-1:** Greenwald MOVED and Lair SECONDED to approve a resolution accepting Public Improvement Project 2009-1, Reinforced Concrete Box Culvert Project, 3<sup>rd</sup> and Avenue A

MOTION PASSED 7 AYES

**RESOLUTION NO. 2010-05, AIRPORT PRE-APPLICATION:** Rink MOVED and Chesnut SECONDED to adopt a resolution approving the City Manager's signature on the Federal Airport Improvement Program pre-application for Fiscal Year 2011.

Lair inquired about this item. Mr. Smith advised it is just a pre-application which puts our name on a list. A formal grant application would have to be applied for. The Airport Commission would have to come before Council to see if there is any money available, but we have to be on the list to even apply. Greenwald asked if he had no intention of approving any of the projects, should he approve this tonight? Mr. Smith answered that it was just a plan that can always be changed.

MOTION PASSED 7 AYES

**OTHER**

**REVOLVING LOAN FUND APPLICATION:** Greenwald MOVED and Huppert SECONDED to approve an application by Sunnybrook Assisted Living to the Fort Madison Revolving Loan Fund in the amount of \$25,000.

Mr. Smith explained this application was to cover some items that were deleted on the original project. It is something that will benefit the City in the erosion control issue we have in that area.

MOTION PASSED 7 AYES

**CSO INSPECTION:** Lair MOVED and Chesnut SECONDED to approve Terracon of Bettendorf, Iowa, to perform construction observation and testing services for the CSO Disinfection Pilot Project.

Rick Kuhljuergen told Council this item was not included in the bid from contractors; however it is included in project funding.

MOTION PASSED 7 AYES

**HR GREEN ENGINEERING SERVICES AGREEMENT:** Rink MOVED and Randolph SECONDED to approve an engineering services agreement with Howard R. Green for the

permitting, design, bidding and construction phase services for Public Improvement Project 2010-#1, 20 Inch Transmission Main Extension.

The project is estimated at \$3.3 million. Larry Dinwiddie explained that the average engineering fees were usually 14-16% of the project cost. This agreement includes submission of forms to the DNR. Additionally, the City won't be billed until permanent financing is in place with the percentage done after the fact. Randolph asked why the engineering couldn't be put out for bid. Dinwiddie said this is not how engineering is determined – it is done on a performance basis. Requests for Proposals are reviewed by a committee followed by interviews. Following that, a price is negotiated. Engineering services are not typically bid. Randolph continued that he did not want the City to get comfortable as status quo because its been done in the past. The economy has changed and we need to look at how we do business.. Andrew Marsh of Howard R. Green advised Council the process the City went through for engineering also makes us eligible for Federal and State funding.

MOTION PASSED 7 AYES

***Concerning the issuance of not to exceed \$1,350,000 General Obligation Capital Loan Notes, Series 2010A:***

Mayor Ireland opened the public hearing at 7:02 P.M. concerning the issuance of not to exceed \$1,350,000 General Obligation Capital Loan Notes, Series 2010A. There being no oral or written comments, Lair MOVED and Rink SECONDED to close the public hearing.

MOTION PASSED 7 AYES

**RESOLUTION NO. 2010-01, INSTITUTING PROCEEDINGS:** Chesnut MOVED and Randolph SECONDED to approve a resolution instituting proceedings to take additional action for the authorization of a loan agreement and the issuance of not to exceed \$1,350,000 General Obligation Capital Loan Notes, Series 2010A.

MOTION PASSED 7 AYES

**RESOLUTION NO. 2010-02, FIXING DATE OF SALE:** Randolph MOVED and Lair SECONDED to approve a resolution fixing date for sale of not to exceed \$1,350,000 General Obligation Capital Loan Notes, Series 2010A, and approving electronic bidding procedures.

MOTION PASSED 7 AYES

**RESOLUTION NO. 2010-03, APPROVING OFFICIAL STATEMENT:** Rink MOVED and Greenwald SECONDED to adopt a resolution approving the preliminary statement for \$1,350,000 General Obligation Capital Loan Notes, Series 2010A.

MOTION PASSED 7 AYES

**PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS**

Rink reported on the CVB Santa Store and the past year's activities; City Manager Smith advised the last piece of the 48<sup>th</sup> Street/Highway 61 right-of-way had been acquired with a January bid letting; the Mayor announced a meeting of elected officials this Thursday to talk with State officials Kearns and Fraise; Randolph thanked Council for voting on the installation of the guard rail on High Point; Lair reported on the Airport Commission's meeting of the night before, the two ongoing projects will be completed in the spring.

#### **REPORTS BY DEPARTMENT HEADS**

Chief Herren said he had a meeting to address the fire issues at the new prison; Dinwiddie stated the new water plant is 40% complete; Luna is seeking a Paint Iowa Beautiful Grant that would provide 35 gallons of paint he would like to use on the pavilion, if awarded he would like to start around May 3; the winter program at the library was a success.

#### **ADJOURNMENT**

At 7:18 P.M. Rink MOVED and Randolph SECONDED to adjourn until Tuesday, January 19, 2010, at 7:00 P.M.

VOICE VOTE APPROVAL