

The City Council met in regular session, February 13, 2018 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich; Councilmembers: Seeley, McGraw, Allesee, Connell, Schemers and Odor. Councilmember Gassman - absent.

M/S, Allesee-Connell moved to dispense with the reading of the minutes of the special Committee of the Whole meeting of January 25, 2018 and they be approved as published on February 6, 2018. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - absent. Motion carried.

M/S, Allesee-Connell moved to dispense with the reading of the minutes of the special City Council and Committee of the Whole meetings of January 29, 2018 and they be approved as published on February 12, 2018. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - absent. Motion carried.

M/S, Allesee-Connell moved to dispense with the reading of the minutes of the regular City Council and Committee of the Whole meetings of January 30, 2018 and they be approved as published on February 12, 2018. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - absent. Motion carried.

## PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for Asphalt Street Resurfacing Project F-2018. No comments were received, written or oral. M/S, Schemers-Odor moved that the public hearing concerning accepting bid and awarding contract for Asphalt Street Resurfacing Project F-2018 be entered into the record. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - absent. Motion carried.

M/S, Schemers-Odor moved the Council adopt Resolution No. 2018-057 accepting bid and awarding contract to Determann Asphalt for Project F-2018, Asphalt Street Resurfacing Project for \$639,256.80. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - absent. Motion carried.

Mayor Vulich convened a public hearing concerning adopting a Capital Improvement Plan for Fiscal Years 2019 through 2024. No comments were received, written or oral. M/S, Odor-Schemers moved that the public hearing concerning adopting a Capital Improvement Plan for Fiscal Years 2019 through 2024 be entered into the record. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - absent. Motion carried.

M/S, Odor-Schemers moved the Council adopt Resolution No. 2018-058 adopting a Capital Improvement Plan for Fiscal Years 2019 through 2024. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - absent. Motion carried.

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract #1 for the 2018 Demolition of Structures Project, Phase I at 237 2nd Avenue South, 2602 North 2nd Street, 618 5th Avenue South, 518 19th Avenue North. No comments were received, written or oral. M/S, Seeley-Allesee moved that the public hearing concerning accepting bid and awarding contract #1 for the 2018 Demolition of Structures Project, Phase I at 237 2nd Avenue South, 2602 North 2nd Street, 618 5th Avenue South, 518 19th Avenue North be entered into the

record. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

M/S, Seeley-McGraw moved the Council adopt Resolution No. 2018-059 accepting bid and awarding Contract #1 for the 2018 Demolition of Structures Project, Phase I for the structures located at 237 2nd Avenue South, 2602 North 2nd Street, 618 5th Avenue South, 518 19th Avenue North to Kramer’s Technical Services for a total amount of \$21,500.00. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract #2 for the 2018 Demolition of Structures Project, Phase I at 401 North 4th Street and 241 North Bluff Boulevard. No comments were received, written or oral. M/S, Allesee-Connell moved that the public hearing concerning accepting bid and awarding contract #2 for the 2018 Demolition of Structures Project, Phase I at 401 North 4th Street and 241 North Bluff Boulevard be entered into the record. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

M/S, Allesee-Connell moved the Council adopt a resolution accepting bid and awarding Contract #2 for the 2018 Demolition of Structures Project, Phase I for the structures located at 401 North 4th Street and 241 North Bluff Boulevard to Jurgersen Hauling for a total amount of \$24,950.00. In discussion before roll call, Administrator Brooke stated prospective buyers of 401 North 4th Street visited City Hall on Friday, February 9, 2018. Administrator Brooke requested delaying acceptance of the demolition bid for 401 North 4th Street until March 13, 2018. M/S, Allesee-Connell moved the Council amend the resolution to remove 401 North 4th Street and to delay awarding of the demolition bid for 401 North 4th Street until 7:00 P.M., Tuesday, March 13, 2018. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried. M/S, Allesee-Connell moved the Council adopt Resolution No. 2018-060, as amended, accepting bid and awarding Contract #2 for the 2018 Demolition of Structures Project, Phase I for the structures located at 241 North Bluff Boulevard to Jurgersen Hauling for a total amount of \$7,850.00. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract #3 for the 2018 Demolition of Structures Project, Phase I at 847 11th Avenue South. No comments were received, written or oral. M/S, McGraw-Allesee moved that the public hearing concerning accepting bid and awarding contract #3 for the 2018 Demolition of Structures Project, Phase I at 847 11th Avenue South be entered into the record. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

M/S, McGraw-Allesee moved the Council adopt Resolution No. 2018-061 accepting bid and awarding Contract #3 for the 2018 Demolition of Structures Project, Phase I for the structures located at 847 11th Avenue South to BWC Excavating for a total amount of \$6,400.00. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

#### AUDIENCE COMMENT

No persons came before the Council to speak.

#### CONSENT AGENDA

Councilmember Connell requested that item #31 and item #18 be removed to Unfinished Business.

