

The City Council met in regular session, September 12, 2017 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich; Councilmembers: Gassman, Seeley, McGraw, Allesee, Odor, and O'Neill. Councilmember Connell – absent.

PROCLAMATION – Declaring September 21, 2017 International Day of Peace

Sister Teresa Kunkel, Sister Marilyn Shea, and Sister Joan Theiss of the Franciscan Peace Center read a proclamation declaring September 21, 2017 International Day of Peace.

PROCLAMATION – Drive the Great River Road Month

Councilmember Seeley read a proclamation for Drive the Great River Road Month.

PROCLAMATION – Declaring September 10-16, 2017 Chamber of Commerce Week

Maureen Miller, Clinton Chamber of Commerce President & CEO, read a proclamation declaring September 10-16, 2017 Chamber of Commerce Week.

M/S, Allesee-Odor moved to dispense with the reading of the minutes of the regular City Council meeting and regular Committee of the Whole minutes of August 22, 2017 and they be approved as published on September 5, 2017.

PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for 13th Avenue North Concrete Rehabilitation Project P-2017. No comments were received, written or oral. M/S, O'Neill-Gassman moved that the public hearing concerning accepting bid and awarding contract for 13th Avenue North Concrete Rehabilitation Project P-2017 be entered into the record. On roll call, Gassman, Seeley, McGraw, Allesee, Odor, O'Neill – Yes; Connell – Absent. Motion carried.

M/S, O'Neill-Gassman moved the Council adopt Resolution No. 2017-344 accepting bid and awarding contract to Eastern Iowa Excavating for Project P-2017, 13th Avenue North Concrete Rehabilitation Project for \$203,642.00. On roll call, Gassman, Seeley, McGraw, Allesee, Odor, O'Neill – Yes; Connell – Absent. Motion carried.

AUDIENCE COMMENT

Ms. Shelly Denning, 2013 Harrison Drive, expressed concerns over the condition of Harrison Drive and the semi traffic using Harrison Drive despite signage that semi traffic is not allowed on Harrison Drive.

Mr. Gayle Rolston, 2021 Harrison Drive, expressed concerns over the condition of Harrison Drive and the semi traffic using Harrison Drive despite signage that semi traffic is not allowed on Harrison Drive.

CONSENT AGENDA

Councilmember Seeley requested that items #23 and #21 be removed to Unfinished Business.

M/S, Allesee-Odor moved to approve the Consent Agenda as amended. On roll call, Gassman, Seeley, McGraw, Allesee, Odor, O'Neill - Yes; Connell - Absent. Motion carried.

1. Civil Service Commission - minutes 08/23/2017 - receive, approve and place on file.
2. Committee of the Whole - minutes 08/22/2017 - receive, approve and place on file.
3. Finance Committee - minutes 04/27/2017 - receive, approve and place on file.
4. Historic Preservation Commission - minutes 08/10/2017 - receive, approve and place on file.
5. Human Rights Commission - minutes 06/26/2017 - receive, approve and place on file.
6. Plan Commission - minutes 11/02/2016, 02/01/2017, 07/05/2017, 09/06/2017 - receive, approve and place on file.
7. Certified List of Firefighter Candidates - receive, approve and place on file (will be distributed Monday, September 11, 2017).
8. Completed Work Orders - July & August - receive, approve and place on file.
9. Contract and Contractor's Bond - Project No. A-2017 - Highway 67 (North 3rd Street) Roadway Rehabilitation - Determann Asphalt Paving - \$998,745.15 - receive, approve and place on file (copy available for inspection at Clerk's office).
10. Contract and Contractor's Bond - Ericksen Center Boiler & Controls - Domestic Plumbing - \$247,544.00 - receive, approve and place and file (copy available for inspection at Clerk's office).
11. Contract and Contractor's Bond - Demolition of Structures Project, Phase I, 400 North 3rd Street - Lansing Brothers - \$89,600.00 - receive, approve and place on file (copy available for inspection at Clerk's office).
12. Resolution No. 345 - approving persons with disabilities residential parking application.
13. Resolution No. 346 - Authorize the Collection/Certification of Sidewalk Repair/Replacement/Reconstruction Costs Liens.
14. Resolution No. 347 - Authorize the Collection/Certification of Demolition Costs Liens.
15. Resolution No. 348 - Amend Grass/Weed Delinquency Lien List.
16. Resolution No. 349 - Amend the Housing Inspection Delinquency Lien List - Caperton.
17. Resolution No. 350 - Amend the Housing Inspection Delinquency Lien List - Jensen.
18. Resolution No. 351 - approving the actuarial opinion regarding the City of Clinton Health Care Plan for the period ending June 30, 2017.

