

MINUTES
FORT MADISON CITY COUNCIL
Tuesday, June 19, 2012 7:00 P.M.

The Fort Madison City Council met in adjourned session on Tuesday, June 19, 2012, at 7:00 P.M. at the Municipal Building, 811 Avenue E, Fort Madison. Presiding was Mayor Brad Randolph with Council Members Chris Greenwald, Brian Wright, Kevin Rink, Neal Boeding, Jason Huppert and Mark Lair present. Council Member Travis Seidel was absent.

VISITORS AND APPEARANCE REQUESTS

Martin Graber, Iowa District Seven Chairman, Employer Support of National Guard and Reserve, presented an award to Fire Chief Joey Herren for being a supportive employer. Firefighter Chris Eastin submitted an application to have Chief Herren receive the award.

Marty Dean and Tim Gobble showed poster boards with a proposed layout of the Fort Madison Rec Plex and updated Council on the project.

AGENDA

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

MOTION PASSED 6 AYES

CONSENT AGENDA

Greenwald MOVED and Boeding SECONDED to approve:

- Minutes of June 4, 2012, as written;
- Partial list of Cigarette Permits Renewals effective July 1, 2012;
- Liquor License Renewal: Fort Madison Fast Break, 5002 Avenue O, effective July 3, 2012 – Class B Wine Permit, Class B Beer Permit and Sunday Sales;
- Liquor License Renewal: County Market #214, 1802 Avenue H, - effective August 1, 2012 – Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales;
- Partial Refund of Class C Liquor License to Captain Kirk's Marina, LLC, 902 – 4th Street, in the amount of \$633.75; and
- Payment of Claims

MOTION PASSED 6 AYES

ORDINANCES AND RESOLUTIONS

3rd READING, ORDINANCE NO. C-522, REZONE, NW OF FMCH: Lair MOVED and Boeding SECONDED to approve the 3rd reading of Ordinance No. C-522, rezoning property located northwest of Fort Madison Community Hospital from R-6, Multi-Family Dwelling District, to B-2, Business District, General Retail.

ROLL CALL: AYES: Greenwald, Wright, Rink, Boeding, Huppert, Lair
 NAYES: None

MOTION PASSED 6 AYES

The Mayor then declared said Ordinance PASSED and APPROVED on it's 3rd reading this 19th day of June, 2012.

Published in the Daily Democrat on _____, 2012.

1st READING, AMEND 9-8-1 and 9-10-1: Wright MOVED and Greenwald SECONDED to approve the 1st reading of an ordinance amending Title 9, Chapter 8, Section 1, entitled "Through Streets" and Title 9, Chapter 10, Section 1, entitled "Stop, Yield Intersections" of the City of Code so as to make 15th Street and Avenue E a "Four Way Stop".

Greenwald acknowledged the traffic study indicated the signs were not necessary but this is a visual issue and he was unsure if the study took that into consideration. Huppert felt there were visual issues with just about every corner. He suggested alternatives such as a yield sign. Greenwald said a large number of persons do not drive the speed limit down Avenue E. He added that a stop sign there would only disrupt a driver's life by 10 seconds and it would be best to err on the side of safety.

Wright referenced a paper "Multi-Way Stops – The Research Shows the MUTCD is Correct!" and said this study shows stop signs make a difference. Lair felt there would be a bottleneck at 14th & 15th Streets when parents are dropping children off and picking them up from school. He said most persons he has spoken to do not want this.

Wright felt it best to err on the side of caution. Boeding suggested controlling the speed on Avenue E, installing a caution light or opening up 15th & 18th Streets to Avenue H as alternatives. He asked if the location of the school was considered in the traffic study. He felt input was needed from police department regarding controlling the speed limit. He asked if the stop signs do not work? What then? He has watched at another intersection in town and saw cars go through the stop sign and then gun their vehicles. He felt this should be considered more before action was taken.

Greenwald felt a four way stop sign at 15th Street would work because of the temporary four way stop sign in place at 15th Street during Rodeo. He said there is not a bottleneck then.

ROLL CALL: AYES: Greenwald, Wright, Rink
 NAYES: Boeding, Huppert, Lair

MOTION FAILED 3-3

RESOLUTION NO. 2012-27, ACCEPT GRAND VIEW LANE: Lair MOVED and Greenwald SECONDED to adopt a resolution accepting Grand View Lane as a City street.

