

The City Council met in regular session, July 24, 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 regular City Council and Committee of the Whole meetings of July 10, 2018 and they be approved as published on July 24, 2018. On roll call, carried unanimously.

PRESENTATION - Railpark Check - Jerome Burken, Clinton County Development Association President

Mayor Vulich stated the Clinton County Development Association ("CCDA") was providing a check for the final \$200,000.00 payment toward the railpark project. President Burken stated the CCDA was very proud to provide the last payment of the \$2,000,000.00 commitment provided by the CCDA for the railpark. President Burken was joined by Vice President Les Shields, Director and Interim Treasurer Kim Clausen, Director Matthew Stammeyer, Director Tom Fullerton, Director Dave Sivright and Secretary Ed Hupfer to present the check to the City. Mayor Vulich thanked the CCDA for its commitment to the railpark.

PUBLIC HEARINGS

There were no Public Hearings to come before the Council.

AUDIENCE COMMENT

No persons came before the Council to speak.

CONSENT AGENDA

Councilmember Connell requested that item #16 and item #17 be removed to Unfinished Business. M/S, Allesee-Schemers moved to approve the Consent Agenda, as amended. On roll call, carried unanimously.

1. Advisory Appointments Committee - minutes 07/13/2018 - receive, approve and place on file.
2. Airport Commission - minutes 06/18/2018 - receive, approve and place on file.
3. Committee of the Whole - minutes 07/10/2018 - receive, approve and place on file.
4. Hometown Pride Committee - corrected minutes 06/1/2018 - receive, approve and place on file.
5. Hometown Pride Committee - minutes 07/13/2018 - receive, approve and place on file.
6. Completed Work Orders - June and July 2018 - receive, approve and place on file.

7. Electronic Payments and Transfers – June 2018 – receive, approve and place on file.
8. Summary of Revenues and Receipts – June 2018 – receive, approve and place on file.
9. Contract and Contractor’s Bond – 6th Avenue North Parking Lot Resurfacing Project T-2018 – Determann Asphalt Paving - \$283,053.00 – receive, approve and place on file (copy available for inspection at Clerk’s office).
10. Resolution No. 2018-345 – recommending entering into a cooperation agreement between the City of Clinton and the United States Corp of Engineers.
11. Resolution No. 2018-346 – authorizing the collection/certification of nuisance clean up/board up liens - \$9,984.80.
12. Resolution No. 2018-347 – amending the Non-Housing Grass/Weed Delinquency Lien List.
13. Resolution No. 2018-348 – of official endorsement of Clinton County Development Association Fall 2018 Grant Application for fire equipment funding.
14. Resolution No. 2018-349 – approving persons with disabilities residential parking space application.
15. Resolution No. 2018-350 – denying persons with disabilities residential parking space application.
16. Resolution – Removed to Unfinished Business – approving Change Order No.1 - Rhododendron Showboat Theater Rehabilitation Project – Air Control - \$16,200.00.
17. Resolution – Removed to Unfinished Business – recommending Payment No. 1 - Rhododendron Showboat Rehabilitation Project – Air Control, Inc. - \$5510.00.
18. Resolution No. 2018-351 – recommending Payment No. 3 – North 13th Street School Zone Safety Improvements Project L-2018 – Leslie Electric - \$29,890.80.
19. Resolution No. 2018-352 – recommending Payment No. 4 – Jurgensen Soccer Fields Project X-2017 – Jurgensen Hauling, LLC - \$63,091.22.
20. Resolution No. 2018-353 – approving Class C Beer Permit license renewal application with Class B Native Wine Permit and Sunday Sales privileges for Express Lane Gas & Food Mart #61.
21. Resolution No. 2018-354 – approving Class C Beer Permit license renewal application with Class B Wine Permit and Sunday Sales privileges for Dollar General Store #7592.
22. Resolution No. 2018-355 – approving Class B Native Wine permit license renewal application with Sunday Sales privilege for Rockin Rhoni’s LLC.
23. Resolution No. 2018-356 – approving Special Class C Beer/Wine permit license renewal application for Carl Luigi’s, LLC.

