

MINUTES
FORT MADISON CITY COUNCIL
Tuesday, February 16, 2010 700 P.M.

The Fort Madison City Council met in adjourned session on Tuesday, February 16, 2010, 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 Tim Waggoner, Chris Greenwald, Kevin Rink, Brad Randolph, Bob Chesnut, Jason Huppert and Mark Lair present.

VISITORS AND APPEARANCE REQUESTS

Gary Davis, 608 – 9th Street, spoke regarding the SSMID taxation. He referred to a map of the proposed taxing area and how there was no rhyme or reason as to how the map was drawn. He felt the tax has turned into a penalty rather than a tax. Some of the merchants do not want grant money. They should be able to choose if they want to be involved with SSMID just as they choose to become involved with the Chamber. There is no proof this will help anyone, its just statistics. If it goes through, they need to send out flyers to all involved. It is a good idea for people who want to be in SSMID. He questioned the number of downtown people who would actually take advantage of grant money. He was against involvement with SSMID. He suggested taking SSMID taxes out of the real estate taxes he already pays. It was his further suggestion that this matter be tabled until everyone knows where the money is coming from, going to, and who it will benefit.

AGENDA

With it so noted that agenda items 3(c) and (d) were being removed, Rink MOVED and Greenwald SECONDED to approve the agenda, as written.

MOTION PASSED 7 AYES

CONSENT AGENDA

Chesnut MOVED and Randolph SECONDED to approve:

- Minutes of February 2, 1010;
- Renewal of a Class “B” Native Wine Permit to Under the Sun, 733-739 Avenue G, effective March 1, 2010;
- Setting public hearing for March 2, 2010, at 7:00 P.M. on rezoning part of the East Half of Section 1, Township 67 North, range 5 West of the 5th P.M. from R-1, One-Family Dwelling District, to R-6, Multiple Family Dwelling District; and
- Payment of Claims.

MOTION PASSED 7 AYES

PUBLIC HEARINGS

Concerning Public Improvement Project 2010-02, Riverview Marina Parking Lot Bituminous Sealcoat Project.

Mayor Ireland opened the public hearing at 7:14 P.M. concerning Public Improvement Project 2010-02, Riverview Marina Parking Lot Bituminous Sealcoat Project. There being no oral or written objections, Lair MOVED and Rink SECONDED to close the public hearing.

MOTION PASSED 7 AYES

RESOLUTION NO. 2010-15, ADOPTING PLANS: Randolph MOVED and Chesnut SECONDED to approve a resolution adopting plans, specifications, and form of contract for the above project.

MOTION PASSED 7 AYES

Concerning Public Improvement Project 2010-03, 48th Street/Highway 61 Signalization/Widening Project:

Mayor Ireland opened the public hearing at 7:16 P.M. concerning Public Improvement Project 2010-03, 48th Street/Highway 61 Signalization/Widening Project. There being no oral or written comments, Waggoner MOVED and Greenwald SECONDED to close the public hearing.

MOTION PASSED 7 AYES

RESOLUTION NO. 2010-16, ADOPTING PLANS: Rink MOVED and Chesnut SECONDED to approve a resolution adopting plans, specifications and form of contract for the above project.

MOTION PASSED 7 AYES

RESOLUTION NO. 2010-17, AWARDING CONTRACT: Chesnut MOVED and Waggoner SECONDED to approve a resolution awarding construction contract for the project to Shipley Construction of Burlington, Iowa, in the amount of \$548,592.48.

Chesnut inquired if this was 100% stimulus money. It is, however the City had to pay for the right-of-way purchases.

MOTION PASSED 7 AYES

RESOLUTION NO. 2010-18, CONTRACT AND BONDS: Randolph MOVED and Chesnut SECONDED to adopt a resolution approving contract and bonds of Shipley Construction, pending receipt of the documents.

MOTION PASSED 7 AYES

Concerning the issuance of not to exceed \$465,000 Sewer Revenue Capital Loan Notes:

Mayor Ireland opened the public hearing at 7:20 P.M. concerning the issuance of not to exceed \$465,000 Sewer Revenue Capital Loan Notes. There being no oral or written comments, Chesnut MOVED and Waggoner SECONDED to close the public hearing.

MOTION PASSED 7 AYES

RESOLUTION NO. 2010-19, INSTITUTING PROCEEDINGS: Greenwald MOVED and Chesnut SECONDED to approve a resolution instituting proceedings to take additional action for the authorization of a Loan and Disbursement Agreement and the issuance of not to exceed \$465,000 Sewer Revenue Capital Loan Notes.

MOTION PASSED 7 AYES

RESOLUTION NO. 2010-20, INTERIM LOAN AGREEMENT: Randolph MOVED and Waggoner SECONDED to adopt a resolution approving and authorizing a form of Loan and Disbursement Agreement by and between the City and the Iowa Finance Authority; and authorizing and providing for the issuance and securing payment of a \$465,000 Sewer Revenue Capital Loan Note Anticipation Project Note, Series 2010 of the City of Fort Madison under the provisions of the Code of Iowa, and providing for a method of payment of said Note.

MOTION PASSED 7 AYES

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 2010-21, PIP 2009-14: Rink MOVED and Randolph SECONDED to approve a resolution ordering construction, setting public hearing and bid letting for Public Improvement Project 2009-14, Avenue F and 8th Street Parking Lot Improvements.

MOTION PASSED 7 AYES

RESOLUTION NO. 2010-22, REPAYMENT OF RISE FUNDS: Chesnut MOVED and Randolph SECONDED to approve a resolution authorizing repayment of \$25,875 from the Road Use Tax Fund to the Department of Transportation for repayment of RISE Grant funds as a result of default by Industrial Tooling.

Chesnut asked if the City could institute a lien against the property. Mr. Smith answered we could not on this kind of grant; it went for a street and the street is still there. Chesnut felt they should have some obligation to pay; its too bad the City has to pay from their pocket.

MOTION PASSED 7 AYES

RESOLUTION NO. 2010-23, I-JOBS DEPOT GRANT: Greenwald MOVED and Waggoner SECONDED to approve a resolution authorizing the Mayor and Clerk's signatures on an agreement regarding the I-JOBS funding for the Santa Fe Depot project.

MOTION PASSED 6 AYES

1 NAY (Huppert)

OTHER

YMCA LEASE: Waggoner MOVED and Rink SECONDED to approve the Mayor's signature on a two-year lease agreement with the YMCA for ball fields located at Victory, Ivanhoe and Shopton Parks.

MOTION PASSED 7 AYES

MASONRY BID AT BNN: Lair MOVED and Randolph SECONDED to approve the bid of Abolt, Inc., in the amount of \$11,430 for masonry repair at the Burlington Northern Depot.

Lair asked for assurance that Abolt knew there would be no hidden costs. Mr. Smith confirmed Abolt was aware of that fact.

MOTION PASSED 7 AYES

CELL PHONE CONTRACT: Greenwald MOVED and Waggoner SECONDED to approve the Mayor's signature on a contract with U.S. Cellular for the City's cell phones.

Randolph questioned if there had been a cost analysis between the different departments. Yes, there was.

MOTION PASSED 7 AYES

CITY MANAGER CONTRACT MODIFICATIONS: Chesnut MOVED and Greenwald SECONDED to approve the Mayor's signature on contract modifications with City Manager, Byron D. Smith.

MOTION PASSED 7 AYES

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

Nothing remarkable to report.

ADJOURNMENT

At 7:35 P.M., Randolph MOVED and Rink SECONDED to adjourn until Tuesday, March 2, 2010, at 7:00 P.M.

VOICE VOTE APPROVAL