

The City Council met in special regular session, January 15, 2019 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich; Councilmembers: Gassman, Seeley, McGraw, Allesee, Connell, Schemers and Odor.

M/S, Allesee-Connell moved to dispense with the reading of the minutes of the Regular Council Meeting and the Committee of the Whole meeting of December 11, 2018 and the Special City Council Meeting of December 20, 2018 and they be approved as published on December 22, 2018 and January 3, 2019 respectively. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, Schemers, Odor. Motion carried.

PROCLAMATION - Declaring January 2019 as National Human Trafficking Awareness Month.

Sister Jeanne D'Arc Untz read the proclamation declaring January 2019 as National Human Trafficking Awareness Month.

Presentation of a 5 year pin by Mayor Vulich was given to Councilmember Lynn McGraw for her 5 years of service as a City Councilmember.

Mayor Vulich presented Fire Chief Mike Brown with a framed poem and photo from Clinton Resident Lanie Lass in memory of Firefighter Lieutenant Eric Hozette. The T-shirts being sold at Clinton HyVee Store to raise funds for the Hozette and Cain families was also displayed.

PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for Project G-2019 Riverview Park Pickle-ball and Volleyball Courts. No comments were received, written or oral. M/S, Connell-Schemers moved that the public hearing concerning accepting bid and awarding contract for Project G-2019 Riverview Park Pickle-ball and Volleyball Courts be entered into the record. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, Schemers, Odor. Motion carried.

M/S, Connell-Schemers moved the Council adopt Resolution No. 2019-002 accepting bid and awarding contract to Determann Asphalt Paving for Project G-2019 Riverview Park Pickle-ball and Volleyball Courts. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, Schemers, Odor. Motion carried.

AUDIENCE COMMENT

No persons came before the Council to speak.

CONSENT AGENDA

Councilmember Seeley requested that item #12 be removed to Unfinished Business. Councilmember Seeley requested that item #15 be removed to Unfinished Business.

M/S, Allesee-Connell moved to approve the Consent Agenda, as amended. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, Schemers, Odor. Motion carried.

1. Committee of the Whole - minutes 12/11/2018 - receive, approve and place on file.

2. Grant Committee – minutes 12/19/2018 – receive, approve and place on file.
3. Hometown Pride Local Committees – minutes 12/07/2018 – receive, approve and place on file.
4. Monument Committee – minutes 12/20/2018 – receive, approve and place on file.
5. City Plan Commission – minutes 12/19/2018 – receive, approve and place on file.
6. Completed Work Orders – November and December 2018 – receive, approve and place on file.
7. Electronic Payments and Transfers – November 2018 – receive, approve and place on file.
8. Summary of Revenues and Receipts – November 2018 – receive, approve and place on file.
9. Plans & Specs – Mixing Equipment Replacement Oxidation Ditch #1 Project – receive, approve and place on file (copy available for inspection at Clerk’s office on 01/15/2019).
10. Plans & Specs – Emma Young Softball Field Lighting Replacement Project X-2019– receive, approve and place on file (copy available for inspection at Clerk’s office on 01/07/2019).
11. Resolution No. 2019-003 – amend the non-housing delinquency lien list.
12. Resolution No. 2019-004 – confirming City Council appointments for 2019.
13. Resolution No. 2019-005 – approving Technical Support Services Agreement between the Clinton County I.T. Department and the City of Clinton Police Department.
14. Resolution No.2019-006 – approving Supplemental Agreement for Primary Roads Maintenance and Repair between Iowa Department of Transportation and the City of Clinton.
15. Resolution No. 2019-007 – authorizing Mayor to sign the real estate application for 1st Avenue Pumping Station Project.
16. Resolution No. 2019-008 – ordering construction of improvement, setting public hearing and directing advertisement for bids – Mixing Equipment Replacement Oxidation Ditch #1 Project.
17. Resolution No. 2019-009 – ordering construction of improvement, setting public hearing and directing advertisement for bids – Emma Young Softball Field Lighting Replacement Project X-2019.
18. Resolution No. 2019-010 – setting public hearing for comments regarding environmental impact of the 1st Avenue Pumping Station Project.
19. Resolution No. 2019-011 – approving Change Order No. 5 - 25th Avenue North Sewer Separation Project A-2016 – BWC Excavating, LC - \$8,050.90.
20. Resolution No. 2019-012 – recommending Payment No. 2 – 6th Avenue North Sanitary Sewer Project C-2018 – BWC Excavating, LC - \$45,419.50.

21. Resolution No. 2019-013 – recommending Payment No. 6 – Project B-2018 1st Avenue Force Main Replacement Project – Langman Construction Inc. - \$463,463.17.
22. Resolution No. 2019-014 – recommending Payment No. 7 – Turtle Creek Culvert Replacement and Sanitary Sewer Relocation Project D-2017 – Legacy Corporation, of East Moline, IL - \$65,005.53.
23. Resolution No. 2019-015 – accepting work and recommending Final Payment No. 5 – West Deer Creek Bridge Replacement Project – Jim Schroeder Construction, Inc. - \$16,203.65.
24. Resolution No. 2019-016 – accepting work and recommending Final Payment No. 14 – 25th Avenue North Sewer Separation Project A-2016 – BWC Excavating, LC - \$221,266.50.
25. Resolution No. 2019-017 – recommending Payment No. 1 – Riverfront Fitness Courts Project E-2019 – JT General Contractors LLC - \$17,100.00.
26. Resolution No. 2019-018 – approving City Pawnbroker License for Pawn Central.
27. Resolution No. 2019-019 – approving Class C Liquor license renewal application with Catering and Outdoor Services privileges for Mc Kinley Street Tavern and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.

