

**MINUTES
FORT MADISON CITY COUNCIL
Tuesday, May 21, 2019**

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

VISITORS AND APPEARANCE REQUESTS

There were none.

AGENDA

Rink MOVED and Greenwald SECONDED to approve the agenda.

MOTION PASSED 7-0

CONSENT AGENDA

Morawitz MOVED and Andrews SECONDED to approve the Consent Agenda:

- Minutes of May 21, 2019;
- Liquor License Change: Casey's #2319, 1428 – 38th Street, effective July 1, 2019 – addition of Class E Liquor;
- Liquor License Change: Casey's #2023, 1208 Avenue H, effective July 1, 2019 – addition of Class E Liquor;
- Liquor License Renewal: Hill Side Inn, 1135 Avenue E, effective June 1, 2019 – Class B Native Wine, Special Class C (Beer/Wine), Sunday Sales, Outdoor Service and Living Quarters; and
- Payment of Claims.

MOTION PASSED 7-0

PUBLIC HEARING

Concerning the Fiscal Year 2018-19 Budget Amendments

Mayor Randolph opened the public hearing at 5:34 P.M. There were no oral or written comments.

CLOSE HEARING: Mohrfeld MOVED and Lair SECONDED to close the public hearing.

MOTION PASSED 7-0

RESOLUTION NO. 2019-34, AMEND BUDGET: Greenwald MOVED and Morawitz SECONDED to adopt a resolution amending the 2018-19 Budget for the Fiscal Year ending June 30, 2019.

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

MOTION PASSED 7-0

The Mayor then declared said Resolution ADOPTED and ENACTED this 21st day of May, 2019.

ORDINANCE AND RESOLUTIONS

1st READING, CHANGE SEWER RATES: Greenwald MOVED and Rink SECONDED to approve the first reading of an ordinance amending Title 8, Public Ways and Properties, Chapter 7, Sewage Works, Section 2, Sewage Rate System, Subsection A, Unit Rates, Monitored and Nonmonitored Contributors, of the Fort Madison City Code to allow for a change in the sewerage rates.

ROLL CALL: AYES: Rink, Greenwald, Cangas
NAYES: Morawitz, Andrews, Mohrfeld, Lair

MOTION FAILED 3-4

RESOLUTION NO. 2019-35, 28E AGREEMENT WITH SHERIFF: Rink MOVED and Mohrfeld SECONDED to adopt a resolution approving a 28E Agreement between the City of Fort Madison, Iowa, and Lee County, Iowa, for Contractual Services of the Sheriff's office to provide an Interim Police Chief.

City Manager David Varley said following the announcement of Police Chief Tim Sittig's retirement he looked at options until a new chief is hired. He believed contracting with the Lee County Sheriff was the best choice. This will be a chance for a fresh set of eyes to come in and look at the operation. He thought it was a "win-win" situation and the City can take advantage of their expertise. He admitted it is a judgement call, but he has to weigh what is best for the Fort Madison Police Department (FMPD) and the community. This agreement was discussed at the Lee County Board of Supervisors meeting earlier today and they are in favor of it. The arrangement is for six months and the Supervisors want to review the Agreement in three months. This arrangement should only last 3-4 months.

Varley will meet with them every week to review progress on goals and objectives. He added the FMPD is down 2-3 officers right and pulling up someone as the interim chief will make the department even more short-staffed.

Rich Harlow, Lee County Board of Supervisors, said there were problems in the FMPD. In his past experience as a City Councilman he said one problem is the Chief answers to the City Manager, the Mayor and the City Council.

Mohrfeld took offense to some comments Harlow made. He pointed out the Council does not have control over the Police Chief, the City Manager does. If Council does not like the way things are going they will make their opinion known to the City Manager.

Harlow asked if there was at least a consensus among Council that there are some problems within the police department. He said if you do not have a robust police department your sheriff's department has to cover.

Sheriff Stacy Weber expressed concern over FMPD running two-man shifts. At the end of the day he said you want professional service. He said FMPD has some great officers. Policing is a team effort and that is the mentality that needs to be established here. He added the Sheriff's Department doesn't want to run things, but to help, a partnership. His department is a goal-oriented goal driven department.

