

Committee of the Whole  
February 13, 2018

Present: Mayor Vulich, Councilmembers Seeley, McGraw, Allesee, Connell, Schemers, and Odor, City Attorney, City Administrator, City Clerk, Press and interested citizens. Councilmember Gassman – absent.

1. Downtown SSMID Holiday Lights Purchase – Director of Downtown Clinton Alliance Karen Rowell

Downtown Clinton Alliance Chairman Tim Clark stated the Downtown SSMID (Self-Supported Municipal Improvement District) purchased holiday lights last season and would like to add additional lights to enhance the downtown display. Councilmember Connell stated the display last season was well done. Councilmember Seeley inquired if all new light poles would have holiday lights. Chairman Clark answered in the affirmative. Councilmember Seeley stated the lighted tree was well done. Chairman Clark and Mayor Vulich stated the tree would be four feet taller next season. Councilmember McGraw stated SSMID funds would pay for the holiday lights purchase and that SSMID funds were not paid by taxpayers but rather by businesses in the SSMID.

M/S, Seeley-McGraw moved to forward a resolution approving the use of SSMID funds to purchase additional holiday lights to the next City Council meeting. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

2. Downtown SSMID Kawasaki Mule Purchase & Ordinance Adjustment – Director of Downtown Clinton Alliance Karen Rowell

Downtown Clinton Alliance Chairman Tim Clark stated the Downtown SSMID (Self-Supported Municipal Improvement District) would like to purchase a Kawasaki Mule to assist with the upkeep and watering of plants in the downtown. Chairman Clark requested a change to the existing ordinance to allow the SSMID to use the all-terrain vehicle on the City streets and sidewalks. Councilmember McGraw reiterated the vehicle would assist the SSMID with watering plants.

M/S, Allesee-Connell moved to forward a resolution approving the use of SSMID funds to purchase a Kawasaki Mule to the next City Council meeting. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

M/S, Allesee-Connell moved to direct City Attorney Patrick O'Connell to prepare a change to the existing all-terrain vehicle ordinance to allow usage of such vehicles by the SSMID on City streets and sidewalks and for said ordinance to be presented to the Council at its next City Council meeting. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

3. Downtown Ordinance – City Administrator Matt Brooke

City Administrator Matt Brooke stated changes were proposed to Section 159.045 of the City Code to adjust the building height and number of stories requirements. Administrator Brooke stated proposed changes were to promote development.

Councilmember Seeley inquired about the removal of the reference to R-4. Mayor Vulich stated structures in the Downtown Overlay Zone were only zoned C-3.

Councilmember Seeley inquired about adjustments to other restrictions in the Code, such as number of staff allowed and business types. Administrator Brooke stated adjustments to those items would be forthcoming in a separate ordinance change.

M/S, Seeley-Connell moved to forward an Ordinance Amending Section 159.045 of the Code of Ordinances of the City of Clinton, Iowa, to Revise Height and Area Requirements Applicable Within the C-3 Central Business District to the next City Council agenda for its first reading. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

4. Referral from City Plan Commission – City Engineer Jason Craft
  - a. Approval of Final Plat for Trinity Health Plat 1

City Engineer Jason Craft stated there was no new development in connection with the Final Plat for Trinity Health Plat 1 and that the plat was merely a reorganization of existing lots at the Mercy South Hospital (“Mercy”) location. Engineer Craft stated lots were combined and a lot would be sold to another healthcare organization. Engineer Craft stated a small portion of Thorwaldsen Place was on the plat of Mercy and Mercy would be deeding said portion to the City.

Councilmember Seeley inquired if Lot 2, the older portion of the structure, would be sold. Doug Mandernach, Project Manager of Civil Design Advantage, answered in the affirmative and stated a separate parcel was needed for taxation purposes. Councilmember Seeley inquired if all lots existed previously. Manager Mandernach answered in the affirmative and stated lots were combined and reduced to just two lots – Lot 1 and Lot 2. Councilmember Seeley inquired if the attached structures conformed to all applicable zoning regulations. Engineer Craft answered in the affirmative and stated the plat was also reviewed by Dan Fox, Senior Planner of ECIA (East Central Intergovernmental Association).

M/S, Seeley-Odor moved to forward a resolution approving the Final Plat for Trinity Health Plat 1 to the next City Council agenda. On roll call, Seeley, McGraw, Connell, Schemers, Odor – Yes; Allesee – abstain; Gassman – absent. Motion carried.

5. Sale of City-Owned Parcel at Garfield Street & 31st Avenue North (Parcel 8602410002) – City Administrator Matt Brooke

Administrator Brooke stated Greg Waddell, who owned a parcel across the street from Parcel 8602410002, had approached the City expressing interest in purchasing Parcel 8602410002. Administrator Brooke stated Waddell had stated the lot was not suitable for building and desired to maintain it as green space. Administrator Brooke stated the City had no outstanding liens for this parcel.

Councilmember Seeley stated the bike path appeared to be on the parcel. Councilmember Seeley inquired if it was certain that the lot was not buildable. Battalion Chief Jeff Chapman stated the DNR (Iowa Department of Natural Resources) would need to be contacted to determine if the site was buildable. Mayor Vulich stated the property was an old landfill and a Phase I Survey would need to be completed to determine if the site was buildable.

Councilmember Seeley inquired if the City would have any liability in selling the property. Attorney O'Connell stated the buyer and the buyer's attorney would be required to complete its due diligence when acquiring the property and would ultimately have to determine if the site was buildable.

Administrator Brooke stated the lot could be adjusted to remove the bike path from the parcel. Councilmember Connell inquired if the Engineering Department could survey the parcel. Engineer Craft stated that would not be allowed by the law and a licensed surveyor would need to complete a survey for the parcel. Councilmember Seeley stated consideration of a received bid could include whether the bid would cover the cost of the survey.

M/S, Seeley-Schemers moved to forward a resolution setting a public hearing for the proposed sale of a City owned vacant lot to the next City Council agenda for Parcel 8602410002, less the right-of-way required for the bike path. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

6. Sale of City-Owned Parcel at 80 25<sup>th</sup> Avenue North (Parcel 86-16300000) – City Administrator Matt Brooke

Administrator Brooke stated 80 25<sup>th</sup> Avenue North was the old Odeon parcel and was diagonal from Parcel 8628390000, which the Council chose to place out for bid at its last Committee of the Whole meeting. Administrator Brooke stated the parcel was zoned R-4 and the City had incurred \$56,332.00 in demolition costs. Administrator Brooke noted the lot was buildable and situated in a good location.

M/S, Seeley-Allesee moved to forward a resolution setting a public hearing for the proposed sale of a City owned vacant lot to the next City Council agenda for Parcel 8601630000 – 80 25<sup>th</sup> Avenue North. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

7. Request for Assignment of County-Held Tax Certificates (Parcels 80-49930000 & 80-49830000) – City Administrator Matt Brooke

Mayor Vulich stated this item was withdrawn as it pertained to 401 North 4<sup>th</sup> Street and a prospective buyer had contacted the City on Friday, February 9, 2018.

8. Mayor and Council Updates

No updates were presented.

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

Respectfully Submitted,

Lisa M. Frederick  
City Clerk