

The City Council met in regular session, June 26, 2018 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 June 7, 2018 and they be approved as published on June 19, 2018. 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 June 12, 2018 and they be approved as published on June 25, 2018. On roll call, carried unanimously.

#### PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for Project B-2018, 1st Avenue Force-main Replacement Project. No comments were received, written or oral. M/S, McGraw-Allesee moved that the public hearing concerning accepting bid and awarding contract for Project B-2018, 1st Avenue Force-main Replacement Project be entered into the record. On roll call, carried unanimously.

M/S, McGraw-Allesee moved the Council adopt Resolution No. 2018-297 accepting bid and awarding contract to Langman Construction Inc. for Project B-2018, 1st Avenue Force-main Replacement Project for \$2,668,314.08. On roll call, carried unanimously.

#### AUDIENCE COMMENT

Ms. Shelly Denning, 2013 Harrison Drive, requested that the City code section regarding animal quarantine be reviewed to provide an exception for service animals.

#### CONSENT AGENDA

Councilmember Seeley requested that item #14 and item #15 be removed to Unfinished Business. M/S, Allesee-Connell moved to approve the Consent Agenda, as amended. On roll call, carried unanimously.

1. ADA Advisory Commission - minutes 01/25/2018 - receive, approve and place on file.
2. ADA Advisory Commission - minutes 04/12/2018 - receive, approve and place on file.
3. Airport Commission - minutes 05/21/2018 - receive, approve and place on file.
4. Civil Service Commission - minutes 06/20/2018 - receive, approve and place on file.
5. Committee of the Whole - minutes 06/12/2018 - receive, approve and place on file.
6. Fire Department Promotional Certified List - receive, approve and place on file.

7. Electronic Payments and Transfers – May 2018 – receive, approve and place on file.
8. Summary of Revenues and Receipts – May 2018 – receive, approve and place on file.
9. Contract and Contractor’s Bond – Project H-2018, Concrete Street Rehabilitation – Eastern Iowa Excavating - \$679,018.35 – receive, approve and place on file (copy available for inspection at Clerk’s office).
10. Resolution No. 2018-298 – retracting sewer and solid waste lien for 3316 Garfield Street.
11. Petition to Hire an Animal Control Officer – receive, approve and place on file (copy available for inspection at Clerk’s office).
12. Resolution No. 2018-299 – approving Agreement for FY2018 audit services with the Auditor of the State of Iowa.
13. Resolution No. 2018-300 – approving the preparation of the Certified Annual Financial Report to Bohnsack & Frommelt LLP.
14. Resolution – Removed to Unfinished Business – approving agreement with Laura J. Liegois of Municipal Connections for Public Information Consultant.
15. Resolution – Removed to Unfinished Business – accepting bid for pest control services for City-owned facilities – Plunkett’s Pest Control - \$9,932.00 per year.
16. Resolution No. 2018-301 – approving agreement for professional services with HDR Engineering Inc. for the 1<sup>st</sup> Avenue Pumping Station Project.
17. Resolution No. 2018-302 – approving Change Order No. 1 – Cured in Place Pipe, Sanitary Sewer Lining, Project Z-2017 – Hydro-Klean, LLC - \$14,212.90.
18. Resolution No. 2018-303 – approving Change Order No. 2 – Jurgensen Soccer Fields Project X-2017 – Jurgensen Hauling LLC - \$31,562.42.
19. Resolution No. 2018-304 – recommending Payment No. 2 – Project L-2018 North 13<sup>th</sup> Street School Zone Safety Improvements Project – Leslie Electric - \$55,158.90.
20. Resolution No. 2018-305 – recommending Payment No. 3 – West Deer Creek Bridge Replacement Project – Jim Schroeder Construction, Inc. - \$60,553.02.
21. Resolution No. 2018-306 – recommending Payment No. 3 – Jurgensen Soccer Fields Project X-2017 – Jurgensen Hauling LLC - \$46,321.58.
22. Resolution No. 2018-307 – recommending Payment No. 3 – Cured in Place Pipe, Sanitary Sewer Lining, Project Z-2017 – Hydro-Klean, LLC - \$89,238.62.
23. Resolution No. 2018-308 – approving issuance of cigarette/tobacco/nicotine/vapor permit.
24. Resolution No. 2018-309 – approving Class C Liquor License renewal application with Sunday Sales privilege for River City Brewing Co. Inc.

25. Resolution No. 2018-310 – approving Class C Liquor License renewal application with Sunday Sales privilege for Applebee’s Neighborhood Grill & Bar and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.
26. Resolution No. 2018-311 – approving Class C Liquor License renewal application with Catering and Sunday Sales privileges for Rastrelli’s &/or Rastrelli’s Avanti and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.
27. Resolution No. 2018-312 – approving Class C Liquor License renewal application with Outdoor Service and Sunday Sales privileges for Buffalo Wild Wings and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.
28. Resolution No. 2018-313 – approving transfer of Class B Beer License location for the Clinton Jaycees – July 20, 2018.
29. Resolution No. 2018-314 – approving transfer of Class B Beer License location for the Clinton Jaycees – October 6, 2018.