Ross Braden, Lee County Attorney, thought Council had a great opportunity here. He felt it was a disservice to the community not to have a full-time investigator. He pointed out examples of problems by not having one. He said this put the officers at a disadvantage. He also noticed a sense of apathy from officers that have been here for a long time. He believed 20-30 years of being overworked is affecting what he sees come across his desk as far as prosecution. He felt the City was in a unique situation to have Sheriff Weber come in and set up the next chief for success no matter who it is.

Greenwald said the City's policy is for a three-man minimum shift and it is not being followed. He added that the only time he would micro or micromanage is when there is a lack of management.

Cangas believed there are some failures all over the place. He was concerned about putting a Sheriff's Captain in as a supervisor. He felt there would be a lot of resentment toward the Council and that Captain as they would be in charge of other captains.

Varley said even if you appoint someone from FMPD there is still going to be resentment and the department will be one more officer short. He noted he has been dealing with the police department for the past five years and there are things he could not share but based on his judgement and experience, this was the best way to go.

Randolph felt one of the hardest things to move from the "rank and file" to Captain. Trying to separate yourself and change that relationship with someone who used to be on the same level, even temporarily, just personifies that.

Varley said Council may say they support him but won't give him the resources to deliver. Council is tying his hands behind his back and it's not fair to put him that position. This is a short-term issue, there won't be sweeping changes or upheaval. He must agree to any changes. He cannot deliver what Council wants unless he has the resources to do so.

ROLL CALL: AYES: Greenwald, Morawitz, Rink, Mohrfeld, Lair
 NAYES: Andrews, Cangas

MOTION PASSED 5-2

The Mayor then declared said Resolution ADOPTED and ENACTED this 21st day of May, 2019.

OTHER

HOUSING AUTHORITY REAPPOINTMENTS: Morawitz MOVED and Cangas SECONDED to approve the reappointment of Mary Hitchcock, Sam Lozano and Shirley Hoening to the Fort Madison Housing Authority Board, terms expiring June 3, 2021.

MOTION PASSED 7-0

HR GREEN PROFESSIONAL SERVICE AGREEMENT, AMENDMENT NO. 1: Rink MOVED and Lair SECONDED to approve the Mayor's signature on Amendment No. 1 to a Professional Services Agreement with HR Green for additional investigation and archeological data recovery for the Avenue H/Business 61 Reconstruction Project.

MOTION PASSED 7-0

GRANT AGREEMENT AVENUE H/BUSINESS 61: Cangas MOVED and Greenwald SECONDED to approve the Mayor's signature on a Surface Transportation Block Grant Program Federal-aid Swap Project Agreement for the Avenue H/Business 61 from 2nd to 6th Street Reconstruction Project.

MOTION PASSED 7-0

HIRE CONSULTANT: Cangas MOVED and Mohrfeld SECONDED to hire the firm of Moulder and Associates, LLC, for assistance in selecting a new Police Chief.

Varley said this company has many years of experience and a lot of contacts to provide a broader pool of qualified applicants. Moulder will review the applications, administer a written test to qualified applicants, perform an indepth background check and assist with the interview panels. This will be paid for out of the Policy and Administration budget.

MOTION PASSED 6-1 (Rink)

548 PROCEEDINGS OF THE CITY COUNCIL

DISCUSSION ITEMS - None

DEPARTMENT HEAD REPORTS: The Library will be adding a free pass to admit up to five persons into the Putnam at no cost. The Library Board changed a few policies.

LIASON REPORTS: Nothing remarkable to report.

POSSIBLE ITEMS TO BE CONSIDERED AT FUTURE COUNCIL MEETINGS

- ◆ Viking Cruise Line Agreement
- ◆ Update of Title 4, Business

ADJOURNMENT

At 7:04 P.M., Cangas MOVED and Greenwald SECONDED to adjourn until Tuesday, June 4, 2019, at 5:30 P.M.

VOICE VOTE APPROVAL

MANUAL CLAIMS & WARRANTS: See Claims dated May 16, 2019, in the amount of \$496,324.10, and Library Claims dated May 14, 2019, in the amount of \$7,098.62.

<u>PAYROLL</u>	5/10/2019
General	\$169,285.69
Spec. Revenues	3,997.56
Road Use	23,503.26
Water	28,591.66
Sewer	38,518.67
Solid Waste	11,791.34
Airport	486.54
Storm Water	3,526.32
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	\$279,701.04

Mayor Bradley A. Randolph

ATTEST:

Melinda L. Blind, City Clerk