

**MINUTES
FORT MADISON CITY COUNCIL
Tuesday, March 19, 2019**

Mayor Bradley A. Randolph presided with Council Members Chris Greenwald, Bob Morawitz, Kevin Rink, Rusty Andrews, Matt Mohrfeld and Mark Lair. Council Member Chad Cangas was absent.

VISITORS AND APPEARANCE REQUESTS

Lynn Kramer, 2015 Avenue E, president of the Fort Madison Food Pantry, said the Food Pantry was surprised to learn the City was looking to sell the old Rashid Library where they sublease space from the United Way. She was concerned as the United Way's lease for the building is up next month. City Manager David Varley said the City has tried to sell the building in the past. Head Start recently contacted the City about possibly purchasing the building. The United Way has been asked if they wish to purchase the building but Varley has not heard back from them. He said there is no desire to kick anyone out, but the City needs to cut back on property they own. The City has paid for a new HVAC system there last year, is spending \$4,500 on two new doors this year and the roof needs to be replaced.

AGENDA

Randolph noted Item #9, Amtrak Agreements, was being removed from the agenda. Lair MOVED and Morawitz SECONDED to approve the agenda as amended.

MOTION PASSED 6-0

CONSENT AGENDA

Rink MOVED and Mohrfeld SECONDED to approve the Consent Agenda:

- Minutes of March 5, 2019;
- Liquor License Renewal: MOD Convenience Store, 1531 Avenue H, effective April 25, 2019 – Class B Native Wine and Class C Beer with Sunday Sales;
- February Financial Report; and
- Payment of Claims.

MOTION PASSED 6-0

ORDINANCE AND RESOLUTIONS

ORDINANCE NO. D-51, AMEND CHAPTER 10, ZONING, CHAPTERS 1 & 10: Greenwald MOVED and Mohrfeld SECONDED to approve the third and final reading of an ordinance amending the Fort Madison Zoning Code, Title 10, Zoning, Chapter 1, Title: Purpose, and Chapter 10, Administration.

ROLL CALL: AYES: Greenwald, Morawitz, Rink, Andrews, Mohrfeld, Lair
 NAYES: None

MOTION PASSED 6-0

The Mayor then declared said Ordinance PASSED and APPROVED this 19th day of March, 2019.

AMEND TITLE 3, BUILDING AND TITLE 6, HEALTH & SANITATION: Rink MOVED and Andrews SECONDED to approve the first reading of an ordinance amending Title 3, Building, Chapter 5, Housing Code, Section 3, Definitions, to update the definition of "Rental Housing Unit" and Title 6, Health & Sanitation, Chapter 4, Nuisances, Section 3, Abatement by the City, by removing Paragraph (2)(a), Form of Notice.

Planning Director Doug Krogmeier said this Code update will fill the gaps in non-owner occupied properties such as AirBnBs. It will also remove a section of the Nuisance Code that repeats itself.

ROLL CALL: AYES: Greenwald, Morawitz, Rink, Andrews, Mohrfeld, Lair
 NAYES: None

MOTION PASSED 6-0

The Mayor then declared said Ordinance PASSED and APPROVED this 19th day of March, 2019.

AMEND TITLE 3, BUILDING, CHAPTER 2, PLUMBING CODE: Lair MOVED and Greenwald SECONDED to approve the first reading of an ordinance amending Title 3, Building, Chapter 2, Plumbing Code, to set plumbing fees by resolution.

Krogmeier said this amendment removes plumbing fees from the Code and allows Council to set them by resolution. This amendment is the first step in updating many of the fees his department charges. The proposed resolution that will be brought before Council in April listing all the fees was included.

ROLL CALL: AYES: Greenwald, Morawitz, Rink, Andrews, Mohrfeld, Lair
 NAYES: None

MOTION PASSED 6-0

The Mayor then declared said Ordinance PASSED and APPROVED this 19th day of March, 2019.

RESOLUTION NO. 2019-27, ACCEPT PIP 2016-03, PHASE 2 WWTP REHAB:

Morawitz MOVED and Greenwald SECONDED to adopt a resolution accepting Public Improvement Project 2016-03, Phase 2 Wastewater Treatment Plan Rehab.

ROLL CALL: AYES: Greenwald, Morawitz, Rink, Andrews, Mohrfeld, Lair
 NAYES: None

MOTION PASSED 6-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 19th day of March, 2019.

OTHER

IDOT TAP AGREEMENT: Lair MOVED and Mohrfeld SECONDED to approve the Mayor's signature on a Federal Aid Agreement with the Iowa Department of Transportation for Transportation Alternatives Program (TAP) funds for Public Improvement Project 2019-03, Connecting Fort Madison! Phase 3 – Hospital Connector (PORT Trail).

MOTION PASSED 6-0

SEIRPC ADMINISTRATION CONTRACT (PIP 2019-03): Greenwald MOVED and Mohrfeld SECONDED to approve the Mayor's signature on a contract for services with Southeast Iowa Regional Planning Commission for \$5,000 to perform all administrative work for the Public Improvement 2019-03, Connecting Fort Madison! Phase 3 – Hospital Connector (PORT Trail).

