

The City Council met in regular session, August 8, 2017 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich; Councilmembers: Gassman, Seeley, McGraw, Allesee, Odor, Connell and O'Neill.

PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for 7th Avenue South ADA Curb Ramp Replacement Project A-2018. No comments were received, written or oral. M/S, O'Neill-Gassman moved that the public hearing concerning accepting bid and awarding contract for 7th Avenue South ADA Curb Ramp Replacement Project A-2018 be entered into the record. On roll call, carried unanimously.

M/S, O'Neill-Gassman moved the Council adopt Resolution No. 2017-311 accepting bid and awarding contract to Clinton Engineering for Project No. A-2018, 7th Avenue South ADA Curb Ramp Replacement for \$83,388.00. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract #3 for the 2017 Demolition of Structures Project for the structures located at 400 North 3rd Street. No comments were received, written or oral. M/S, Odor-Connell moved that the public hearing concerning accepting bid and awarding contract #3 for the 2017 Demolition of Structures Project for the structures located at 400 North 3rd Street be entered into the record. On roll call, carried unanimously.

Councilmember Gassman inquired about the cost of the demolition and the pool of contractors that were able to submit bids. City Administrator Matt Brooke and City Engineer Jason Craft stated the structure is unsafe to enter and the entire structure must be treated for asbestos. The bid notice was posted statewide and only contractors licensed to remove asbestos were eligible to submit bids. Discussion ensued between Mayor Vulich, City Administrator Brooke, City Attorney O'Connell, and Councilmembers O'Neill, Gassman, Seeley and Connell regarding current ownership of the parcel, contact with the owner, notice procedures, and current fund balance. Mayor Vulich, Councilmembers O'Neill, Gassman, McGraw, and Connell inquired with City Attorney O'Connell about the legal procedure to obtain a court order for removal, available legal remedies and the associated costs.

Councilmembers Seeley, Gassman and O'Neill requested further information before accepting the bid. M/S, Connell-Seeley moved to table the resolution until the next Council meeting on August 22, 2017 to allow Councilmembers more time to review the property history. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning the proposed sale of City owned vacant lots - 1427 25th Avenue South. No comments were received, written or oral. M/S, Connell-O'Neill moved that the public hearing concerning the proposed sale of City owned vacant lots - 1427 25th Avenue South be entered into the record. On roll call, carried unanimously.

M/S, Connell-O'Neill moved the Council adopt Resolution No. 2017-312 accepting bid and approving the sale of 1427 25th Avenue South to Marvin Hill for \$200.00. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning the proposed disposition of property at 2586 Liberty Avenue to Archer Daniels Midland. No comments were received, written or oral. M/S, Seeley-McGraw moved that the public hearing concerning the proposed disposition of property at 2586 Liberty Avenue to Archer Daniels Midland be entered into the record. On roll call, carried unanimously.

M/S, Seeley-Allesee moved the Council adopt Resolution No. 2017-313 authorizing exchange of real property between the City of Clinton, Iowa and Archer Daniels Midland Company. On roll call, carried unanimously.

AUDIENCE COMMENT

Mr. Clint Andresen, 2140 16th Street NW, stated his opposition to roundabouts on Mill Creek Parkway. Mr. Andresen suggested the installation of flashing red/yellow lights at intersections and STOP signs with flashing L.E.D. lights. Mr. Andresen expressed concerns over the cost for the roundabouts.

Mr. Dan Sampey, 306 25th Avenue North, stated his opposition to roundabouts on Mill Creek Parkway. Mr. Sampey stated he believed Mill Creek Parkway was not suited for roundabouts and expressed concerns about traffic being slowed down. Mr. Sampey expressed concerns about whether the number of accidents would be reduced with a roundabout.

CONSENT AGENDA

Councilmember Gassman requested that item #6 be removed to Unfinished Business.

M/S, Allesee-Odor moved to approve the Consent Agenda as amended. On roll call, carried unanimously.

1. ADA Advisory Commission – minutes 06/29/2017 – receive, approve and place on file.
2. Electronic Payments and Transfers – May 2017 – receive, approve and place on file.
3. Electronic Payments and Transfers – June 2017 – receive, approve and place on file.
4. Summary of Revenues and Receipts – May 2017 – receive, approve and place on file.
5. Summary of Revenues and Receipts – June 2017 – receive, approve and place on file.
6. Resolution – Removed to Unfinished Business - accepting City of Clinton, Iowa Code Supplement S-8.
7. Resolution No. 2017-314 – recommending Payment No. 3 for the North 2nd Street Rehabilitation Project G-2017 – BWC Excavating, LC - \$116,660.59.
8. Resolution No. 2017-315 – recommending Payment No. 3 for the Asphalt Street Resurfacing Project H-2017 – Determann Asphalt Paving, LLC - \$60,948.67.
9. Resolution No. 2017-316 – approving Payment Request #3 for Project R-2016 Glendale Road Reconstruction Project – Larry Determan Excavating - \$41,024.32.
10. Resolution No. 2017-317 – approving Class B Native Wine permit for Rockin Rhoni's.