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, Odor-Schemers moved the Council consider an ordinance for the second time - AN ORDINANCE AMENDING CHAPTER 52 OF THE CODE OF ORDINANCES OF THE CITY OF CLINTON, IOWA (*fats, oils and grease*). On roll call, carried unanimously.

In discussion before roll call, Councilmember McGraw stated she was a restaurant owner and it had been suggested that she recuse herself from voting. Councilmember McGraw stated questions that she would pose would benefit all restaurant owners and that she would participate in voting.

M/S, Odor-Schemers moved the rules be suspended and the Council consider an ordinance for the third time. On roll call, carried unanimously.

M/S, Odor-Schemers moved the rules be suspended and the ordinance under consideration be placed on its final passage and adopted. On roll call, carried unanimously.

ORDINANCE NO. 2587

M/S, Gassman-Seeley moved that the Council adopt Resolution No. 2018-357 of official endorsement of funding application 2018 Traffic Safety Improvement Program to Iowa Department of Transportation for the North 3rd Street Traffic Safety Improvements Project, including three lane conversion from 17th Avenue North to 25th Avenue North and intersection reconstruction at Main Avenue and North 3rd Street. On roll call, Seeley, McGraw, Allesee, Connell, Schemers, Odor - Yes; Gassman - No. Motion carried.

M/S, McGraw-Allesee moved that the Council adopt Resolution No. 2018-358 appointing Bankers Trust Company of Des Moines, Iowa, to serve as Paying Agent, Note Registrar, and Transfer Agent, approving the Paying Agent and Note Registrar and Transfer Agent Agreement and authorizing the Execution of the Agreement. On roll call, carried unanimously.

M/S, Allesee-Connell moved that the Council adopt Resolution No. 2018-359 approving and authorizing a form of Loan Agreement and authorizing and providing for the issuance of \$12,310,000 General Obligation Capital Loan Notes, Series 2018A, and amending the Levy of Taxes to pay said Notes; approval of the Tax Exemption Certificate and Continuing Disclosure Certificate. On roll call, carried unanimously.

In discussion before roll call, Councilmember Seeley inquired if the impact on the tax levy was known. Administrator Matt Brooke stated the amount was previously discussed during the budget process and was approved by the Council.

M/S, McGraw-Allesee moved that the Council approve the Mayor's recommendations to boards and commissions. On roll call, carried unanimously.

In discussion before roll call, Councilmember Gassman inquired why Mayor Vulich and Administrator Brooke were listed as having indefinite terms for the Grant Committee. Mayor Vulich stated the City Ordinance assigned the Mayor and City Administrator to that Committee

with no term end date. Councilmember Seeley inquired if the other members listed also would have indefinite terms. Mayor Vulich stated the verbiage could be adjusted. M/S, Gassman-Seeley moved that the listing of the Mayor's recommendations to boards and commissions be amended to list the Mayor and City Administrator titles to the Grant Committee appointments, rather than list the individuals by name. On roll call, carried unanimously.

UNFINISHED BUSINESS

M/S, Schemers-Gassman moved that the Council adopt Resolution No. 2018-360 approving Change Order No.1 - Rhododendron Showboat Theater Rehabilitation Project - Air Control - \$16,200.00. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers, Odor - Yes; Connell - Abstain. Motion carried.

M/S, Gassman-Schemers moved that the Council adopt Resolution No. 2018-361 recommending Payment No. 1 - Rhododendron Showboat Rehabilitation Project - Air Control, Inc. - \$5,510.00. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers, Odor - Yes; Connell - Abstain. Motion carried.

M/S, Allesee-Connell moved to adjourn to 7:00 P.M. August 14, 2018. On roll call, carried unanimously.

Mark S. Vulich
Mayor

Lisa M. Frederick
City Clerk