

Committee of the Whole
February 27, 2018

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

1. Amendment to Code Chapter 159.048 – Director of Downtown Clinton Alliance Karen Rowell

Downtown Clinton Alliance Director Karen Rowell stated the Downtown Alliance would like to have four foot by fifty foot banners across 5th Avenue South for upcoming events in the downtown. Director Rowell stated the current ordinance does not allow banners across a City street.

Councilmember Seeley inquired about the process that would occur if the ordinance were changed. City Attorney Patrick O’Connell stated a request would need to be made to the City Council and the Council would determine whether or not each request was approved. Mayor Vulich inquired if Council approval would need to be granted each time a banner was to be placed across a City street. Attorney O’Connell answered in the affirmative. Mayor Vulich stated an application form could be created and recurring events could be approved via the Council’s Consent Agenda.

M/S, Seeley-Gassman moved to forward an Ordinance Amending Code Chapter 159.048 to the next City Council agenda for its first reading. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers, Odor – Yes; Connell – absent. Motion carried.

2. Sidewalk Maintenance Policy – Assistant City Engineer Zane Pennock

City Administrator Matt Brooke stated maintenance of the sidewalks in the City was one component of a Transportation Master Plan and Assistant City Engineer Zane Pennock would be providing the Council with information about the current state of sidewalks in the City and policy suggestions for maintaining sidewalks in the City.

Assistant City Engineer Pennock stated the State law requires cities to maintain sidewalks in the City and provides cities the ability to assess sidewalk charges to the owner of the sidewalk. Assistant City Engineer Pennock stated the City Code places the responsibility of sidewalk maintenance on the owner of the sidewalk. Assistant City Engineer Pennock stated sidewalk maintenance was currently complaint-based rather than approached proactively. Assistant City Engineer Pennock stated there was roughly 173 miles of sidewalk in the City and of those, 40 miles of sidewalk were in failed condition (around 24%). Assistant City Engineer Pennock stated if the City were to replace all of the failed sidewalks, the cost would be estimated at \$8,200,000.

Assistant City Engineer Pennock stated it would be recommended that the Council consider adopting a sidewalk maintenance policy that would include the following steps: assessing the area, sending a letter to the owner of the sidewalk regarding needed repairs/replacement, providing the owner the opportunity to repair/replace the sidewalk and providing an incentive for the owner to repair/replace the sidewalk within a suggested time period of sixty days, if the owner does not repair/replace the sidewalk in a specified period of time the City would make those repairs and assess the cost against the property similar to property taxes. Assistant City Engineer Pennock stated the foregoing process would be completed each year.

Councilmember Gassman stated the City had a large senior population with limited incomes. Councilmember Gassman stated he supported a tax on all residents whereby the City would maintain all of the sidewalks. Councilmember Gassman inquired about City-owned sidewalks that needed repair or replacement. City Engineer Jason Craft stated City-owned sidewalks would be included in the policy. Engineer Craft stated if the City were in charge of all the sidewalks in the City there would be concerns regarding liability and the ability to have staff or contractors to complete all of the work. Engineer Craft stated City Attorney O'Connell has advised against the City taking over maintenance of private owners' sidewalks. Councilmember Gassman inquired if interest would be charged on the special assessments. Engineer Craft stated the Council could determine the interest rate and the special assessments could be paid back over a ten year period.

Councilmember Gassman stated he would be supportive of the proposed policy but was not supportive of the sixty-day requirement for an owner to repair/replace their sidewalk. Councilmember Allesee inquired about ADA access on corner lots. Engineer Craft stated the City was required to complete ADA corners. Councilmember Seeley expressed concerns about the costs for owners, particularly for owners of corner lots.

Mayor Vulich stated he would be supportive of the proposed policy but was not supportive of the sixty-day requirement for an owner to repair/replace their sidewalk. Mayor Vulich reiterated that many homeowners would struggle to afford the repairs. Mayor Vulich stated it may also be challenging to find a contractor to complete the work in sixty days. Mayor Vulich stated he would like more input from the public on the proposed policy. Councilmember Seeley concurred. Councilmember Gassman stated notice could be published for the public and a way forward needed to be pursued. Mayor Vulich stated a public input meeting could be held regarding the proposed policy. Engineer Craft stated the Council could determine the time period that an owner was allowed to repair/replace their sidewalk; for example, an owner could be provided a year to complete the needed repairs/replacements.