#### MOTIONS, RESOLUTIONS, AND ORDINANCES

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

M/S, Schemers-Odor moved that the Council adopt Resolution No. 2018-315 approving minimum insurance requirements for special events and contractors working in the City of Clinton, Iowa. On roll call, carried unanimously.

In discussion before roll call, Councilmembers Gassman and Seeley stated the resolution had been revised by the City Attorney. City Clerk Lisa Frederick stated the City Attorney had provided additional language to address current certificates of insurance on file and this addition had been provided after packets had been distributed. M/S, Connell-Schemers moved that the Council amend the resolution to include the additional language provided by the City Attorney. On roll call, carried unanimously.

In discussion before roll call, Councilmember Seeley inquired if the language was necessary since all certificates on file should have higher amounts than what would be required in the revised resolution. City Attorney Steve Leidinger stated the language would be immaterial in those instances.

M/S, Connell-Schemers moved the Council consider an ordinance for the first time - AN ORDINANCE AMENDING CHAPTER 159 OF THE CODE OF ORDINANCES OF THE CITY OF CLINTON, IOWA. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor – Yes; Gassman – Abstain. Motion carried.

In discussion before roll call, Councilmember Connell stated the ordinance amendment provided revisions and clarification to the downtown core and fringe zones.

M/S, Gassman-Seeley moved that the Council adopt Resolution No. 2018-316 reinstating Animal Control Officer position as Animal Protection Officer. On roll call, carried unanimously.

In discussion before roll call, Councilmember Allesee inquired about the cost for the position. City Administrator Matt Brooke stated the budget impact for FY2019 would be estimated at \$60,000.00 and the budget impact for FY2020 would be estimated at \$80,000.00. Administrator Brooke stated the increased amount included training expenses and the transition to a sworn officer position.

M/S, Allesee-Connell moved that the Council adopt Resolution No. 2018-317 setting public hearing on the proposed disposition of 655 & 657 6th Avenue South. On roll call, carried unanimously.

M/S, Odor-Gassman moved that the Council adopt Resolution No. 2018-318 approving and authorizing the application for a Department of Transportation BUILD Discretionary Grant for the Drive to Prosperity: Manufacturing Drive/Bluff Boulevard Reconstruction Project. On roll call, carried unanimously.

In discussion before roll call, Councilmember Seeley stated the BUILD Grant application would be for the Manufacturing Drive and Bluff Boulevard project and stated the project was long overdue. Councilmember Seeley stated the grant application would be in the amount of \$19,000,000.00. Administrator Brooke stated Iowa American Water and the Iowa Department of Transportation would provide some matching funds. Councilmember Seeley stated he supported the grant application.

M/S, McGraw-Allesee moved that the Council adopt Resolution No. 2018-319 approving electronic bidding procedures and official statement. On roll call, carried unanimously.

In discussion before roll call, Councilmember Gassman requested explanation on the resolution. Finance Director Anita Dalton stated the resolution pertained to the official statement to bidders for the sale of the City's 2018A Bond on July 10, 2018.

#### UNFINISHED BUSINESS

Councilmember Seeley inquired for item #14 on the Consent Agenda if only one quote was received and what services would be provided. Administrator Brooke answered in the affirmative and stated the contract would provide around ten weeks of service, including the creation of a social media policy, a media policy regarding notable occurrences in the City, and suggestions for managing online content. M/S, Seeley-Schemers moved that the Council adopt Resolution No. 2018-320 approving agreement with Laura J. Liegois of Municipal Connections for Public Information Consultant. On roll call, carried unanimously.

Councilmember Seeley stated for item #15 on the Consent Agenda that the bids were only around \$150.00 apart and inquired if local preference should be applied to Kendrick Pest Control's bid. Councilmember Seeley stated Plunkett's Pest Control's headquarters was in Minnesota. Administrator Brooke stated Plunkett's had a business establishment in Fulton, Illinois. Councilmember Seeley inquired about the number of employees at the Fulton location. Parks and Recreation Director Josh Eggers stated Plunkett's stated six individuals were employed out of the Fulton location. Councilmember Connell stated Kendrick was located in the City of Clinton and paid real estate taxes in the City. Councilmember Seeley inquired if Kendrick had a brick and mortar establishment in the City. Mayor Vulich stated both businesses were franchises with several locations. Councilmember Seeley inquired which pest control company had been awarded the prior bid and if there were any issues with the service provided. Director Eggers stated Kendrick had received the bid for the last three years and

Plunkett's had received the bid in the prior three years. Director Eggers stated there were no complaints received regarding either provider. M/S, Gassman-Schemers moved that the Council adopt Resolution No. 2018-321 accepting bid for pest control services for City-owned facilities - Plunkett's Pest Control - \$9,932.00 per year. On roll call, Gassman, Allesee, Connell, Schemers, Odor - Yes; Seeley, McGraw - No. Motion carried.

M/S, Allesee-Gassman moved to adjourn to 7:00 P.M. July 10, 2018. On roll call, carried unanimously.

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Mark S. Vulich  
Mayor

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Lisa M. Frederick  
City Clerk