MOTIONS, RESOLUTIONS, AND ORDINANCES

M/S, Gassman-Seeley moved that the Claims be received, approved and placed on file. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, Schemers, Odor. Motion carried.

M/S, McGraw-Allesee moved that the Council adopt Resolution No. 2019-020 authorizing the Mayor to sign the Seventh Amendment to the City of Clinton's Consent Decree with the State of Iowa Attorney General's Office. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, Schemers, Odor. Motion carried.

M/S, Odor-Schemers moved that the Council adopt Resolution No. 2019-021 canceling the January 22, 2019 Council and Committee of the Whole meetings and scheduling Special Council and Committee of the Whole meetings on January 29, 2019. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, Schemers, Odor. Motion carried.

UNFINISHED BUSINESS

1. Resolution No. 2019-022 – placing two (2) properties on the City demolition list.

Councilmember Seeley inquired as to where the property report was for item #12 on the Consent Agenda. He noted that for prior demolitions there has been a property report from Mike Harmon of the Building and Neighborhood Services Department. Since Mike had retired there was no report. City Administrator Matt Brooke stated different properties are handled differently due to the legality. The City should develop a policy and procedure for Council in the future. Councilmember Gassman stated the properties listed for demolition should have a value placed on them to determine the cost to demolish them. Administrator Brooke stated a leverage group, Team Rubicon would be doing the demolition of the Strand Theater building and the only cost to the City would be landfill fees and getting some lodging for them while they are here. Councilmember Connell inquired if Team Rubicon is doing this, do they just do the interior and leave a shell that may be purchased by someone to renovate? Administrator Brooke stated these are dangerous structures and Team Rubicon would remove the entire structure. Councilmember Gassman stated he looked at the building a year ago and the only thing dangerous was the back corner of the roof. Administrator Brooke stated the building is a

dangerous structure and if the property owner cannot maintain it or repair it, then the City needs to step in and take care of it. Councilmember Seeley stated a dangerous building doesn't mean it is beyond repair. Jeff Chapman, Fire Marshall addressed the Mayor and Council stating the building in question, the Strand Theater has no report on it. The Police Department has chased squatters out multiple times. The roof is now completely pulled away and opened up in the back of the building. Rain and snow come down onto the floor and there are holes in the floor. Councilmember Connell inquired if Team Rubicon can determine if the building is salvageable. Mayor Vulich inquired if the demolition of the Strand Theater can wait until all Councilmembers have seen the building. Administrator Brooke stated that a professional inspector can be brought in and the Council can meet at the building to determine the condition and determine if it is salvageable at that time. Councilmember Seeley inquired about the building next to it if that would be affected in the demolition. Administrator Brooke stated the building next to it is completely separated by a wall. Councilmember Seeley stated the City needs to know what we have before we tear it down, and there was no report done on this building. Fire Marshall Chapman inquired as to who would be at fault if an accident happens when Police go in to remove squatters and fall through the floor into the basement. Or when a fire breaks out and Firefighters go in and fall through? Councilmember Seeley insisted that a report should be done on the building. City Attorney Patrick O'Connell stated that a prior engineering study was done on a similar building and cost \$15,000.00 for the engineering report; and then it would need to be evaluated if the property is worth saving or refurbishing at that time. Fire Marshall Chapman stated to replace the roof on that building would be \$200,000.00. However, if Council wants to take a step back and take a second look at it to see if the building can be saved, a report can be done by an outside firm. Just to let Council know that there have been several e-mails by concerned citizens who want the building removed due to the dangers of the structure.

Councilmember Connell inquired if the building were on the Historic Registry. Councilmember Allesee stated it used to be but is no longer. Councilmember Odor stated he is a history buff with a degree in History. He agrees with Administrator Brooke and Fire Marshall Chapman, if this is a safety hazard it should come down. Councilmember Schemers stated if this is a public safety hazard for Firefighters and Police, it should have a chain link fence around it to prevent squatters and animals from entering the building. M/S, Schemers-Connell moved the Council adopt Resolution 2019-022 placing two (2) properties on the City demolition list. On roll call, carried unanimously.

2. Resolution No. 2019-023 authorizing contract between Advanced Marine Specialists and City of Clinton, Iowa for marine services at Clinton Marina.

Councilmember Seeley inquired if the City would be receiving rent on the lease of the building. City Administrator Brooke stated the City receives services at the Marina in exchange for the lease of the building. Councilmember Seeley inquired as to who pays the utilities. Administrator Brooke stated the City would cover that since there wasn't much in utilities. Councilmember Seeley inquired if the Slip spot was included. Administrator Brooke stated yes, it was included because that is where the tow equipment is stored to tow the boats. M/S, Seeley-Gassman moved the Council adopt Resolution 2019-023 authorizing a contract between Advanced Marine Specialists and the City of Clinton, Iowa for marine services at the Clinton Marina. On roll call, carried unanimously.

M/S, Allesee-Connell moved to adjourn to 7:00 P.M. January 29, 2019. On roll call, carried unanimously.

Mark S. Vulich
Mayor

Teresa Lindstrom
Deputy City Clerk