Mayor Vulich suggested having contractors assigned to complete sidewalk repairs/replacements that owners could contact for a fair price. Councilmember Seeley inquired if there was a permit required to complete sidewalk work. Assistant City Engineer Pennock answered in the affirmative. Engineer Craft stated a plan was needed to address the failing sidewalks in the City. Engineer Craft stated a letter could be sent to the owner with information about contractors, repair/replacement prices and the payback period. Engineer Craft stated the Council could determine if the City would cover a portion of the repair/replacement costs. Councilmember Schemers suggested that sidewalk repairs/replacement be paired with the Pavement Management Program.

Administrator Brooke suggested scheduling a public input meeting and then reconvening at another Committee of the Whole meeting. Mayor Vulich stated a meeting could be scheduled within the next month at the Ericksen Center.

3. Employee Retention – City Administrator Matt Brooke & Fire Chief Mike Brown

Administrator Brooke stated Fire Chief Mike Brown would be discussing incentives and ways to attract and retain staff. Fire Chief Brown stated the Fire Department had experienced difficulty in retaining staff and four recommendations would be presented to the Council to address this issue.

Fire Chief Brown stated the first recommendation would be having new firefighters enter into an agreement prior to their hire that they would reimburse the City the cost of their in-house academy if the firefighter decided to leave within the contracted period of time.

Fire Chief Brown stated the second recommendation would be regarding residency requirements. Fire Chief Brown stated it would be suggested to change the requirement from twenty miles to ten miles from the employee's place of employment for public safety employees (firefighters and police officers). Fire Chief Brown stated if a candidate was not willing to move, it would be probable that the candidate may also not be willing to stay. Fire Chief Brown stated the importance of encouraging staff to become vested in the City.

Fire Chief Brown stated the third recommendation would be to offer an incentive to current employees if they moved to the City.

Fire Chief Brown stated the fourth option could have many components. Fire Chief Brown stated currently new Fire Department hires must have current FF1 and FF2 certifications and be a paramedic within one year of hire. Fire Chief Brown stated State law provides a probation period of one year and new hires could be allowed to have FF1 and FF2 certifications within one year of hire and become a paramedic within two years of hire. Fire Chief Brown stated this change could help in attracting and retaining new hires. Fire Chief Brown stated the fourth option could also have a component where a proposed agreement signed by new hires contained a provision that the City pay for paramedic training and the training cost would have to be repaid to the City if the new hire left the department within the contracted period of time. Fire Chief Brown stated this would be similar to what occurs with new hires in the Police Department.

Mayor Vulich inquired if Davenport executed a contract for new hires. Fire Chief Brown stated Davenport did not and new hires did not need to be a paramedic. Mayor Vulich inquired how long it took to become a paramedic and where the classes were offered. Fire Chief Brown stated it took one year to become a paramedic and Scott Community College offered the training, along with Peosta (Northeast Iowa Community College) and Black Hawk College. Fire Chief Brown stated the University of Iowa offered an accelerated program whereby training could be completed in five months.

Mayor Vulich suggested the Council consider each recommendation individually. Mayor Vulich stated the first recommendation would include new firefighters enter into an agreement prior to their hire that they would reimburse the City the cost of their in-house academy if the firefighter decided to leave within the contracted period of time. M/S, Seeley-Gassman moved to forward a resolution approving Clinton Fire Department Training Reimbursement Agreement and Authorizing the Mayor to sign new hire agreements. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers, Odor – Yes; Connell – absent. Motion carried.

