

The City Council met in regular session, February 12, 2019 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich, Councilmembers: Gassman, Seeley, McGraw (via phone), Allesee, Connell, and Schemers, and Odor.

M/S, Allesee-Connell moved to dispense with the reading of the minutes of the special City Council meeting of February 1, 2019 and they be approved as published on February 12, 2019. On roll call, carried unanimously.

PROCLAMATION - Declaring March 2, 2019 as the 11th Annual QC Fire Charity Hockey Game Benefitting Clinton Firefighters – Joe Kazmier, Quad City Storm

Mayor Vulich stated due to the inclement weather, Kazmier was unable to attend the meeting. Mayor Vulich read a proclamation declaring March 2, 2019 as the 11<sup>th</sup> Annual QC Fire Charity Hockey Game benefitting Clinton Firefighters. Mayor Vulich stated QC Fire would face off the Chicago Fire in a pre-game charity hockey game at 4:15 P.M. on March 2, 2019 and the Quad City Storm would face off the Roanoke Rail Yard Dawgs at 7:10 P.M. on March 2, 2019. Mayor Vulich stated a portion of ticket sales would be donated to the families of Firefighters Lieutenant Eric Hosette and Adam Cain.

PRESENTATION - City Flag and Seal – Mayor Vulich

Administrator Brooke presented the official City flag, as designed by Morgan Wehling. Wehling stated the green color of the flag represented the natural areas in Clinton, the blue color of the flag represented the Mississippi River and the center of the flag was a paddlewheel. Administrator Brooke unveiled the redesigned City seal, as created by Morgan Wehling, and thanked Morgan for his work on the flag and seal.

PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning the City Hall Parking Lot Reconstruction Project H-2019. No comments were received, written or oral. M/S, Schemers-Odor moved that the public hearing concerning the City Hall Parking Lot Reconstruction Project H-2019 be entered into the record. On roll call, carried unanimously.

M/S, Schemers-Odor moved the Council adopt Resolution No. 2019-043 accepting bid and awarding contract to KE Flatwork for City Hall Parking Lot Reconstruction Project H-2019 - \$521,303.05. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning review of an application for a State Revolving Fund loan and environmental information document for the 1st Avenue Pumping Station Project. No comments were received, written or oral. M/S, Seeley-Allesee moved that the public hearing concerning review of an application for a State Revolving Fund loan and environmental information document for the 1st Avenue Pumping Station Project be entered into the record. On roll call, carried unanimously.

In discussion prior to roll call, Engineer Jason Craft stated the public hearing was required and the facts of the project and any potential environmental impacts were to be discussed at the

hearing. Engineer Craft displayed the map of the project area. Engineer Craft stated the project was part of the regulatory conditions of the City's Long-Term Control Plan. Engineer Craft stated the 1<sup>st</sup> Avenue pump station was built in 1965 and was vastly undersized. Engineer Craft stated the project would increase capacity at the station, with the installation of four sanitary pumps (two for normal flow and two for wet weather flow) and two new combined sewer overflow pumps. Engineer Craft stated the project would help alleviate basement backups and by 2037 the City would be required to reduce the number of combined sewer overflow events to only four to six per year. Engineer Craft stated the project would require an \$8,000,000.00 State Revolving Loan Fund, the cost of which was already covered through the last increase in sewer rates (which increase was required in order to qualify for the loan). Engineer Craft stated the project would also include the installation of a stormwater pumping station at the RV Park. Engineer Craft stated the station would help alleviate flooding that had been occurring at the ballpark as well as reduce combined sewer overflow events at the boat ramp. Engineer Craft stated the City was awarded an \$800,000.00 grant to reconstruct two parking lots with permeable pavers. Engineer Craft stated the DNR construction permit had been received, together with the finding of no significant impact from the Corps of Engineers, and the 404 wetland permit and 408 levee permit. Councilmember Gassman inquired if the sign-off list of residents was common for the type of project. Engineer Craft answered in the affirmative. Councilmember Seeley inquired when the project would be completed. Engineer Craft stated the projected completion date was the fall of 2020.

M/S, Seeley-Allesee moved the Council adopt Resolution No. 2019-044 ordering construction of improvement, setting public hearing and directing advertisement for bids - 1st Avenue Pump Station Improvements Project A-2019. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning the Mixing Equipment Replacement Oxidation Ditch #1 Project. No comments were received, written or oral. M/S, McGraw-Allesee moved that the public hearing concerning the Mixing Equipment Replacement Oxidation Ditch #1 Project be entered into the record. On roll call, carried unanimously.

