

**MINUTES  
FORT MADISON CITY COUNCIL  
TUESDAY, MAY 18, 2010 7:00 P.M.**

The Fort Madison City Council met in adjourned session on Tuesday, May 18, 2010, at 7:00 P.M. in the Council Chambers of the Municipal Building, 811 Avenue E, Fort Madison, Iowa. Presiding was Mayor Pro Tem Robert L. Chesnut with Councilors Tim Waggoner, Chris Greenwald, Kevin Rink, Jason Huppert and Mark Lair present. Absent was Councilor Brad Randolph.

**VISITORS AND APPEARANCE REQUESTS**

Roger Mahoney, 1635 Avenue D, spoke regarding a bridge concern near his property. He passed around several photographs of the bridge to Councilors. He indicated the sidewalks have been blocked for many years and the bridge has deteriorated badly. He was further concerned with kids walking around the barricades into the street to get by. He suggested possibly blocking all thru traffic to the bridge to keep everyone away from it.

Kathy Cramer, 1613 Avenue D, lives on the other side of the bridge. Her property abuts one of the large holes near the bridge. She also voiced concerns

Greenwald concurred that thru traffic should be blocked. Steve Hayes advised he contacted Zach James of Regional Planning last year and submitted a grant to replace the bridge. He should know within a day or so if it has been awarded. He agreed for safety the bridge should be blocked off with fencing.

Robert Kramer, 2 Lanewood Drive, wanted to know why the Police Department wouldn't come to his residence to file charges against Bill Bowker for assault. Mayor Pro Tem Chesnut advised him the matter would be looked into and someone will get back with him by the end of the week with an answer.

**AGENDA**

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

MOTION PASSED 6 AYES

**CONSENT AGENDA**

Waggoner MOVED and Greenwald SECONDED to approve:

- Minutes of May 4, 2010, as written;
- Renewal of a Class "A" Liquor License to the Eagles Club, 4821 Avenue O, effective July 1, 2010;
- Renewal of a Class "A" Liquor License to the Columbus Club, 807-809 Avenue H, effective July 1, 2010;

- Mayor's appointment of Roxanna Crail, 1520 Avenue E, to the Old Fort Commission, term expiring March 21, 2013; and
- Payment of Claims.

MOTION PASSED 5 AYES  
1 ABSTAIN (Rink)

## **PUBLIC HEARINGS**

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

Mayor Pro Tem Chesnut opened the public hearing at 7:13 P.M. concerning amending the Fiscal Year 2009-10 Budget. There being no oral or written comments, Waggoner MOVED and Lair SECONDED to close the public hearing.

MOTION PASSED 6 AYES

**RESOLUTION NO. 2010-38, AMENDING BUDGET:** Greenwald MOVED and Rink SECONDED to approve a resolution amending the 2009-10 Budget for the fiscal year ending June 30, 2010.

MOTION PASSED 6 AYES

### ***Concerning an environmental review for a State Revolving Fund loan from the IDNR for construction of a new water transmission main:***

Mayor Pro Tem Chesnut opened the public hearing at 7:15 P.M. concerning an environmental review for a State Revolving Fund loan from the IDNR for construction of a new water transmission main.

Susan Coffey of Southeast Iowa Regional Planning Commission, spoke concerning the project.

Fort Madison is constructing a new water treatment plant and is in the process of moving its water supply operations from the old water treatment plant to the new one. The old plant draws water from the Mississippi River and from three wells. The new water plant is scheduled to begin operations in the summer of 2010 and will draw water from five alluvial aquifer wells. The water is then treated to achieve compliance with all current primary drinking water standards. The City also supplies treated water to Rathbun Regional Water.

The purpose of this project is to make improvements to the City of Fort Madison's water supply system to increase reliability, to maintain system pressure and integrity, and to discontinue the old water treatment plant line in order to safely and reliably operate the plant for at least twenty years. The proposed project includes constructing approximately 23,700 feet of 20 inch diameter water main. The water main will extend from an existing 24 inch water main located west of Fort Madison to an existing 10 inch main located at the intersection of 21<sup>st</sup> Street and Avenue M. The proposed transmission main will allow reservoirs on both sides of town to fill at nearly equal

rates. Positive environmental affects will be maintained water service in Fort Madison. The new water transmission main will help maintain water quality by preventing potential pressure loss in the eastern half of the system during periods of high demand.

A summary of reasons for concluding no significant impact of the project are:

- \* The project will not significantly affect the pattern and type of land use (industrial, commercial, agricultural, recreational, or residential) or growth and distribution of population;
- \* The project will not conflict with local, regional, or State land use plans or policies;
- \* While the U.S. Army Corps of Engineers has not yet commented on this project, permanent impacts to wetlands will be avoided using or mitigated through the use of a 404 permit;
- \* While the U.S. Fish and Wildlife Service and the IDNR Conservation and Recreation Division have not yet commented on this project, the proposed project does not appear to impact threatened or endangered species or their habitats provided that there is no removal of trees that could provide habitat for the Indiana Bat (*Myotis sodalis*) or the bald eagle (*Haliaeetus leucocephalus*) between February 1<sup>st</sup> and September 15<sup>th</sup>;
- \* The project will not displace population, alter the character of existing residential areas, or convert farmlands to non-agricultural purposes;
- \* While the IDNR Water Resources Section has not yet commented on this project, this project is not anticipated to impact the 100-year flood plain due the below grade nature of the project provided the natural contours of the ground are maintained;
- \* While the IDNR Conservation and Recreation Division has not yet commented on this project, the proposed project does not appear to interfere with any State-owned parks, preserves, recreational areas, fisheries, or open places;
- \* A Phase I Archaeological investigation of the proposed project area is currently underway. Results from this investigation will be submitted to the State Historical Preservation Office for review. The project will only proceed as planned if a determination of either “no historic properties affected” or “no adverse affect on historic properties” can be appropriately reached with or without mitigation;
- \* The project will not have a significant adverse affect upon local ambient air quality provided the applicant takes reasonable precautions to prevent the discharge of visible emissions of fugitive dusts beyond the lot line of the property during the proposed project (IAW Iowa Administrative Code 567-23.3(2)(“c”);
- \* The project will not have a significant adverse affect upon local ambient noise levels, surface water quantity, groundwater quality or quantity, or water supply;
- \* No significant impact to surface water quality, fish, shellfish, wildlife, or their natural habitats is expected provided that an NPDES General Permit Number 2 (for storm water discharge associated with construction activities) is obtained and the terms of which are abided by; and
- \* The new well field, the new water treatment plant, the discharge line, and the 24 inch transmission main were covered in previous environmental reviews. This particular environmental review covers only Phase 4 of this project – the 20 inch water transmission main. No cumulative impact of Phase 4 with Phase I (the new well field), Phase 2 (the new water treatment plant and discharge line), and/or Phase 3 (the 24 inch transmission main) is anticipated to be any greater than the sum of the individual impacts.

There being no further oral or written comments, Waggoner MOVED and Rink SECONDED to close the public hearing.

MOTION PASSED 6 YES

Lair MOVED and Greenwald SECONDED to approve the Mayor's signature on an Iowa State Revolving Fund Environmental Information Document.

MOTION PASSED 6 AYES

***Concerning the issuance of not to exceed \$310,000 Water Revenue Capital Loan Notes:***

Mayor Pro Tem Chesnut opened the public hearing at 7:20 P.M. concerning the issuance of not to exceed \$310,000 Water Revenue Capital Loan Notes. There being no oral or written comments, Rink MOVED and Waggoner SECONDED to close the public hearing.

MOTION PASSED 6 AYES

**RESOLUTION NO. 2010-39, APPROVING LOAN AGREEMENT:** Waggoner MOVED and Greenwald SECONDED to adopt a resolution approving and authorizing a form of interim Loan and disbursement agreement by and between the City and the Iowa Finance Authority; and authorizing and providing for the issuance and securing the payment of a \$310,000 Water Revenue Capital Loan Note Series 2010 of the City of Fort Madison, Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of said Note.

MOTION PASSED 6 AYES

**ORDINANCES AND RESOLUTIONS**

**2<sup>ND</sup> READING, AMENDING PLUMBING CODE:** Rink MOVED and Lair SECONDED to approve the 2<sup>nd</sup> reading of an ordinance amending Title 3, Chapter 2, Sections 4 and 5 of the City Code concerning Plumbing Licenses, and adding PEX piping certification requirements.

MOTION PASSED 6 AYES

**RESOLUTION NO. 2010-40, HOUSING TRUST FUND:** Greenwald MOVED and Waggoner SECONDED to approve a resolution authorizing Fort Madison to become a member of the Great River Housing Trust Fund.

Mr. Smith explained Regional Planning was asking to solicit grant funds for housing projects. Lair asked what this could cost us. Mr. Smith advised we are not committed to any amount. They will come to us later if we want to apply for money and on how much to contribute. There will be no negative impact on the Housing Authority. Rink noted there were only four counties listed, are there any other commitments? Yes, Keokuk, Mt. Pleasant, Burlington as well as other communities in the area will be participating.

MOTION PASSED 6 AYES

**OTHER**

**CONCESSION STAND LEASE:** Lair MOVED and Rink SECONDED to approve entering into a Concession Stand Lease with Sean Pixler for the Fort Madison Municipal Pool from May 24 through September 3, 2010.

John Luna gave a history of the past experiences with the concessions. Last year vending machines were installed and the public did not like them. Bids were prepared and 5 people took out bid documents. Pixler was the only one to return a bid. He is a teacher and this will be a summer job for him.

MOTION PASSED 6 AYES

**48<sup>TH</sup> STREET SIGN RELOCATION:** Greenwald MOVED and Waggoner SECONDED to approve a Contract for Sign Relocation on the 48<sup>th</sup> Street Intersection Improvements.

This is part of the widening project. The ShopKo and Scotts signs have to be moved back. The proposal is from the ShopKo sign installer and is a reasonable offer.

MOTION PASSED 6 AYES

**PURCHASE 1335 AVENUE E PROPERTY:** Waggoner MOVED and Greenwald SECONDED to approve the purchase of property at 1335 Avenue E.

Mr. Smith found out on Monday that the property can be closed on this week. The purchase price of \$9,000 was accepted.

MOTION PASSED 5 AYES  
1 NAY (Lair)

**PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSION**

Chesnut reported on a recent meeting of the Board of Appeals concerning a reduction in parking spaces at the new middle school. A one year variance was granted for the reduction in spaces; however the school district is interested in installing the spaces in the future.

**ADJOURNMENT**

At 7:30 P.M., Rink MOVED and Lair SECONDED to adjourn until Tuesday, June 1, 2010, at 7:00 P.M.

VOICE VOTE APPROVAL