

MINUTES
FORT MADISON CITY COUNCIL
Tuesday, March 20, 2012 7:00 P.M.

The Fort Madison City Council met in adjourned session on Tuesday, March 20, 2012, at 7:00 P.M. at the Municipal Building, 811 Avenue E, Fort Madison. Presiding was Mayor Pro Tem Brad Randolph with Council Members Chris Greenwald, Brian Wright, Kevin Rink, Travis Seidel, Jason Huppert and Mark Lair present.

Mayor Pro Tem Randolph read a statement regarding today's passing of Steven J. Ireland and requested those present observe a moment of silence.

Mayor Pro Tem Randolph read a proclamation for Arbor Day and presented it to John Luna.

VISITORS AND APPEARANCE REQUESTS

There were none.

AGENDA

Lair MOVED and Greenwald SECONDED a motion to approve the agenda, as written.

MOTION PASSED 7 AYES

CONSENT AGENDA

Seidel MOVED and Rink SECONDED to approve:

- Minutes of March 6, 2012, as written;
- Mayor's appointment of Bobby Holtkamp, 2320 Avenue E, to the Parks, Recreation and Dock Board, effective April 1, 2012, term expiring March 31, 2016;
- Mayor's reappointment of Rebecca Bowker and Jim Posz to the Fort Madison Housing Authority, terms expiring June 3, 2014;
- New Cigarette Permit to Family Dollar, 4515 Avenue O, effective April 1, 2012; and
- Payment of Claims.

MOTION PASSED 7 AYES

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. C-512, ELECTRIC FRANCHISE: Greenwald MOVED and Rink SECONDED to approve the 3rd reading of an ordinance granting a franchise to Interstate Power and Light Company within the City of Fort Madison.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 3rd reading this 20th day of March, 2012.

Published in the Daily Democrat
on March ____, 2012.

ORDINANCE NO. C-513, AMENDING 9-7: Lair MOVED and Wright SECONDED to approve the 3rd reading of an ordinance amending portions of Title 9, Chapter 7 entitled "Stopping, Standing, Parking".

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 3rd reading this 20th day of March, 2012.

Published in the Daily Democrat
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2nd READING, AMEND TITLE 9: Randolph MOVED and Greenwald SECONDED to approve the 2nd reading of an ordinance amending portions of Title 9, Traffic, to reflect changes in highway designations and speed limits.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 2nd reading this 20th day of March, 2012.

2nd READING, VACATE 16TH ST. ROW NORTH OF AVENUE B: Lair MOVED and Seidel SECONDED to approve the 2nd reading of an ordinance vacating a portion of the 16th Street right-of-way north of Avenue B.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 2nd reading this 20th day of March, 2012.

2nd READING, REZONE: Rink MOVED and Lair SECONDED to approve the 2nd reading of an ordinance rezoning property south of 1125 – 48th Street from R-4, One-Family Dwelling District, to B-2, Business District General Retail.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 2nd reading this 20th day of March, 2012.

1st READING, VACATE 16TH ST. ROW SOUTH OF AVE. A: Seidel MOVED and Greenwald SECONDED to approve the 1st reading of an ordinance vacating a portion of the 16th Street right-of-way SOUTH OF Avenue A right-of-way.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Ordinance PASSED and APPROVED on its 1st reading this 20th day of March, 2012.

RESOLUTION 2012-09, SET PH SALE OF ROW: Lair MOVED and Huppert SECONDED to approve a resolution setting public hearing for April 3, 2012, at 7:00 P.M. on the sale of a 10 foot by 100 foot portion of the 16th Street right-of-way north of Avenue B.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Resolution ADOPTED and ENACTED this 20th day of March, 2012.

RESOLUTION 2012-10, SET P.H. & DATE OF CONSULTATION: Rink MOVED and Wright SECONDED to approve a resolution determining the necessity and setting date of consultation for March 27, 2012, at 9:30 A.M. and setting date for a public hearing for April 17, 2012, at 7:00 P.M. on a proposed Downtown Urban Renewal Area in the City of Fort Madison, State of Iowa.

Smith said this was the first step in setting up a TIF area in the downtown district.

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

MOTION PASSED 7 AYES

The Mayor Pro Tem then declared said Resolution ADOPTED and ENACTED this 20th day of March, 2012.

OTHER

VICTORY PARK SKATE PARK: Greenwald MOVED and Huppert SECONDED to approve the Bad Blood Skate Team's request to install a concrete skate park in Victory Park.