M/S, McGraw-Allesee moved the Council adopt Resolution No. 2019-045 accepting bid and awarding contract to Electric Pump for Mixing Equipment Replacement Oxidation Ditch #1 Project - \$159,982.00. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning the Emma Young Softball Field Lighting Replacement Project X-2019. No comments were received, written or oral. M/S, Allesee-Connell moved that the public hearing concerning the Emma Young Softball Field Lighting Replacement Project X-2019 be entered into the record. On roll call, carried unanimously.

M/S, Allesee-Connell moved the Council adopt Resolution No. 2019-046 accepting bid and awarding contract to American Electric for Emma Young Softball Field Lighting Replacement Project X-2019 - \$598,000.00. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning accepting bid and awarding Contract #1 for the 2019 Demolition of Structures Project for the structures located at 242 2nd Avenue South, 1604 North 3rd Street, 610 8th Avenue South, and 313 23rd Avenue North. No comments were received, written or oral. M/S, Connell-Schemers moved that the public hearing concerning accepting bid and awarding Contract #1 for the 2019 Demolition of Structures Project for the structures located at 242 2nd Avenue South, 1604 North 3rd Street, 610 8th Avenue South, and 313 23rd Avenue North be entered into the record. On roll call, carried unanimously.

M/S, Connell-Schemers moved the Council adopt Resolution No. 2019-047 accepting bid and awarding Contract #1 for the 2019 Demolition of Structures Project for the structures located at 242 2nd Avenue South, 1604 North 3rd Street, 610 8th Avenue South, and 313 23rd Avenue North to Crandall Excavating for a total amount of \$17,923.00. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning accepting bid and awarding Contract #2 for the 2019 Demolition of Structures Project for the structures located at 612 2nd Avenue South, 800 2nd Avenue South, 215 South 3rd Street, 512 4th Avenue South, 2214 North 5th Street and 101 16th Place B. No comments were received, written or oral. M/S, Gassman-Seeley moved that the public hearing concerning accepting bid and awarding Contract #2 for the 2019 Demolition of Structures Project for the structures located at 612 2nd Avenue South, 800 2nd Avenue South, 215 South 3rd Street, 512 4th Avenue South, 2214 North 5th Street and 101 16th Place B be entered into the record. On roll call, carried unanimously.

In discussion prior to roll call, Councilmember Gassman inquired where 16<sup>th</sup> Place B was in the City. Councilmember Seeley stated it was off 16<sup>th</sup> Place.

M/S, Gassman-Seeley moved the Council adopt Resolution No. 2019-048 accepting bid and awarding Contract #2 for the 2019 Demolition of Structures Project for the structures located at 612 2nd Avenue South, 800 2nd Avenue South, 215 South 3rd Street, 512 4th Avenue South, 2214 North 5th Street and 101 16th Place B to Colgan Excavating for a total amount of \$37,160.00. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning accepting bid and awarding Contract #3 for the 2019 Demolition of Structures Project for the structures located at 625 3rd Avenue South, 530 7th Avenue South, 719 8th Avenue South, 723 8th Avenue South, 614 9th Avenue South and 761 14th Avenue South. No comments were received, written or oral. M/S, Gassman-Seeley moved that the public hearing concerning accepting bid and awarding Contract #3 for the 2019 Demolition of Structures Project for the structures located at 625 3rd Avenue South, 530 7th Avenue South, 719 8th Avenue South, 723 8th Avenue South, 614 9th Avenue South and 761 14th Avenue South be entered into the record. On roll call, carried unanimously.

M/S, Gassman-Seeley moved the Council adopt Resolution No. 2019-049 accepting bid and awarding Contract #3 for the 2019 Demolition of Structures Project for the structures located at 625 3rd Avenue South, 530 7th Avenue South, 719 8th Avenue South, 723 8th Avenue South, 614 9th Avenue South and 761 14th Avenue South to Kramer's Technical Services for a total amount of \$32,100.00. On roll call, carried unanimously.

#### AUDIENCE COMMENT

Karen Rowell of the Downtown Alliance stated the downtown was currently working on a Downtown Master Plan. Rowell stated the Downtown Alliance would be hosting an open house where residents could attend to learn more about the Master Plan and provide feedback on what they would like in the downtown. Rowell stated the open house would take place from 4:30 P.M. – 6:00 P.M. on February 28, 2019 at the Police Department Annex Building, 110 5<sup>th</sup> Avenue South.

#### CONSENT AGENDA

Councilmember Connell requested that item #27 be removed to Unfinished Business. M/S, Allesee-Connell moved to approve the Consent Agenda, as amended. On roll call, carried unanimously.