ROLL CALL: AYES: Greenwald, Wright, Rink, Boeding, Huppert, Lair
 NAYES: None

MOTION PASSED 6 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 19th day of June, 2012.

RESOLUTION NO. 2012-28, PIP 2012-03, 20TH & M – OFFICE DEMO, ORDER CONSTRUCTION: Rink MOVED and Huppert SECONDED to adopt a resolution ordering construction, setting public hearing and bid letting for Public Improvement Project 2012-03, 20th Street and Avenue M – Office Demo.

Dinwiddie reported the vacant two story office building will be removed and anew retaining wall will be built on the Avenue M side of the property. A fence will be erected to enclose a new secure storage area.

ROLL CALL: AYES: Greenwald, Wright, Rink, Boeding, Huppert, Lair
 NAYES: None

MOTION PASSED 6 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 19th day of June, 2012.

RESOLUTION NO. 2012-29, SET RENTAL INSPECTION FEES: Wright MOVED and Greenwald SECONDED to adopt a resolution setting Rental Inspection Program fees.

ROLL CALL: AYES: Greenwald, Wright, Rink, Boeding, Huppert, Lair
 NAYES: None

MOTION PASSED 6 AYES

The Mayor then declared said Resolution ADOPTED and ENACTED this 19th day of June, 2012.

OTHER

PURCHASE WATER PURIFICATION SYSTEM FOR WWTP: Rink MOVED and Boeding SECONDED to approve the purchase of a water purification system for the Wastewater Treatment Plant in the amount of \$6,697.44 from EMD Millipore. (SEE COUNCIL REPORT NO. 2012-57)

MOTION PASSED 6 AYES

RENEW CHUONG GARDEN LIQUOR LICENSE: Lair MOVED and Boeding SECONDED to approve a Liquor License Renewal with conditions as proposed to Chuong Garden, 712 – 9th Street, effective July 21, 2012 - Class B Beer License, Class C Native Wine Permit, Outdoor Service and Sunday Sales.

Randolph questioned if it would be possible to require businesses with persons going outside to smoke to have a receptacle for the cigarette butts as many patrons are throwing their cigarettes on the sidewalk. It was suggested to send a letter regarding the matter.

MOTION PASSED 6 AYES

RENEW LOST DUCK LIQUOR LICENSE: Rink MOVED and Wright SECONDED to approve a Liquor License Renewal with conditions as proposed to Lost Duck Brewing Company, L.C., 723-725 Avenue H, effective July 15, 2012 – Class B Beer with Outdoor Service and Sunday Sales.

MOTION PASSED 6 AYES

RENEW EAGLES LIQUOR LICENSE: Greenwald MOVED and Wright SECONDED to approve a Liquor License Renewal with conditions as proposed to Pen City Aerie #1287, 4821 Avenue O, Ste. 4, effective July 1, 2012 – Class A Liquor License with Outdoor Service and Sunday Sales.

MOTION PASSED 6 AYES

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

Wright reported the dedication for the Chief Blackhawk memorial will be on June 30 at Old Settlers Park. Rink is co-sponsoring a free swim at the Municipal Pool on July 8. Randolph said GRRWA's Expansion Phase 2 Region 2 Cell 3 will be completed this month.

CLOSED SESSION

At 7:55 P.M. Wright MOVED and Boeding SECONDED to go into closed session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation pursuant to Iowa Code, Chapter 21.5(1)(c).

MOTION PASSED 6 AYES

Wright MOVED and Lair SECONDED to come out of Closed Session.

MOTION PASSED 6 AYES

ADJOURNMENT

At 8:54 P.M. Greenwald MOVED and Boeding to adjourn until Tuesday, July 3, 2012 at 7:00 P.M.

VOICE VOTE APPROVAL

MANUAL CLAIMS AND WARRANTS: See Claims dated June 14, 2012 in the amount of \$214,778.86.

<u>PAYROLL</u>	<u>June 1, 2012</u>	<u>June 15, 2012</u>
General	\$143,243.07	\$151,782.29
RSVP	1,166.94	1,166.97
Marina	645.72	562.40
Old Fort	3,076.57	3,400.41
Road Use	23,063.93	22,124.91
Water	36,604.36	38,355.20
Sewer	31,555.75	33,897.30
Solid Waste	15,785.42	12,810.49
Storm Water	<u>2,667.73</u>	<u>2,646.03</u>
	\$257,809.49	\$266,746.00

Bradley A. Randolph, Mayor
City of Fort Madison

ATTEST:

Melinda L. Blind, City Clerk