

MINUTES
FORT MADISON CITY COUNCIL
Tuesday, June 15, 2010 7:00 P.M.

The Fort Madison City Council met in adjourned session on Tuesday, June 15, 2010, at 7:00 P.M. at the Municipal Building, 811 Avenue E, Fort Madison, Iowa. Presiding was Mayor Steven J. Ireland with Council Members Tim Waggoner, Chris Greenwald, Kevin Rink, Brad Randolph, Bob Chesnut, Jason Huppert, and Mark Lair present.

VISITORS AND APPEARANCE REQUESTS

Henry Hanna, 1315 – 24th Street,, complained about his neighbor, Don Hardin. Hardin is not mowing or cleaning his property and he is allowing his children to kill the squirrels with BB guns. These kids are shooting BB guns in town and shouldn't be. People need to teach their kids and they need to take care of their properties.

Dawn Johnson, 2322 Avenue A, asked Council to develop a new ordinance on fences. Her neighbor is putting a fence too close to her house. She has talked to the neighbor who advises her he is abiding by the ordinance. She has never had a problem with the neighbor until the fence issue. Randolph said he would like Doug Krogmeier to mediate with both parties to come to a special consideration, figure out a way to solve the problem, whether it be by special use or whatever it takes. Krogmeier indicated he could come up with a revision but it would not solve all issues. Chesnut added he was always in favor of compromises but sometimes it is just not possible. The Johnsons are taking a chance with a survey as their neighbor has already given them two feet of his property to get along.

AGENDA

With it so noted that Item #5 should read Lieutenant instead of Captain, Randolph MOVED and Waggoner SECONDED to approve the agenda, as written.

MOTION PASSED 7 AYES

CONSENT AGENDA

Greenwald MOVED and Rink SECONDED to approve:

- Minutes of June 1, 2010, as written;
- Renewal of a Class "A" Liquor License to the Elk's Lodge, 719 Avenue H, effective July 1, 2010;
- Change of ownership for Comfort Inn & Suites, 6169 Reve Court, and Bennigan's Grill, 6111 Reve Court, effective July 1, 2010;
- Renewal of a Class "C" Beer Permit to Reif Oil Company, dba Fast Break, 5002 Avenue O, effective July 3, 2010;
- Renewal of a Class "BB Beer Permit to Lost Duck Brewing Company, 723-725 Avenue H, effective July 15, 2010;

- Renewal of a Class “E” Liquor License to Niemann Foods, dba County Market, 1802 Avenue H, effective August 1, 2010;
- Mayor’s reappointment of Mark Kay Moline, and Mayor’s appointment of Phil Hecht, 215 Crescent Lane, to the Library Board of Trustees, terms expiring July 1, 2016;
- New Extended Outdoor Service Permit to Captain Kirk’s, 902 – 4th Street, effective June 25, 2010;
- Partial List of Cigarette Permit Renewals effective July 1, 2010; and
- Payment of Claims.

MOTION PASSED 6 AYES
1 ABSTAIN (Huppert)

Lair inquired if the Margaritaville matter had been resolved as to the band quitting at midnight. Greenwald indicated the Chamber had agreed to shut down at midnight.

PUBLIC HEARINGS

Concerning rezoning property south of 1125 – 48th Street:

Mayor Ireland opened the public hearing at 7:28 P.M. concerning rezoning property south of 1125 - 48th Street. There being no oral or written comments, Randolph MOVED and Chesnut SECONDED to close the public hearing.

MOTION PASSED 7 AYES

1ST READING, REZONING SOUTH OF 1125 – 48TH STREET: Lair MOVED and Chesnut SECONDED to approve the 1st reading of an ordinance rezoning property south of 1125 – 48th Street from R-1, One-Family Dwelling District to R-4, One-Family Dwelling District.

MOTION PASSED 7 AYES

Concerning amending Title 10, Chapter 12 of the Zoning Code:

Mayor Ireland opened the public hearing at 7:30 P.M. concerning amending Title 10, Chapter 12 of the Zoning Code. There being no oral or written comments, Rink MOVED and Waggoner SECONDED to close the public hearing.

MOTION PASSED 7 AYES

1ST READING, AMENDING TITLE 10, CHAPTER 12 OF ZONING CODE: Chesnut MOVED and Greenwald SECONDED to approve the 1st reading of an ordinance amending Title 10, Chapter 12, Sections 3(A), 3(B), and 4(B) of the Zoning Code concerning dwellings within the B-1 zoning classifications and the area included in the B-1 Limited Retail District.

Waggoner asked Robert Johnson if a non-conforming use attached to the property. Johnson answered that it did with certain specifications attached.

MOTION PASSED 7 AYES

ORDINANCES AND RESOLUTIONS

OTHER

FIRE LIEUTENANT LIST: Rink MOVED and Waggoner SECONDED to approve the Civil Service Commission's eligibility list for Lieutenant in the Fire Department.

MOTION PASSED 7 AYES

HIRING PUBLIC WORKS EMPLOYEE: Chesnut MOVED and Greenwald SECONDED to approve hiring a replacement employee in the Public Works Department (Turpin).

MOTION PASSED 7 AYES

HIRING CEMETERY MAINTENANCE WORKER: Lair MOVED and RINK SECONDED to approve hiring a replacement Cemetery Maintenance Worker (Bennett).

MOTION PASSED 7 AYES

HIRING PUBLIC WORKS EMPLOYEE: Waggoner MOVED and Lair SECONDED to approve hiring a replacement employee in the Public Works Department (Carter).

MOTION PASSED 7 AYES

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

Waggoner mentioned that anyone who had not visited the Fort lately should stop by. It is looking really great. Greenwald said a disabled veterans group will be coming through Fort Madison on June 30. Chesnut stated the Board of Adjustment met regarding permanent use of campers in residential areas which was denied.

ADJOURNMENT

At 7:40 P.M., Rink MOVED and Chesnut SECONDED to adjourn until Tuesday, July 6, 2010, at 7:00 P.M.