1. Airport Commission - minutes 01/14/2019 & 01/21/2019 - receive, approve and place on file.
2. Budget meeting - minutes 01/21/2019 & 01/28/2019 - receive, approve and place on file.
3. Civil Service Commission - minutes 01/31/2019 - receive, approve and place on file.
4. Human Rights Commission - minutes 01/10/2019 - receive, approve and place on file.
5. Completed Work Orders - January and February 2019 - receive, approve and place on file.
6. Electronic Payments and Transfers - December 2018 - receive, approve and place on file.
7. Summary of Revenues and Receipts - December 2018 - receive, approve and place on file.
8. Plans & Specs - 1<sup>st</sup> Avenue Pump Station Improvements Project A-2019 - receive, approve and place on file (copy available for inspection at Clerk's office on 02/11/2019).
9. Plans & Specs - Harrison Drive Reconstruction Project J-2019, South 14<sup>th</sup> Street to South 21<sup>st</sup> Street - receive, approve and place on file (copy available for inspection at Clerk's office on 02/11/2019).
10. Plans & Specs - South 8<sup>th</sup> Street Sewer Separation Project D-2019 - receive, approve and place on file (copy available for inspection at Clerk's office on 02/11/2019).
11. Contract and Contractor's Bond - Riverview Park Pickle-ball & Volleyball Courts Project G-2019 - Determann Asphalt - \$224,467.45 - receive, approve and place on file (copy available for inspection at Clerk's office).
12. Resolution No. 2019-050 - extending insurance benefits to surviving spouse.
13. Resolution No. 2019-051 - City-wide Urban Revitalization Applications (Bimm).
14. Resolution No. 2019-052 - City-wide Urban Revitalization Applications.
15. Resolution No. 2019-053 - City-wide Urban Revitalization Applications (Beaver Development).
16. Resolution No. 2019-054 - vacating and abandoning sidewalk along east side of South 4<sup>th</sup> Street between 13<sup>th</sup> Avenue South and 17<sup>th</sup> Avenue South.
17. Resolution No. 2019-055 - ordering construction of improvement, setting public hearing and directing advertisement for bids - Harrison Drive Reconstruction Project J-2019, South 14<sup>th</sup> Street to South 21<sup>st</sup> Street.
18. Resolution No. 2019-056 - ordering construction of improvement, setting public hearing and directing advertisement for bids - South 8<sup>th</sup> Street Sewer Separation Project D-2019.

19. Resolution No. 2019-057 – approving Change Order No. 3 – Asphalt Resurfacing Project F-2018 – Determann Asphalt Paving, LLC - \$35,175.96.
20. Resolution No. 2019-058 – recommending Payment No. 5 – Asphalt Street Resurfacing Project F-2018 – Determann Asphalt Paving, LLC - \$33,423.40.
21. Resolution No. 2019-059 – recommending Payment No. 8 – Turtle Creek Culvert Replacement and Sanitary Sewer Relocation Project D-2017 – Legacy Corporation, of East Moline, IL - \$37,657.97.
22. Resolution No. 2019-060 – approving Pet Shop Business Permit for Wings-N-Things Pet Center.
23. Resolution No. 2019-061 – approving Massage Therapy Business Permit for Right Track Therapeutic Massage.
24. Resolution No. 2019-062 – approving transfer of Class B Beer License location for the Clinton Jaycees.
25. Resolution No. 2019-063 – approving a Class C Beer Permit renewal application with Class B Native Wine Permit and Sunday Sales privileges for Casey’s General Store #2222.
26. Resolution No. 2019-064 – approving Class C Liquor License renewal application with Sunday Sales and Outdoor Service privileges for Bonnie’s Scenic Tavern.
27. Resolution – Removed to Unfinished Business – approving Class B Beer License renewal application with Outdoor Service and Sunday Sales privileges for Happy Joe’s Pizza & Ice Cream Parlor and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.
28. Resolution No. 2019-065 – approving a Class E Liquor License renewal application with Class B Wine Permit, Class C Beer Permit (Carryout Beer) and Sunday Sales privileges for Hop-N-Shop Inc.

#### 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, Schemers, Odor – Yes; Connell – Abstain. Motion carried.

M/S, Gassman-Seeley moved the Council consider an ordinance for the second time – AN ORDINANCE AMENDING CHAPTER 52 OF THE CODE OF ORDINANCES OF THE CITY OF CLINTON, IOWA. On roll call, carried unanimously.

M/S, Gassman-Seeley moved the rules be suspended and the Council consider an ordinance for the third time. On roll call, carried unanimously.

M/S, Gassman-Seeley moved the rules be suspended and that the ordinance under consideration be placed on its final passage and adopted. On roll call, carried unanimously.