19. Resolution No. 352 - approving 2017 application to the Iowa Department of Transportation for all town sign replacement grant program.
20. Resolution No. 353 - authorizing professional services contract with RJN Group for Consulting Services for the Phase 4-B "Basin #6 Sewer System GIS Mapping, Inspection, & Modeling".
21. Resolution - Removed to Unfinished Business - recommending Payment No. 1 for the 20th Avenue North Combined Trunk Sewer Replacement Project M-2017 - BWC Excavating, LC - \$342,639.82.
22. Resolution No. 354 - recommending Payment No. 3 for the Margaret Place Pumping Station Project B-2013 - Valley Construction Company - \$112,575.00.
23. Resolution - Removed to Unfinished Business - authorizing Payment No. 3 to Reilly Construction - Phase I, Contract 2 - Supplemental Agreement for Wetland Area Watering and Maintenance - \$23,797.50.
24. Resolution No. 355 - recommending Payment No. 4 for the North 2nd Street Rehabilitation Project G-2017 - BWC Excavating, LC - \$137,344.78.
25. Resolution No. 356 - recommending Payment No. 4 for the Asphalt Street Resurfacing Project H-2017 - Determann Asphalt Paving, LLC - \$33,878.43.
26. Resolution No. 357 - approving Payment Request No. 4 for Project R-2016 Glendale Road Reconstruction Project - Larry Detterman Excavating - \$28,693.86.
27. Resolution No. 358 - recommending Payment Request No. 13 to Langman Construction Inc. for Phase III of the 19th Avenue North Project, from Randall Court to North 2nd Street - \$31,632.07.
28. Resolution No. 359 - approving beer permit/license renewal application with Sunday sales privilege for Kwik Star #642.

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, Odor, O'Neill - Yes; Connell - Absent. Motion carried.

M/S, Allesee-Odor moved that the Council adopt Resolution No. 2017-360 accepting NAI Ruhl termination letter. On roll call, Gassman, Seeley, McGraw, Allesee, Odor, O'Neill - Yes; Connell - Absent. Motion carried.

In discussion before roll call, Councilmember O'Neill stated NAI Ruhl terminated the agreement with the City as a result of receiving a letter from the Clinton Regional Development Corporation opting out of the agreement with NAI Ruhl. Councilmember O'Neill stated he would like to know what the plan moving forward without the broker will be with the Clinton Regional Development Corporation.

M/S, Odor-O'Neill moved that the Council adopt Resolution No. 2017-361 allowing 2 timed on-street parking spaces in the 400 Block of 4th Avenue North. On roll call, Seeley, McGraw, Allesee, Odor, O'Neill - Yes; Gassman - No; Connell - Absent. Motion carried.

M/S, Odor-Allesee moved that the Council adopt Resolution No. 2017-362 authorizing a 28E Agreement with the City of Clinton, Iowa and the City of Maquoketa, Iowa for a \$1.5 Million HUD Lead Hazard Reduction Grant. On roll call, Gassman, Seeley, McGraw, Allesee, Odor, O'Neill - Yes; Connell - Absent. Motion carried.

