

Committee of the Whole
February 26, 2019

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

1. Chapter 110 Ordinance Updates – City Clerk Lisa Frederick

City Clerk Frederick stated updates were proposed for Chapter 110 – Liquor Licensing – in order to provide clarity on the application, renewal and ownership change process and ensure the City had the ability to conduct proper background checks. Clerk Frederick stated the proposed ordinance update would provide the following items that were absent or lacking in the existing Code: language that an applicant or licensee could not have any outstanding financial obligations to the City and be granted a license, expanded language to provide clarity on the requirements and processes for new applications, ownership changes and renewals, establishment of an appeal process in the case of a denial, delineation of the grounds for revocation and suspension, and requirement of information on managers of an establishment. Clerk Frederick stated two items were of particular importance for the City. Clerk Frederick stated the first item was provisions for ownership changes that ensured the City had the ability to conduct appropriate background checks when an ownership change occurred. Clerk Frederick stated without the provision, the City would not be able to enforce background checks in instances where corporations changed ownership. Clerk Frederick stated the second item of importance was the requirement to provide information on the manager of an establishment. Clerk Frederick stated as many establishments were managed by someone other than the liquor license applicant, the information was crucial for public safety.

Councilmember Seeley inquired if the allowed areas specified in the ordinance would cover sidewalk cafés. Clerk Frederick answered in the affirmative and stated sidewalk cafés were required to have an active outdoor service privilege on their license. Councilmember Schemers stated the update was much needed and stated the ordinance was well done. Councilmember Connell concurred. Councilmember Connell stated in reviewing the proposed ordinance with local licensees, the question arose as to what would constitute a manager.

M/S, Schemers-Gassman moved to forward the Ordinance Repealing and Replacing Chapter 110 to the next City Council meeting for its first reading. On roll call, carried unanimously.

In discussion prior to roll call, Councilmember Schemers stated new liquor licenses and liquor license renewal applications cost \$75.00. Councilmember Schemers stated he would propose that new liquor licenses, liquor license renewal applications, and liquor license ownership changes all cost \$75.00 each. Councilmember Seeley inquired about the difference between a new application and an ownership change. Clerk Frederick stated an ownership change occurred when the applicant remained the same in the instance of a corporation or limited liability company and the shareholders or member-managers changed. M/S, Schemers-Connell moved to forward a resolution to the next City Council meeting approving liquor license inspection/investigation fees for new licenses, renewals and ownership changes of \$75.00. On roll call, carried unanimously.

2. Chapter 31 Ordinance Updates – City Administrator Matt Brooke

Administrator Brooke stated the City would like to have the ability to commercially use the City seal, flag and emblem. Administrator Brooke stated the Council would approve any commercial uses prior to the items being available for sale.

M/S, Seeley-Allesee moved to forward the Ordinance Amending Chapter 31 to the next City Council meeting for its first reading. On roll call, carried unanimously.

In discussion prior to roll call, Mayor Vulich stated the ordinance was much needed. City Attorney Patrick O'Connell concurred and stated the ordinance was designed so that the City would have to approve sales and designs of any items containing the flag, seal or emblem.

3. Potential Lease of 400 North 3rd Street – City Administrator Matt Brooke

Administrator Brooke stated Kyle Mecham expressed interest in gardening 400 North 3rd Street. Administrator Brooke stated the lot was not buildable and the gardening lease would be a test run for potential similar leases. Administrator Brooke stated the lease fee would be \$50.00 and the City would save approximately \$420.00 in mowing fees.

M/S, Gassman-Seeley moved to forward a resolution approving the Urban Gardening Lease Agreement to the next City Council meeting. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, Schemers – Yes; Odor – Abstain. Motion carried.

In discussion prior to roll call, Councilmember Seeley inquired about potential liability. Attorney O'Connell stated while there could always be liability, there would be minimal risk.

4. Springdale Cemetery Update – City Administrator Matt Brooke

Administrator Brooke stated Dennis Britson of the Iowa Securities and Regulated Industries Bureau ("Bureau") advised the City that Clinton Lawn Cemetery had completed negotiations with the Bureau to assist with the administration, management, operations and ground maintenance of Springdale Cemetery. Administrator Brooke stated the City's involvement would be limited to some minor tree clearing and road maintenance. Administrator Brooke stated if the City would become responsible of Springdale Cemetery, the City would be notified one hundred and twenty days in advance.

Councilmember Seeley inquired if Clinton Lawn Cemetery would be taking care of the mowing at Springdale Cemetery. Administrator Brooke answered in the affirmative. Councilmember Seeley inquired about funding. Administrator Brooke stated the remaining Springdale Cemetery funds had been transferred and there were some State funds. Mayor Vulich stated Clinton Lawn Cemetery would receive the revenue for burials, markers and other items at Springdale Cemetery. Mayor Vulich stated there was a stark decrease in the number of burials occurring at Springdale Cemetery last year compared to prior years. Mayor Vulich stated it was not uncommon for cemetery maintenance to return to cities and a cemetery in Davenport recently went back to the city.

5. Mayor and Council Updates

Mayor Vulich stated the Conference Board for the County Assessor's office met on Tuesday, February 26, 2019. Mayor Vulich stated the levy last year for the office was \$0.49 per 1,000 and the levy for the upcoming year was set at \$0.38 per 1,000. Mayor Vulich stated the drop in the levy rate was a result of combining the County Assessor and City Assessor's offices. Mayor

Vulich stated the three County Supervisors were in attendance together with four mayors and two school board members.

Mayor Vulich stated a fundraising hockey game for the families of Firefighters Lieutenant Eric Hosette and Adam Cain would take place on Saturday, March 2, 2019 at the TaxSlayer Center. Mayor Vulich stated QC Fire would face off the Chicago Fire in a pre-game at 4:15 P.M. and the Quad City Storm would face off the Roanoke Rail Yard Dawgs at 7:10 P.M. Mayor Vulich stated tickets were \$20.00. Mayor Vulich stated there would be three ceremonial puck drops, including one by Mayor Vulich and one by Kelly Hosette and daughter.

Councilmember McGraw stated a Hero Fundraiser would take place on Wednesday, February 27, 2019 at Happy Joe's. Councilmember McGraw stated the fundraiser would take place from 5:00 P.M. until 8:00 P.M. Councilmember McGraw stated there would be a raffle and all proceeds would go to the Fire Department.

Councilmember Connell stated Clinton was featured on the cover of the Iowa League of Cities February 2019 magazine. Councilmember Connell stated there was an article in the magazine outlining the City's work on nuisances. Attorney O'Connell stated the article highlighted the work done by Battalion Fire Chief Jeff Chapman and the Building and Neighborhood Services Department. Attorney O'Connell stated on May 15, 2019, the Building and Neighborhood Services Department would be featured at a nuisance conference hosted by the Iowa League of Cities in Coralville, Iowa. Attorney O'Connell stated Clinton was progressive regarding nuisance abatement and would educate other communities.

Councilmember Connell extended congratulations to Prince of Peace and stated the boys' basketball team was working toward the State Basketball Championship.

Administrator Brooke thanked Bob Betsinger for making and donating the mini flag holders. Administrator Brooke stated J&M Designs of Camanche, Iowa created the wooden flag hanging on the wall in the Council Chambers.

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

Respectfully Submitted,

Lisa Frederick
City Clerk