

Committee of the Whole
February 12, 2019

Present: Mayor Vulich; Councilmembers Gassman, Seeley, McGraw (via phone), Allesee, Connell, Schemers, and Odor, City Attorney (via phone), City Administrator, City Clerk, Press and interested citizens.

1. BUILD Grant Update – City Administrator Matt Brooke

Administrator Brooke stated the BUILD Grant was applied for the Manufacturing Drive and Bluff Boulevard Project. Administrator Brooke stated the Progress Coalition used objective criteria to determine the best project for the grant. Administrator Brooke stated the City was not awarded the grant and a de-brief by the US DOT was completed on January 9, 2019. Administrator Brooke stated 815 applications were submitted and the City's application made it to Tier 2, which was the top 250 applications. Administrator Brooke stated 91 applicants were selected for funding. Administrator Brooke stated the grant was to focus on funding rural projects, which Clinton was considered. Administrator Brooke stated the City's application was listed as a very moderate risk and the prior TIGER award was a positive mark for the City. Administrator Brooke stated the City's application was advanced to the Secretary as highly rated. Administrator Brooke stated the DOT recommended that the City not complete any of the work on Manufacturing Drive or Bluff Boulevard on its own, but rather re-submit an application in the spring of 2019. Administrator Brooke stated it was projected that BUILD grant applications would be received again in March of 2019. Administrator Brooke stated the City could touch up some items on the application and be poised to resubmit in March. Administrator Brooke stated a motion from the Council supporting reapplication was sought.

Mayor Vulich the maximum time to complete the project was three years. Mayor Vulich stated BUILD grant funds were to be the last money needed for a project, not the start of project funding. Mayor Vulich stated BUILD projects could not be "build and they will come" type of projects. Administrator Brooke concurred and stated a project needed to be shovel ready and there must not be ownership or permit issues.

Councilmember Connell stated the City match of \$3,000,000.00 would be obtained through bonding. Administrator Brooke concurred and stated there would be bonding over a three year period. Administrator Brooke stated \$450,000.00 was on the borrowing listing for FY2019/2020. Administrator Brooke stated the Iowa DOT would provide a match of \$3,000,000.00 as well. Administrator Brooke stated the City was only asking for 72% of project funding through the BUILD grant (it was recommended that applicants not ask for more than 80%).

Councilmember Seeley stated the \$450,000.00 was not needed to reapply. Administrator Brooke concurred. Councilmember Seeley stated the City was not obligated to spend the funds until it was known if the City would be receiving the grant. Administrator Brooke stated the Council would approve the budget at the February 26, 2019, Council meeting and bond funds would not be available until August of 2019. Administrator Brooke stated the \$450,000.00 would be used for designing the project.

Councilmember Seeley inquired how long it would take to design the project. Engineer Jason Craft stated it would take over a year to engineer the project. Engineer Craft stated the City had the ability to commit funds and could budget for the project so that if awarded the grant, the City could begin on the project immediately. Councilmember Seeley stated the City had reserves that it could use instead to start the project. Administrator Brooke stated the roadway needed a

lot of work and if the City was not awarded the grant, the City would need the funds to complete work on the road. Engineer Craft stated it would be estimated that engineering the project would take around two years and construction of the project would take around two years. Engineer Craft stated the reimbursement stage would not begin until construction started.

Maureen Miller, representing the Clinton Progress Coalition, stated the Coalition was formed approximately a year ago to support important priorities for the City. Miller stated on May 8, 2017, the Coalition completed an exercise to prioritize three projects: Manufacturing Drive/Bluff Boulevard, North River Drive, and Mill Creek Parkway. Miller stated the Coalition chose the Manufacturing Drive/Bluff Boulevard project as its priority. Miller stated North River Drive was chosen as a second priority. Miller stated the Coalition would ask for guidance on moving forward with the North River Drive project.

