

The City Council met in regular session, February 26, 2019 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich, Councilmembers: Gassman, Seeley, McGraw, Allesee, Connell, Schemers, and Odor.

M/S, Allesee-Connell moved to dispense with the reading of the minutes of the special City Council meeting of February 7, 2019 and they be approved as published on February 21, 2019. On roll call, carried unanimously.

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 February 12, 2019 and they be approved as published on February 26, 2019. On roll call, carried unanimously.

#### FARWELL CEREMONY - Police Department - Captain Kopp

Police Chief Kevin Gyrion stated Captain Steve Kopp had been with the Clinton Police Department for twenty-nine years and thanked Captain Kopp for his service. Mayor Vulich congratulated Captain Kopp on his retirement and thanked him for his service. Captain Kopp thanked Chief Gyrion and the citizens.

#### PROMOTIONS - Police Department - Corporal, Sergeant and Captain

Chief Gyrion stated Patrick Cullen was being promoted to Captain. Chief Gyrion stated Captain Cullen had been with the Police Department for twenty-nine years and had been a School Resource Officer for twenty years. Chief Gyrion stated Captain Cullen would be the Patrol Division Commander for two shifts.

Chief Gyrion stated John Melvin was being promoted to Sergeant. Chief Gyrion stated Sergeant Melvin had been with the Police Department for twenty-five years and had served as a field training officer and evidence technician. Chief Gyrion stated Sergeant Melvin would be the C-shift supervisor.

Chief Gyrion stated Brett Schwandt was being promoted to Corporal. Chief Gyrion stated Corporal Schwandt had been on the Clinton Police Department Honor Guard and been a crime scene investigator.

Chief Gyrion congratulated Captain Cullen, Sergeant Melvin, and Corporal Schwandt on their promotions. Mayor Vulich administered the oaths of office for Captain Cullen, Sergeant Melvin and Corporal Schwandt.

#### PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning the rezoning of certain portions of riverfront. No comments were received, written or oral. M/S, Gassman-Seeley moved that the public hearing concerning the rezoning of certain portions of riverfront be entered into the record. On roll call, carried unanimously.

M/S, Gassman-Seeley moved the Council consider an ordinance for the first time - AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF CLINTON, IOWA, BY REZONING AND CHANGING THE DISTRICT CLASSIFICATION OF CERTAIN REAL PROPERTY FROM "R-1C" ONE-FAMILY RESIDENTIAL TO "C-R" COMMERCIAL-RECREATION. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning adopting a Capital Improvement Plan for fiscal years 2020 through 2024. No comments were received, written or oral in the Clerk's office. Mayor Vulich inquired if anyone in the audience wished to address the public hearing.

Jacqueline Cannon of Hope in Action stated \$50,000.00 was pledged towards installing restrooms at Clinton Park during the Capital Improvements Planning Committee meeting. Cannon requested support from the Council for the project. Cannon stated the Parks Master Plan did not call for new restroom facilities. Cannon stated Clinton Park needed permanent restroom facilities rather than the existing porta potty. Cannon stated Devan Douglas had practiced basketball at Clinton Park and had gone on to play with the Harlem Globetrotters. Julie Drake of Hope in Action stated a permanent handicap accessible restroom was needed at Clinton Park. Javion Graham stated his grandmother was on the Hope in Action committee and stated as a child he played basketball at Clinton Park with his siblings. Graham stated they currently used the restroom at the nearby gas station but crossing the street could be dangerous. Graham stated they would like safe restrooms at the park. Donna Santiago of Hope in Action stated a permanent restroom at the park could help change the stigma of the area and help build the neighborhood.

Councilmember Seeley inquired how the Council could assist. Administrator Matt Brooke stated the project would cost over \$100,000.00 and the City would need to work together with the Hope in Action group to fund the project. Administrator Brooke stated the Hope in Action group had stated it would be raising funds towards the project. Administrator Brooke stated new playground equipment would be installed at Clinton Park in the near future.

Councilmember Connell requested Parks and Recreation Director Josh Eggers speak about the project. Director Eggers stated the installation of a restroom facility at Clinton Park was projected to cost between \$125,000.00 - \$150,000.00. Director Eggers stated water and sewer lines would have to be run to the facility. Director Eggers stated the Parks Master Plan did not call for the installation of new restroom facilities at any of the City's parks. Director Eggers expressed support for the Hope in Action group. Councilmember Connell inquired about the timeframe to install a restroom at Clinton Park. Director Eggers stated the project would be estimated to take a year to complete. Councilmember Allesee inquired about a water fountain at Clinton Park. Director Eggers stated in the spring of 2019 there would be a drinking fountain installed at Clinton Park, together with new swing sets and a new climber.