Mayor Vulich stated the second recommendation was regarding residency requirements for all new hires. Councilmember Seeley inquired where the mile radius would start from. Fire Chief Brown stated the radius would be from the place of employment – for firefighters, the radius would be from the Central Fire Station. Fire Chief Brown stated when starting for the Fire Department years ago, only one staff member did not reside in the City of Clinton. Fire Chief Brown stated now around 60% of the staff does not reside in the City of Clinton. Councilmember Schemers stated a residency requirement was common practice. Administrator Brooke stated the long-range plan would look at ways to encourage staff to move back to the City of Clinton. M/S, Schemers-Odor moved to forward an Ordinance

Amending Chapter 30.57 of the Clinton, Iowa Code of Ordinances to the next City Council agenda for its first reading. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers, Odor – Yes; Connell – absent. Motion carried.

Mayor Vulich stated the third recommendation would be to offer an incentive to current employees if they moved to the City. Administrator Brooke stated staff moving back to Clinton could create momentum and move the City in a positive direction. Councilmember Seeley stated discussion should include attracting all individuals that work in Clinton to reside in Clinton, including individuals that work at local businesses and industries. Councilmember Schemers stated an incentive could be offered to current employees and to new hires, upon a stipulation that funds be used for a primary residence and not a rental home. Administrator Brooke stated partnerships could be formed with other businesses to promote incentivizing staff to reside in Clinton. Mayor Vulich stated more information should be gathered and brought back to a future meeting for the Council's consideration. Administrator Brooke agreed to gather more information and reach out to other businesses and industries.

Mayor Vulich stated the fourth recommendation pertained to hiring requirements for firefighters. Administrator Brooke stated many local youth need job training assistance and the recommendations could be a game changer in attracting youth. Fire Chief Brown stated becoming a paramedic was costly and if the City covered the cost of the training, it could help attract and retain local candidates. Mayor Vulich inquired if firefighters attending classes would place a burden on other firefighters. Fire Chief Brown stated it would be feasible and would be similar to what the Police Department currently does for its' new hires. Mayor Vulich requested that Fire Chief Brown return to the next Committee of the Whole meeting with a suggested course of action for the Council regarding the fourth option. Fire Chief Brown concurred.

4. Sale of City-Owned Property – 724 6th Avenue South – City Administrator Matt Brooke

Administrator Brooke stated the owner adjacent to 724 6th Avenue South, Dustin, Streat, had contacted the City expressing interest in obtaining ownership of 724 6th Avenue South. Administrator Brooke stated the lot was non-conforming.

M/S, Allesee-Gassman 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 8025640000. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers, Odor – Yes; Connell – absent. Motion carried.

5. Disposition of 722 South 7th Street – City Administrator Matt Brooke

Administrator Brooke stated Wells Fargo Bank approached the City regarding conveying 722 South 7th Street from Wells Fargo Bank to the City. Administrator Brooke stated Wells Fargo Bank would offer \$10,000.00 in concessions if the City accepted the property and the City could use the \$10,000.00 to demolish the property, rehabilitate and sell the property, or sell the property as-is. Administrator Brooke stated it would be recommended to accept the offer and determine if the property could be rehabilitated and sold as an owner-occupied residence. Councilmembers Gassman and Seeley concurred. Administrator Brooke stated the City does not purchase properties and this situation was unique as the seller would be providing funding to demolish the structure, if necessary. Councilmember Allesee stated the importance of quality and affordable housing for the City's most vulnerable residents. Councilmember Schemers inquired if the property was currently vacant. Administrator Brooke answered in the

affirmative. Councilmember Seeley stated if the CDBG (Community Development Block Grant) Opportunities and Threats application was approved the property could be a potential candidate for rehabilitation or could be rehabilitated by a private contractor. Councilmember Allesee inquired about the estimated cost to fix the property. Councilmember Seeley stated the estimate from Building and Neighborhood Services ranged from \$43,000.00 to \$53,000.00. M/S, Gassman-Seeley moved to accept the offer from Wells Fargo Bank and proceed with determining if the property could be rehabilitated. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers, Odor – Yes; Connell – absent. Motion carried.