11. Resolution No. 2017-318 – approving liquor license renewal application, Sunday sales privilege, and outdoor service privilege for Oak Wood Ball Room and Convention Center and issuance of a Class I Letter of Exemption allowing persons under 21 in licensed premises.
12. Resolution No. 2017-319 – approving transfer of liquor license location for the Clinton Jaycees.

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, Odor-Connell moved that the Council adopt Resolution No. 2017-320 cancelling the September 5, 2017 Committee of the Whole meeting. On roll call, carried unanimously.

M/S, O'Neill-Odor moved that the Council adopt Resolution No. 2017-321 approving an agreement with Snyder & Associates, Inc., for the development of a North River Drive Concept and cost opinions update. On roll call, carried unanimously.

M/S, Connell-O'Neill moved that the Council adopt Resolution No. 2017-322 approving Financing Contract for Recycling Totes. On roll call, Gassman, McGraw, Allesee, Odor, Connell, O'Neill – Yes; Seeley – No. Motion carried.

In discussion before roll call, Councilmembers Connell, Seeley and O'Neill inquired with City Administrator Brooke about the costs associated with the contract. City Administrator Brooke stated the overall cost was less than projected and the contract is paid by user fees and does not go against the City's debt. Councilmember Seeley stated he would prefer that the City conduct business with a local lender.

M/S, Gassman-Seeley moved that the Council adopt a resolution for an official endorsement of FY 2019 Traffic Safety Improvement Program Funding Application to Iowa Department of Transportation for the Mill Creek Parkway & 13th Avenue North Roundabout Project. On roll call, Gassman – Yes; Seeley, McGraw, Allesee, Odor, Connell, O'Neill – No. Motion failed.

In discussion before roll call, Councilmember McGraw stated she received calls from constituents – all were against the roundabouts. Councilmember McGraw stated she did not support the resolution and suggested that other things be tried to improve safety. Councilmember Allesee stated she was in agreement with Councilmember McGraw and had also received calls from constituents against the roundabouts. Councilmember Odor stated he believed the roundabouts were a good idea but public opinion is against.

Councilmembers Gassman and O'Neill stated that the resolution was approving the ability to submit an application for a grant and that if grant funds were awarded the Council could then decide whether or not to proceed with the project. Councilmember O'Neill expressed concerns over the safety of the intersections and their proximity to the Middle School.

Councilmember Connell stated residents have many concerns and are not ready for roundabouts. Councilmember Connell stated unfortunately if our community does not receive grant funding, another community will. Councilmember Seeley stated roundabouts are an opportunity to make the referenced intersections safer and it is important to see the big picture. Councilmember Seeley continued in stating that more discussion was needed.

Mayor Vulich stated the community is not yet ready for roundabouts and he would not sign the resolution if it was passed by the Council. Mayor Vulich supported the idea of a transportation study for the entire town and exploring other safety measures for Mill Creek Parkway, such as paving the shoulders.

M/S, O'Neill-Gassman moved that the Council adopt a resolution for an official endorsement of FY 2019 Traffic Safety Improvement Program Funding Application to Iowa Department of Transportation for the Mill Creek Parkway & 16th Street NW Roundabout Project. On roll call, Gassman - Yes; Seeley, McGraw, Allesee, Odor, Connell, O'Neill - No. Motion failed.

M/S, McGraw-Allesee moved that the Council adopt Resolution No. 2017-323 ordering construction of improvement, setting public hearing and directing advertisement for bids - 13th Avenue North Concrete Rehabilitation Project P-2017. On roll call, carried unanimously.

M/S, Seeley-Gassman moved that the Council adopt Resolution No. 2017-324 authorizing an image management agreement with RK Dixon of the Quad Cities. On roll call, carried unanimously.

In discussion before roll call, Councilmember O'Neill inquired about the goal of the agreement. City Administrator Brooke stated the migration aligns with the City's strategic planning and provides for integrated usability and increased efficiency.

UNFINISHED BUSINESS

Councilmember Seeley inquired about what was contained in the Code Supplement. City Administrator Brooke stated the Supplement is created on a semi-annual basis to incorporate the recent ordinances passed by the Council.

M/S, Gassman-Connell moved the Council adopt Resolution No. 2017-325 accepting City of Clinton, Iowa Code Supplement S-8. On roll call, carried unanimously.

M/S, Allesee-Gassman moved to adjourn to 7:00 P.M. August 22, 2017. On roll call, carried unanimously.

Mark S. Vulich
Mayor

Lisa M. Frederick
City Clerk