Matt Parbs, Lyons Business & Professional Association and the Sawmill Museum, stated he reaffirmed the Progress Coalition's priorities. Parbs stated he agreed Manufacturing Drive/Bluff Boulevard was the best project for the BUILD grant. Parbs stated Lyons supported the North River Drive project and the project was a priority for Lyons. Parbs stated the North River Drive project had been a Lyons priority for many years and in 2011, Howard Green completed a study for Lyons, where North River Drive was listed as number 5 in the priorities for Lyons. Parbs stated North River Drive would be good for all of the City and asked for a way forward on the project. Parbs stated studies could be conducted to determine what amenities could go along the roadway. Parbs stated support was sought from the City for the North River Drive project and acknowledged that the North River Drive project was not at this time ready for a grant application or the BUILD grant.

Dennis Lauver, Howes & Jefferies Realtors, stated it would be critical to get VIP tours with senators for the BUILD grant application. Lauver stated he was willing to help make connections. Lauver stated consideration should be made to add amenities along Riverview Drive in order to help the cost-benefit analysis further down the road. Lauver stated until the North River Drive project was ready for a grant application, he would ask that the City continue to keep the project as a priority.

Chuck Thornton, owner of Sweetheart Bakery and Homer's Deli, stated the Lyons Business & Professional Association 100% backed the BUILD grant application for the Manufacturing Drive/Bluff Boulevard project. Thornton stated he would request that the City keep the North River Drive project as a top priority. Thornton stated he would like to see funding dedicated to the North River Drive project. Thornton stated Lyons businesses were willing to assist with the project and the project would benefit the entire City. Thornton stated the North River Drive project would capitalize on the asset of the Mississippi River.

Chad Jensen, Lyons Business & Professional Association and owner of The Bicycle Station & Jensen Oil, stated he concurred with the comments made and he would like to know the next steps to keep the North River Drive project progressing and to prepare the project for a grant application.

Mayor Vulich stated the recently formed Grant Committee was currently working on getting the City re-certified as an Iowa Great Place. Mayor Vulich stated the Capital Improvements Program contained funding for improvements to the marina and RV Park. Mayor Vulich stated the City would continue to make improvements to its amenities from Eagle Point Park all the way down to the marina. Mayor Vulich stated the City would also continue to seek grant funding for improvements. Mayor Vulich stated the FYE2020 Capital Improvements Program listing had

vertical improvements – rather than just roadway and sewer work. Mayor Vulich stated both North River Drive and Manufacturing Drive/Bluff Boulevard were great projects. Mayor Vulich stated projects for the BUILD grant must be ready to go. Mayor Vulich stated the North River Drive project was not ready for a grant application and that was why funding was not dedicated in 2020. Mayor Vulich stated funding could be dedicated for the North River Drive project in 2021. Mayor Vulich stated \$559,000.00 was needed just to complete the 404/408 process for the North River Drive project. Mayor Vulich stated even in the absence of funding, the City could continue to work on the project.

M/S, Schemers-Odor moved to approve authorizing re-application of the BUILD grant for the Manufacturing Drive/Bluff Boulevard project. On roll call, carried unanimously.

In discussion prior to roll call, Councilmember Seeley thanked community members for their attendance at the meeting. Councilmember Seeley stated 5th Avenue South was a very beautiful stretch of town and stated it would be ideal if vehicles left Bluff Boulevard and headed down 5th Avenue South to Riverview Drive. Councilmember Seeley stated he believed the North River Drive project could be a positive connection for the BUILD grant application for the Manufacturing Drive/Bluff Boulevard project.

2. Ordinance Amending Chapter 79.08 (Persons with Disabilities Parking) – Captain Bohle and Street Department Superintendent Regenwether

Street Department Superintendent Creighton Regenwether stated the current ordinance for handicap parking spots did not consider the type of disability of the applicant. Superintendent Regenwether stated he and a Police Department Captain did site visits together to determine if the parking spot would benefit the applicant. Superintendent Regenwether stated currently five questions were reviewed for applications. Superintendent Regenwether stated if an applicant had a garage or driveway they would currently be denied and the ordinance did not provide any consideration to whether or not the applicant had a wheelchair or ramp. Superintendent Regenwether stated the proposed ordinance provided more latitude. Superintendent Regenwether stated handicap parking applications were for residential properties, not commercial properties.