6. City-Owned Property - 1439 13th Avenue South – City Administrator Matt Brooke

Administrator Brooke stated Travis Dietrick had approached the City about acquiring 1439 13th Avenue South. Administrator Brooke stated the area had been flooded twice in the last year and the parcel was in the regulatory floodway adjacent to Manufacturer's Ditch. Administrator Brooke stated it would be recommended that the City retain ownership of the parcel and that the Council consider adopting a Flood Hazard Mitigation Plan.

Councilmember Seeley inquired if there was a house on the parcel. Administrator Brooke answered in the affirmative and stated the structure was on the demolition list. Councilmember Seeley inquired if adjacent owners had been removed from the flood area. Mayor Vulich stated due to the area being in the regulatory floodway, the City would not want construction in that area. Engineer Craft stated a building permit could not be issued for any type of construction for 1439 13th Avenue South or any parcel in the regulatory floodway. Engineer Craft stated anyone desiring to build in the regulatory floodway would have to complete a flood analysis and be removed from the regulatory floodway. Engineer Craft stated it would be advisable to develop a Flood Hazard Mitigation Plan and having such a plan would qualify the City to apply for and receive grants. Administrator Brooke stated direction would be provided to retain ownership of the parcel and to have the Engineering Department begin work on preparing a Flood Hazard Mitigation Plan.

7. Chapter 80 - All-Terrain Vehicles and Snowmobiles – Councilmember Seeley

Councilmember Seeley suggested reviewing Chapter 80 – All-Terrain Vehicles and Snowmobiles to allow usage consistent with Clinton County and other municipalities. Administrator Brooke recommended that any change in policy be reviewed by the Police Department and the City's insurance company first. Councilmembers Seeley and Schemers stated smaller and larger cities have expanded usage of all-terrain vehicles and snowmobiles. Administrator Brooke agreed to review the matter with the Police Department and the City's insurance company and report back to the Council at the Committee of the Whole meeting on March 27, 2018.

8. Grant Writer – Councilmember Seeley

Councilmember Seeley stated discussions had occurred about the need for a grant writer for the City and suggested taking action to accomplish this. Councilmembers Schemers and Allesee concurred. Administrator Brooke stated for general grants, staff could provide background information to ECIA (“East Central Intergovernmental Association”) and ECIA could prepare the grant applications. Administrator Brooke stated a contract could be completed with ECIA for FYE2019 in the amount of \$10,000.00 for general grant preparation/application. Administrator Brooke stated after the first year of receiving services, the Council could re-evaluate the usage and determine if an onsite full-time staff person was

needed. Administrator Brooke stated specific grants/larger grants, such as the Mill Creek Parkway expansion would be handled separately.

Councilmember Seeley inquired about whom tracks grant opportunities. Administrator Brooke stated the City Clerk, Finance Director and individual Department Heads all track grant opportunities. Councilmember Seeley stressed the importance of tracking the success of applications. Councilmember Allesee inquired about the cost for each grant application with ECIA. Administrator Brooke stated the fee would be \$82.00/hour.

M/S, Allesee-Schemers moved that the Council enter into a contract with ECIA for \$10,000.00 for general grant preparation for FY2019. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers, Odor – Yes; Connell – absent. Motion carried.

9. Mayor and Council Updates

Mayor Vulich stated SF2081 was introduced into subcommittee on Tuesday, February 27, 2018 and would cut the backfill by 1/3 in the first year, 2/3 in the second year and eliminate the backfill completely in the third year. Mayor Vulich stated the loss of backfill funding would devastate the City. Administrator Brooke stated information would be distributed to the Councilmembers about the amount of backfill funding that would be lost.

Councilmember Schemers thanked the departments for the tours that were provided and stated a ride-along was scheduled with the Building and Neighborhood Services Department.

Administrator Brooke stated bids would be accepted to paint the Showboat. Administrator Brooke stated due to the Showboat having historical classification, sandblasting could not take place but power washing would occur, with a deadline to complete the painting project by June 2018. Administrator Brooke stated quotes would be received to complete other work items on the Showboat, including electrical work.

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

Respectfully Submitted,

Lisa M. Frederick
City Clerk