ORDINANCE NO. 2602

M/S, Connell-Schemers moved the Council adopt Resolution No. 2019-066 approving an Amendment to the 28E Agreement Regarding Clinton/Low Moor Waste Water Treatment District. On roll call, carried unanimously.

M/S, Seeley-Gassman moved the Council adopt Resolution No. 2019-067 approving an Amendment to the 28E Agreement Regarding Clinton/Camanche Waste Water Treatment District. On roll call, carried unanimously.

M/S, Schemers-Odor moved the Council adopt Resolution No. 2019-068 setting public hearing regarding proposed Capital Improvement Program for FY2020-2024 for the City of Clinton, Iowa. On roll call, carried unanimously.

In discussion prior to roll call, Councilmembers Seeley and Connell stated they looked forward to the discussion at the public hearing.

M/S, McGraw-Allesee moved the Council adopt Resolution No. 2019-069 setting public hearing on the FY 2019-2020 City Operating Budget. On roll call, carried unanimously.

In discussion prior to roll call, Councilmember Seeley inquired if the resolution was to set the levy rate. Administrator Brooke stated the resolution scheduled the public hearing on the FY2019-2020 operating budget. Mayor Vulich stated the levy rate had been set and could be lowered but not increased at the public hearing.

M/S, Odor-Schemers moved the Council adopt Resolution No. 2019-070 FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$7,000,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF CLINTON, STATE OF IOWA (FOR ESSENTIAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF. On roll call, carried unanimously.

In discussion prior to roll call, Councilmember Connell stated the borrowings would cover the Capital Improvement Program items, was broken down by essential and corporate purposes and was in the amount of \$7.88 million. Administrator Brooke concurred. Finance Director Anita Dalton stated essential corporate purposes included items such as streets, bridges, sidewalks and equipping the Police Department. Director Dalton stated the amount for the loan notes was always rounded up. Director Dalton stated general corporate purposes included items such as the Fire Station, Ericksen Community Center, Library, pool, signage and fiber. Councilmember Seeley inquired why there were several loan notes. Director Dalton stated if the note was over \$750,000.00 for general corporate purposes, a referendum vote would have to occur. Mayor Vulich stated the tax rates would also differ. Councilmember Connell inquired about the loan notes being rounded up and inquired if an explanation could be provided from the bonding counsel. Administrator Brooke answered in the affirmative.

M/S, Connell-Schemers moved the Council adopt Resolution No. 2019-071 FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$500,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF CLINTON, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF. On roll call, carried unanimously.

M/S, Schemers-Odor moved the Council adopt Resolution No. 2019-072 FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF

NOT TO EXCEED \$400,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF CLINTON, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF. On roll call, carried unanimously.

M/S, Seeley-Connell moved the Council adopt Resolution No. 2019-073 FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$600,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF CLINTON, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF. On roll call, carried unanimously.

M/S, Gassman-Seeley moved the Council adopt Resolution No. 2019-074 FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$500,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF CLINTON, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - No. Motion carried.

M/S, Allesee-Connell moved the Council adopt Resolution No. 2019-075 establish a public hearing for the rezoning of certain portions of riverfront. On roll call, carried unanimously.

In discussion prior to roll call, Administrator Brooke stated the City-owned property along riverfront would be rezoned to C-R, Commercial-Recreation, to provide the ability for more economic growth.

M/S, Odor-Schemers moved the Council to go into Closed Session pursuant to Iowa Code Section 21.5(1)(j) to discuss purchase of real estate and the offer price to be made to owner, where premature disclosure may increase the price the City would have to pay. On roll call, carried unanimously.

Determination was made by City Attorney Patrick O'Connell that the reason for going into closed session met all necessary criteria.

Council went into closed session at 7:50 P.M.

Council came out of closed session at 8:19 P.M.

M/S, Odor-Seeley moved to approve the recommendations of the City Attorney and City Administrator regarding range of offer to be made for real estate. On roll call, carried unanimously.

#### UNFINISHED BUSINESS

M/S, Connell-Schemers moved the Council adopt Resolution No. 2019-076 approving Class B Beer License renewal application with Outdoor Service and Sunday Sales privileges for Happy Joe's Pizza & Ice Cream Parlor and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises. On roll call, Gassman, Seeley, Allesee, Connell, Schemers, Odor - Yes; McGraw - Abstain. Motion carried.

M/S, Allesee-Gassman moved to adjourn to 7:00 P.M. February 26, 2019. On roll call, carried unanimously.

---

Mark S. Vulich  
Mayor

---

Lisa M. Frederick  
City Clerk