Council received copies of group's grant application to the Tony Hawk Foundation. Jimmy Wendorf said there would be stiff competition for the grant and, if received, these funds could be used as the matching share for a CDBG grant. He said part of RSVP's vision is to make Victory Park a park for everyone to enjoy with the potential for a splash park, playground and trail. Tyler Landrum, Bad Blood Skate Team, said the group had canvassed the area surrounding Victory Park. With the original list of signatures and a new petition, 448 persons were in favor of a new skate park. In going through the neighborhood surrounding Victory, he said only three people were opposed to the skate park and 32 had signed the petition.

Randolph said the Tony Hawk Foundation website listed supporting documentation that was required for the grant application. Wendorf said the group made a "passive" application and did not include the required documentation.

Wright questioned if Ivanhoe Park would be a better location with the new middle school opening and the potential of the rec plex nearby. Wendorf said the streets are not safe for children to ride their bikes to Ivanhoe. He pointed out the dangers in having areas with obstructed views such as the existing skate park and compared them to the "devil's playground".

Seidel commended the group for doing this but said he has received overwhelming calls from neighbors not comfortable with the Victory location. He suggested an alternate location be found.

Jennifer McCarthy, 1512 Avenue M, Lot 5, said there weren't any sidewalks by McDonalds in order for children to get to Ivanhoe safely. She added the current skate park is in a corner, there are no lights and the equipment is coming apart.

Sherry Hertzler, 2401 Avenue H, has lived next to Victory for 20 years and agrees the park needs to be better maintained. She had concerns regarding the persons who are in the park after hours now and also those who misuse the facilities.

Jacqueline Lumsden, 2411 Avenue H, said she could support the group but not at Victory. She referred to a petition given to Council by the neighborhood opposing the skate park at Victory.

In response to a question by Greenwald, Landrum said group came up with the name "Bad Blood" when they were 7 or 8 years old.

Kyle Doherty, a member of the group that requested the original skate park, said he participates in roller blade competitions and travels to other skate parks. He felt the Ivanhoe facility was outdated and he pointed out extreme sports are becoming more popular.

Following some questions from Council, Wendorf said the City would be responsible for maintenance and insurance for the facility. Smith said there would be no additional fee to insurance the park.

Randolph believed this was a good idea but felt the location was an issue. He was concerned the group was putting the cart before the horse. He pointed out parks need continual maintenance but are usually the last item money is set aside for in difficult economic times.

Rink CALLED THE QUESTION.

ROLL CALL: AYES: Greenwald, Huppert, Lair
 NAYES: Wright, Rink, Randolph, Seidel

MOTION FAILED 3 AYES
 4 NAYS

CAPTAIN KIRK'S LIQUOR LICENSE: Lair MOVED and Wright SECONDED to the approve renewal of a Class C Liquor License with Outdoor Service and Sunday Sales to Captain Kirk's Marina, 902 – 4th Street, effective April 1, 2012 upon conditions.

Following questions by Council regarding outdoor service permits, staff has begun requesting a list of activities or events, such as music, that would be in the outdoor service area from the license holder. Council has the option of placing conditions on the outdoor activity. Chief Niggemeyer said there have been no issues regarding noise complaints. Based upon a list submitted by Captain Kirk's with proposed outdoor activities for 2012 and a statement that all bands will start no later than 8:00 p.m. and end by 12:00 a.m., no additional conditions were added.

MOTION PASSED 6 AYES
1 ABSTAIN (Huppert)

PRESENTATIONS BY LIAISONS TO BOARDS AND COMMISSIONS

There were none.

REPORTS BY DEPARTMENT HEADS

ADJOURNMENT

At 8:11 P.M., Wright MOVED and Rink SECONDED to adjourn until Tuesday, April 3, 2012, at 7:00 P.M..

VOICE VOTE APPROVAL

MANUAL CLAIMS AND WARRANTS: See Claims dated March 15, 2012 in the amount of \$114,643.56 and Library Claims dated March 13, 2012, in the amount of \$8,400.19.

<u>PAYROLL</u>	<u>March 9, 2012</u>
General	\$146,304.21
RSVP	1,270.10
Old Fort	1,915.80
Road Use	21,834.46
Water	38,425.10
Sewer	33,805.61
Solid Waste	14,459.90
Storm Water	2,696.32
	<u>\$260,711.50</u>

Brad Randolph, Mayor Pro Tem
City of Fort Madison

ATTEST:

Melinda L. Blind, City Clerk