Councilmember Gassman stated he was concerned that the space being available to anyone and not just the applicant could be problematic. Superintendent Regenwether stated that would not change from the current ordinance and enforcement would be very challenging if it was restricted to just the applicant. Police Captain Tom Bohle stated the practice has always been that the handicap parking spot would be open to anyone with a handicap parking placard or plate. Captain Bohle stated he would not recommend making the spot private, as it would be very difficult to enforce. Captain Bohle stated the proposed ordinance made the process more objective, rather than subjective.

M/S, Connell-Seeley moved to forward the Ordinance Amending Chapter 79.08 to the next City Council meeting for its first reading. On roll call, carried unanimously.

3. Ordinance Amending Chapter 115 – Massage Establishments and Technicians – Councilmember Schemers

Councilmember Schemers stated the ordinance was revisited, as areas for improvement still existed. Councilmember Schemers stated the major changes included §115.11 – grounds for denial or revocation and §115.13 – appeal process. Councilmember Schemers stated these

provisions were not in the previous ordinance. Councilmember Schemers stated §115.06 was revised after input was received from local massage therapists. Attorney O'Connell stated the language provided in §115.06 should help alleviate the concerns posed by local massage therapists. Attorney O'Connell stated a therapist could not base their business on traveling home-to-home but a provision was provided to allow therapists to travel to a customer's home if the person was disabled or could not drive. Attorney O'Connell stated a provision was also provided that allow therapists the ability to provide services at a trade show.

Attorney O'Connell stated §115.10(D)(1) and §115.10(D)(2) could be removed as they were now redundant with §115.06.

Michelle Newsom, Touch of Grace Massage owner, stated her business would lose around \$2,000.00 per year if she was not able to travel to customers' homes. Newsom stated she traveled to five different business last year to provide massage therapy. Newsom stated one such example was that she went to Clinton Community College to provide massages to the students. Newsom stated she was happy to see the Council add updates but would ask for the ability to go to businesses as well as the ability to temporarily relocate if something unforeseen were to happen to the business establishment.

Councilmember Connell stated he concurred with Newsom's request. Attorney O'Connell stated the ordinance could be revised to allow therapists to perform massage therapy at a business or public location. Administrator Brooke stated part of enforcement would be utilizing common sense. Mayor Vulich stated a provision could be added that the City Administrator could authorize a temporary location for a massage therapy business if there were unforeseen circumstances.

Councilmember Schemers thanked Kami Shumake and the other massage therapists for their feedback on the ordinance.

M/S, Allesee-Connell moved to forward the Ordinance Amending Chapter 115 to the next City Council meeting for its first reading. On roll call, carried unanimously.

4. Mayor and Council Updates

Mayor Vulich commended the Street Department for doing a great job clearing the streets and keeping the town open during the winter weather. Administrator Brooke stated Superintendent Regenwether and the Street Department staff listened to the requests and concerns of citizens and continually adjusted based upon the needs of the citizens.

Councilmember Allesee stated she attended the Chinese New Year celebration at the former Ashford University campus. Councilmember Allesee stated there was two hours of great entertainment and thanked the organizers for the event.

Councilmember Schemers stated Clinton was featured on the cover of Bus Tours magazine in the November/December 2018 issue. Councilmember Schemers stated since the issue, five new bus tours were scheduled to come to Clinton. Councilmember Schemers congratulated Mary Seely and the Convention and Visitors Bureau on a job well done.

M/S, Connell-Gassman moved to adjourn. All in favor.

Respectfully Submitted,

Lisa Frederick
City Clerk