MOTION PASSED 6-0

HR GREEN UPDATE ON OLD HIGHWAY 61 PROJECT

Tim Cutsforth, HR Green, updated Council on the progress of the project. While the project design for 2nd-6th Street was completed on schedule, the State Historic Preservation Office (SHPO) has slowed the process down considerably. If everything goes perfectly within the next two months, the project could be let on July 16. The road could be open by the end of November if there are no issues or weather delays. If the project were bid out in late fall, it could start in spring of next year. An archeological consultant is helping HR Green with a Data Recovery Plan that is required by SHPO. Under the plan, removal of earth to the level of the new subgrade would be monitored by an archeological consultant. This should take about two weeks for them to look for obvious artifacts. However, should they find something, the worst case scenario could be a hold up to the project of five weeks instead. If something is found, it has to be dealt with but you don't want them to say "we found this" and then go looking for something else. This is an important next step to get this ironed out in any agreement.

Randolph questioned if the City will pay for the archeological portion of this project. Cutsforth said it would be the City, these groups don't have any money. He said the initial two weeks are estimated to cost \$25,000. If they find something significant the City's cost could go over \$100,000.

In addition, Driscoll requested permission from Council to begin two other projects on old Highway 61. The first is straighten out the "S" curve by DuPont. This is a small project and would cost under \$500,000. The second is turn the one-way pairs on 18th Street, 20th Street and Avenue L into two-way streets.

Lair MOVED and Andrews SECONDED to approve changing the Old Highway 61 Project plan to incorporate changes as proposed by HR Green.

Mohrfeld wished there had been more information regarding these two projects presented to Council.

MOTION PASSED 5-1
Mohrfeld OPPOSED

OLD HIGHWAY 61 – 35TH- 36TH STREET AGREEMENT: Greenwald MOVED and Rink SECONDED to approve the Mayor's signature on a Professional Services Agreement with HR Green for Old Highway 61 Reconstruction Project – 35th Street to 36th Street.

MOTION PASSED 6-0

FINANCIAL AUDIT OF NORTH LEE COUNTY HISTORICAL SOCIETY: Randolph requested this item be placed on the agenda following his learning of some issues concerning North Lee County Historical Society's (NLCHS) finances.

Morawitz believed this should include Fort Madison Area Arts Association and anyone who receives funding from the City.

Andrews admitted errors were made and he brought them to the attention of the North Lee County Historical Society. He realized he really does not have the time (as Treasurer of NLCHS), they need an accountant to do this. Andrews felt the City should let private organizations manage their problems themselves but questioned where this would stop.

Mohrfeld said an audit for groups associated with or receiving funds from a governmental body provides transparency. He agreed with Morawitz, at a bare minimum groups receiving funding from the City should submit their audited financials.

Randolph said he came up with just too many questions. Everything should be transparent, not only to the taxpayers, but to the Tourism Commission and the donors who have donated to projects down there. The City has given NLCHS almost \$70,000 since 2015 and nearly \$200,000 since 2001. The cost of the audit was estimated at \$5,000. Mohrfeld believed the cost is typically a general fund item.

Randolph agreed with Morawitz, the City should move to requiring any entity receiving money from the City to open their books or submit an audit.

Mohrfeld MOVED and Greenwald SECONDED to proceed with an audit of the North Lee County Historical Society.

Morawitz said he was a member of the North Lee County Historical Society.

MOTION PASSED 4-1

Morawitz OPPOSED

Andrews ABSTAINED

DISCUSSION ITEMS - None

POSSIBLE ITEMS TO BE CONSIDERED AT FUTURE COUNCIL MEETINGS

◆ Viking Cruise Line Agreement

◆ Update of Title 4, Business

DEPARTMENT HEAD REPORTS

Officer Worley is at Fire Investigation School. The Fire Department has responded to three fires in the last two weeks, a shed fire, a garage fire and a condo fire.

LIAISON REPORTS

A tentative design meeting for the Viking Cruise Lines docking facility will be held. Mohrfeld reported he met with Varley, Fire Chief Joey Herren and Krogmeier last week regarding beautification and nuisance cleanup efforts. He asked each Council member to submit someone from their ward for this group. Mohrfeld and Randolph attended Southeast Iowa Days in Des Moines. The Historic Preservation Commission is looking to change the City Code and upgrading historic properties list.

ADJOURNMENT

At 7:03 P.M., Greenwald MOVED and Morawitz SECONDED to adjourn until Tuesday, April 2, 2019, at 5:30 P.M.

VOICE VOTE APPROVAL

MANUAL CLAIMS & WARRANTS: See Claims dated March 14, 2019, in the amount of \$418,706.57.

<u>PAYROLL</u>	3/15/2019
General	\$168,715.32
Spec. Revenues	10,004.70
Road use	26,681.74
Water	28,763.60
Sewer	37,672.78
Solid Waste	11,772.24
Airport	486.54
Storm Water	3,486.68
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	\$287,583.60

Mayor Bradley A. Randolph

ATTEST:

Melinda L. Blind, City Clerk