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

1. ADA Commission – minutes 10/24/2017 – receive, approve and place on file.
2. Committee of the Whole – special minutes 01/25/2018 – receive, approve and place on file.
3. Committee of the Whole – special minutes 01/29/2018 – receive, approve and place on file.
4. Committee of the Whole – minutes 01/30/2018 – receive, approve and place on file.
5. Budget Meeting #3 – minutes 01/25/2018 – receive, approve and place on file.
6. Budget Meeting #4 – minutes 01/29/2018 – receive, approve and place on file.
7. Budget Meeting #5 – minutes 02/05/2018 – receive, approve and place on file.
8. Historic Preservation Commission – minutes 02/08/2018 – receive, approve and place on file.
9. Hometown Pride Local Committee – minutes 02/02/2018 – receive, approve and place on file.
10. Hometown Pride Steering Committee – minutes 01/25/2018 – receive, approve and place on file.
11. City Plan Commission – minutes 02/07/2018 – receive, approve and place on file.
12. Tree Commission – minutes 01/11/2018 – receive, approve and place on file.
13. Contract and Contractor's Bond – Project F-2018, Asphalt Street Resurfacing – Determann Asphalt Paving, LLC - \$639,256.80 – receive, approve and place on file (copy available for inspection at Clerk's office).
14. Plans & Specs – Project E-2018, Basin 6 Sewer Separation, Phase B - receive, approve and place on file (copy available for inspection at Clerk's office).
15. Resolution No. 2018-062 – designating public depository and authorizing withdrawal of municipal public monies.
16. Resolution No. 2018-063 – approving the 2017 Certified Local Government Annual Report for the Historic Preservation Commission.
17. Resolution No. 2018-064 – approving the renewed contract between Clinton Fire Department and Mercy Medical Center for EMS contingency coverage.
18. Resolution – Removed to Unfinished Business – approving agricultural land lease with John Thomas.

19. Resolution No. 2018-065 - establish a public hearing for the 2018 Community Development Block Grant (CDBG) application.
20. Resolution No. 2018-066 - city-wide urban revitalization applications (1 year).
21. Resolution No. 2018-067 - city-wide urban revitalization applications (2 years).
22. Resolution No. 2018-068 - city-wide urban revitalization applications (3 years).
23. Resolution No. 2018-069 - city-wide urban revitalization applications (5 years).
24. Resolution No. 2018-070 - authorizing the collection/certification of grass/weed cutting and nuisance clean up liens - \$2,039.75.
25. Resolution No. 2018-071 - authorizing the collection/certification of grass/weed cutting and nuisance clean up liens - \$2,168.00.
26. Resolution No. 2018-072 - ordering construction of improvement, setting public hearing and directing advertisement for bids - Project E-2018, Basin 6 Sewer Separation, Phase B.
27. Resolution No. 2018-073 - recommending Payment No. 1 for the Cured in Place Pipe, Sanitary Sewer Lining, Project Z-2017 - Hydro-Klean, LLC - \$5,993.07.
28. Resolution No. 2018-074 - recommending Payment No. 8 for the Margaret Place Pumping Station Project B-2013 - Valley Construction Company - \$595,444.05.
29. Resolution No. 2018-075 - approving issuance of cigarette permit for Hop-N-Shop Inc.
30. Resolution No. 2018-076 - approving liquor license renewal and Sunday sales privilege for Mezcal 2 Mexican Bar and Grill and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.
31. Resolution - Removed to Unfinished Business - approving Class C Beer license renewal and Sunday sales privilege 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.

#### MOTIONS, RESOLUTIONS, AND ORDINANCES

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

M/S, Connell-Schemers moved the Council consider an ordinance for the second time - AN ORDINANCE AMENDING CHAPTERS 90 AND 94 OF THE CLINTON, IOWA CODE OF ORDINANCES. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - absent. Motion carried.

M/S, Seeley-Connell moved that the Council adopt Resolution No. 2018-077 declaring surplus property. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - absent. Motion carried.

M/S, Schemers-Odor moved that the Council adopt Resolution No. 2018-078 setting public hearing on the proposed sale of City owned vacant lots – Roosevelt Street. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

In discussion before roll call, Councilmember Seeley inquired about marketing City-owned parcels and how to best provide notice to potential buyers. Administrator Brooke stated prior to expending funds on marketing, it would be proposed to place the parcels out for bid to determine if there was any interest in the parcels. Administrator Brooke stated the Council could reject any bid if the bid was not acceptable to the Council.

M/S, McGraw-Allesee moved that the Council adopt Resolution No. 2018-079 setting public hearing on the proposed sale of City owned vacant lots – 243 25th Avenue North. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

M/S, Odor-Seeley moved that the Council adopt Resolution No. 2018-080 setting public hearing on the FY 2018-2019 City operating budget. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

M/S, Seeley-McGraw moved that the Council adopt Resolution No. 2018-081 fixing date for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$8,100,000.00 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, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – absent. Motion carried.

M/S, Connell-Schemers moved that the Council adopt Resolution No. 2018-082 fixing date for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$700,000.00 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 – absent. Motion carried.

M/S, McGraw-Allesee moved that the Council adopt Resolution No. 2018-083 fixing date for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$700,000.00 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 – absent. Motion carried.

In discussion before roll call, Councilmembers Connell and Seeley inquired about projects funded through each \$700,000.00 capital loan note. Finance Director Dalton stated one loan note would cover certain projects included within the Capital Improvement Program, including costs of facility and site improvements at City Hall and equipping the Parks Department. Director Dalton stated the other loan note would cover other projects included within the Capital Improvement Program, including costs of facility, site and equipment improvements at the Library and Fire Stations, equipping the Building and Neighborhood Services Department and Information Technology improvements.

#### UNFINISHED BUSINESS

M/S, Connell-Seeley moved that the Council adopt Resolution No. 2018-084 approving Class C Beer license renewal and Sunday sales privilege 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, Seeley, Allesee, Connell, Schemers, Odor – Yes; McGraw – abstain; Gassman – absent. Motion carried.

Councilmember Connell inquired about bidding out all farm leases each year. Discussion ensued about lease renewals and notifications. Attorney O'Connell stated timely notice was provided to each lessee prior to the lease expiration and the lessee had been a very cooperative tenant. M/S, Connell-Allesee moved that the Council adopt Resolution No. 2018-085 approving agricultural land lease with John Thomas. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - absent. Motion carried.

M/S, Allesee-Connell moved to adjourn to 7:00 P.M. February 27, 2018. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - absent. Motion carried.

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Mark S. Vulich  
Mayor

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Lisa M. Frederick  
City Clerk