In discussion before roll call, Councilmember O'Neill asked for information about the grant. City Administrator Matt Brooke stated the East Central Intergovernmental Association ("ECIA") applied for the grant around a year ago. City Administrator Brooke further stated the funds would be used to remediate homes with lead paint, with priority given to homes with children under the age of six. Councilmember Seeley inquired if contractors are available that are qualified to complete the work. City Administrator Brooke confirmed that ECIA has staff available that are qualified to complete the work. Councilmember Seeley inquired how many homes in the City of Clinton could be remediated with the funding available. City Administrator Brooke stated the estimate was sixty to eighty houses depending on the condition of the home and amount of work that would need to be completed.

M/S, Allesee-Gassman moved that the Mayor appoint three councilmembers to review and discuss the proposed standard of conduct policy presented with the Resolution Approving a Standard of Conduct Statement for Employees/Board/Commissioners and Agents of the City of Clinton, Iowa and that the policy be brought back to the October 10, 2017 City Council meeting. On roll call, Gassman, Seeley, McGraw, Allesee, Odor, O'Neill - Yes; Connell - Absent. Motion carried. M/S, Seeley-Gassman moved that the Resolution Approving a Standard of Conduct Statement for Employees/Board/Commissioners and Agents of the City of Clinton, Iowa be amended to specifically apply to the \$1.5 Million HUD Lead Hazard Reduction Grant. On roll call, Gassman, Seeley, McGraw, Allesee, Odor, O'Neill - Yes; Connell - Absent.

In discussion before roll call, Councilmembers O'Neill and Gassman expressed concerns about the contents of the policy, what individuals would be required to follow the policy, and requested more time to review the policy. Mayor Vulich and City Administrator Brooke stated the document was required by the Federal government for the HUD grant. City Attorney Patrick O'Connell stated he reviewed the policy, that the policy does not apply to councilmembers, and if the Council wanted to make revisions they could do so. Finance Director Anita Dalton stated the policy was a draft and could be revised. Councilmember Seeley inquired about the deadline for revisions and suggested revising the resolution to be grant specific.

M/S, Odor-O'Neill moved that the Council adopt Resolution No. 2017-363 authorizing a sub-recipient agreement with the City of Clinton, Iowa and East Central Intergovernmental Association, for a \$1.5 million HUD Lead Hazard Reduction Grant. On roll call, Gassman, Seeley, McGraw, Allesee, Odor, O'Neill - Yes; Connell - Absent. Motion carried.

UNFINISHED BUSINESS

Councilmember Seeley inquired about item #23 on the Consent Agenda and asked for background information. City Engineer Jason Craft stated the second phase of the rail park project went through wetlands, requiring that the City establish other wetlands. The contract had now met compliance. Councilmember Seeley inquired if more funding would be spent on

the wetlands. City Engineer Craft stated the only funds expended moving forward would be to maintain the wetland.

M/S, Seeley-Gassman moved the Council adopt Resolution No. 2017-364 authorizing Payment No. 3 to Reilly Construction for Phase I, Contract 2 - Supplemental Agreement for Wetland Area Watering and Maintenance in the amount of \$23,797.50. On roll call, Gassman, Seeley, McGraw, Allesee, Odor, O'Neill - Yes; Connell - Absent. Motion carried.

Councilmember Seeley inquired about item #21 on the Consent Agenda and asked for confirmation that the item was for emergency repairs and if the cost aligned with what was budgeted. City Engineer Craft stated the project was for emergency repairs and that the cost ended up being under the amount that was budgeted.

M/S, Seeley-Gassman moved the Council adopt Resolution No. 2017-365 recommending Payment No. 1 for the 20th Avenue North Combined Trunk Sewer Replacement Project M-2017 to BWC Excavating, LC in the amount of \$342,639.82. On roll call, Gassman, Seeley, McGraw, Allesee, Odor, O'Neill - Yes; Connell - Absent. Motion carried.

M/S, Allesee-Odor moved to adjourn to 7:00 P.M. September 26, 2017. On roll call, Gassman, Seeley, McGraw, Allesee, Odor, O'Neill - Yes; Connell - Absent. Motion carried.

Mark S. Vulich
Mayor

Lisa M. Frederick
City Clerk