Councilmember Seeley stated the \$40,000.00 listed for marina dock repairs under the other borrowings portion of the CIP (Capital Improvements Program) list could be dedicated toward the installation of a restroom at Clinton Park. Councilmember Connell stated a portion of the \$100,000.00 dedicated for land purchase for ROW on the CIP list could be used toward the project, rather than the funds dedicated for the marina.

M/S, Allesee-Connell moved that the public hearing concerning adopting a Capital Improvement Plan for fiscal years 2020 through 2024 be entered into the record. On roll call, carried unanimously.

M/S, Allesee-Connell moved the Council adopt Resolution No. 2019-077 adopting a Capital Improvement Plan for fiscal years 2020 through 2024, as amended. On roll call, carried unanimously.

In discussion prior to roll call, Councilmember Gassman requested that items on the CIP list be brought to the Council for discussion prior to bidding out the projects. Mayor Vulich stated projects could be reviewed. Administrator Brooke concurred. Councilmember Seeley stated \$40,000.00 from the other borrowings could be reallocated for the Clinton Park restroom project. Finance Director Anita Dalton stated three Councilmembers served on the Finance Committee and projects could be discussed at the Finance Committee. Councilmember Seeley stated he would prefer that projects be discussed at a Committee of the Whole meeting.

M/S, Seeley-Allesee moved that the \$40,000.00 listed under other borrowings for marina dock repairs be allocated to the restroom project at Clinton Park. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, Odor – Yes; Schemers – No. Motion carried.

In discussion prior to the second on the motion to reallocate funds, Councilmember Seeley stated the \$40,000.00 was already in the budget and could be used without borrowing. Finance Director Dalton stated the funds were in the Marina Fund and were needed for repairs at the Marina.

In discussion prior to roll call on the reallocation of funds, Councilmember Schemers inquired if it was the appropriate time to shift funds and that once the CIP list and budget were approved, potential fund reallocation could be discussed at a Finance Committee meeting. Councilmember Gassman stated the funds borrowed pursuant to the CIP list could be adjusted and projects should be prioritized. Councilmember Allesee concurred. Mayor Vulich stated adjustments could be made within the appropriate fund and pursuant to the usage specified by the bond. Administrator Brooke stated the Capital Improvements Planning Committee did a great job prioritizing projects.

In discussion after the vote on the reallocation of funds, Councilmember Connell stated projects on the CIP list should be discussed at a Committee of the Whole meeting. Councilmember Seeley concurred and thanked the Capital Improvements Planning Committee members, Administrator Brooke and the staff for their work on the CIP list.

Mayor Vulich convened a public hearing concerning 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. No comments were received, written or oral. M/S, Seeley-Gassman moved that the public hearing concerning 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 be entered into the record. On roll call, carried unanimously.

M/S, Seeley-McGraw moved the Council adopt Resolution No. 2019-078 INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$7,000,000 GENERAL OBLIGATION CAPITAL LOAN NOTES. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning 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. No comments were received, written or oral. M/S, Connell-Schemers moved that the public hearing concerning 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 be entered into the record. On roll call, carried unanimously.

M/S, Connell-Schemers moved the Council adopt Resolution No. 2019-079 INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$500,000 GENERAL OBLIGATION CAPITAL LOAN NOTES. On roll call, carried unanimously.

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

M/S, McGraw-Allesee moved the Council adopt Resolution No. 2019-080 INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$600,000 GENERAL OBLIGATION CAPITAL LOAN NOTES. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning 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. No comments were received, written or oral. M/S, Allesee-Connell moved that the public hearing concerning 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 be entered into the record. On roll call, carried unanimously.

M/S, Allesee-Connell moved the Council adopt Resolution No. 2019-081 INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$500,000 GENERAL OBLIGATION CAPITAL LOAN NOTES. On roll call, carried unanimously.

M/S, Allesee-Connell moved the Council adopt Resolution No. 2019-082 AUTHORIZING THE ISSUANCE OF \$8,035,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2019A, AND LEVYING A TAX FOR THE PAYMENT THEREOF. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning the 2019-2020 Fiscal Year City Operating Budget. No comments were received, written or oral. M/S, Odor-Gassman moved that the public

hearing concerning the 2019-2020 Fiscal Year City Operating Budget be entered into the record. On roll call, carried unanimously.

M/S, Odor-Gassman moved the Council adopt Resolution No. 2019-083 adopting the Fiscal Year 2019-2020 Operating Budget. On roll call, carried unanimously.

#### AUDIENCE COMMENT

No persons came before the Council to speak.

#### CONSENT AGENDA

M/S, Allesee-Connell moved to approve the Consent Agenda as presented on the attachment. On roll call, carried unanimously.

1. Airport Commission - minutes 02/01/2019 - receive, approve and place on file.
2. Committee of the Whole - minutes 02/12/2019 - receive, approve and place on file.
3. Hometown Pride Committee - minutes 02/08/2019 - receive, approve and place on file.
4. Monument Committee - minutes 02/21/2019 - receive, approve and place on file.
5. Trails Advisory Committee - minutes 01/07/2019 - receive, approve and place on file.
6. Tree Commission - minutes 01/09/2019 - receive, approve and place on file.
7. Iowa Department of Natural Resources Inspection Report - Clinton Regional Water Reclamation Facility (RWRF) - 02/05/2019 - receive, approve and place on file.
8. Email from Maureen Miller - Support of Road to Prosperity and Riverfront Drive Extension - 02/11/2019 - receive, approve and place on file.
9. Electronic Payments and Transfers - January 2019 - receive, approve and place on file.
10. Summary of Revenues and Receipts - January 2019 - receive, approve and place on file.
11. Contract and Contractor's Bond - City Hall Parking Lot Reconstruction Project H-2019 - KE Flatwork - \$521,303.05 - receive, approve and place on file (copy available for inspection at Clerk's office).
12. Contract and Contractor's Bond - Mixing Equipment Replacement Oxidation Ditch #1 Project - Electric Pump - \$159,982.00 - receive, approve and place on file (copy available for inspection at Clerk's office).
13. Contract and Contractor's Bond - Emma Young Softball Field Lighting Replacement Project X-2019 - American Electric - \$598,000.00 - receive, approve and place on file (copy available for inspection at Clerk's office on 02/25/2019).
14. Resolution No. 2019-084 - authorizing the collection/certification of snow and ice removal liens.

15. Resolution No. 2019-085 – authorizing the collection/certification of nuisance clean up liens.
16. Resolution No. 2019-086 – authorizing the collection/certification of board up liens.
17. Resolution No. 2019-087 – amend the non-housing delinquency lien list.
18. Resolution No. 2019-088 – approving agricultural land lease with John Thomas.
19. Resolution No. 2019-089 – establish a public hearing for the Community Development Block Grant (CDBG) status of funds.
20. Resolution No. 2019-090 – declaring surplus property.
21. Resolution No. 2019-091 – recommending Payment No. 2 – Grant Street Storm Sewer Project W-2018 – Crandall Excavating - \$1,881.00.
22. Resolution No. 2019-092 – approving a Class B Beer Permit renewal application with Class B Native Wine Permit and Sunday Sales privileges for Kwik Star #348.
23. Resolution No. 2019-093 – approving a Class E liquor license renewal application with Class B Wine Permit, Class C Beer Permit and Sunday Sales privileges for Wal-Mart Supercenter #2889.
24. Resolution No. 2019-094 – approving Class C liquor license renewal application with Sunday Sales and Outdoor Service privileges for Lyons Tap and issuance of a Class II Letter of Exemption for allowing persons under 21 in licensed premises.
25. Resolution No. 2019-095 – approving Class C liquor license renewal application with Sunday Sales and Outdoor Service privileges for Valley Oaks and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.

#### MOTIONS, RESOLUTIONS, AND ORDINANCES

M/S, Gassman-Seeley moved that the Claims be received, approved and placed on file. On roll call, carried unanimously.

M/S, Schemers-Odor moved the Council consider an ordinance for the first time – ORDINANCE REPEALING AND REPLACING CHAPTER 115 (MASSAGE THERAPY ESTABLISHMENTS) OF THE CODE OF ORDINANCES OF THE CITY OF CLINTON, IOWA. On roll call, carried unanimously.

In discussion prior to roll call, Councilmember Seeley thanked Councilmember Schemers for his work on the ordinance.

M/S, Connell-Schemers moved the Council consider an ordinance for the first time - ORDINANCE AMENDING CHAPTER 79.08 (PERSONS WITH DISABILITIES PARKING) OF THE CODE OF ORDINANCES OF THE CITY OF CLINTON, IOWA. On roll call, carried unanimously.

M/S, Odor-Gassman moved the Council adopt Resolution No. 2019-096 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, Gassman-Seeley moved the Council adopt Resolution No. 2019-097 approving a waiver for a 501(c)(3) organization operating a swimming pool. On roll call, carried unanimously.

#### UNFINISHED BUSINESS

No Unfinished Business was brought forth.

M/S, Allesee-Connell moved to adjourn to 7:00 P.M. March 12, 2019. On roll call, carried unanimously.

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Mark S. Vulich  
Mayor

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Lisa M. Frederick  
City Clerk