

The City Council met in regular session, October 10, 2017 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Pro Tem Allesee; Councilmembers: Gassman, Seeley, McGraw, Odor, Connell, and O'Neill. Absent – Mayor Vulich.

#### PRESENTATION – Clinton Family Name History / Clinton Plaque – Clinton Cort

Mr. Clinton Cort stated he and his wife will be visiting all of the 34 cities in the United States with the name of “Clinton”. Mr. Cort further stated that Clinton, Iowa was the sixteenth city on their journey. Mr. Cort provided the Council with a family history of the Clinton family name and presented a plaque to the Council.

M/S, Gassman-Connell moved to dispense with the reading of the minutes of the regular City Council meeting and regular Committee of the Whole minutes of September 26, 2017 and they be approved as published on October 9, 2017.

#### PUBLIC HEARINGS

Mayor Pro Tem Allesee convened a public hearing concerning accepting bid and awarding contract for Jurgensen Soccer Fields Project X-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 Jurgensen Soccer Fields Project X-2017 be entered into the record. On roll call, carried unanimously.

M/S, O'Neill-Gassman moved the Council adopt Resolution No. 2017-389 accepting bid and awarding contract to Jurgensen Hauling LLC for Project X-2017, Jurgensen Soccer Fields Project for \$425,881.84. On roll call, carried unanimously.

Mayor Pro Tem Allesee convened a public hearing concerning the vacation and conveyance of the south 2 feet of the east/west alley adjacent to 1821 Roosevelt Street. No comments were received, written or oral. M/S, Seeley-Connell moved that the public hearing concerning the vacation and conveyance of the south 2 feet of the east/west alley adjacent to 1821 Roosevelt Street be entered into the record. On roll call, carried unanimously.

M/S, Seeley-Gassman moved the Council consider an ordinance for the first time - AN ORDINANCE PROVIDING FOR THE VACATION AND CONVEYANCE OF A 2-FOOT BY 125-FOOT ALLEY RIGHT-OF-WAY ADJACENT TO 1821 ROOSEVELT STREET TO GARY LEE LANGREHR FOR \$100.00. On roll call, carried unanimously.

#### AUDIENCE COMMENT

Mr. Harry “Bud” Rutenbeck, 100 North 10<sup>th</sup> Street, stated his support for the TIGER Grant application for the Mill Creek Parkway project.

#### CONSENT AGENDA

Councilmember Gassman requested that item #5 be removed to Unfinished Business. Councilmember Seeley requested that item #9 be removed to Unfinished Business.

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

1. Committee of the Whole - minutes 09/26/2017 - receive, approve and place on file.
2. Keep Iowa Beautiful - Steering Committee minutes 09/28/2017 - receive, approve and place on file.
3. Resolution No. 2017-390 - approving persons with disabilities residential parking application.
4. Resolution No. 2017-391 - denying persons with disabilities residential parking applications.
5. Resolution - Removed to Unfinished Business - rescinding Resolution 2015-405 and amending the Water Shut-off Policy.
6. Resolution No. 2017-392 - requesting assignment of County-held tax certificate for 400 North 3<sup>rd</sup> Street.
7. Resolution No. 2017-393 - corrective resolution authorizing the collection/certification of grass/weed cutting and nuisance clean up liens - \$15,658.15.
8. Resolution No. 2017-394 - prohibiting and restricting parking on portions of streets for the annual Clinton Mardi Gras Parade route on Monday, October 30, 2017.
9. Resolution - Removed to Unfinished Business - approving a quote from Clinton Engineering for repair of roof trusses at the Parks and Recreation Shop, located at the LumberKings Stadium.
10. Resolution No. 2017-395 - awarding contract to Tschiggfrie Excavating for the Concrete Culvert Extension Project at 22<sup>nd</sup> Avenue North and North 4<sup>th</sup> Street Right-of-Way.
11. Resolution No. 2017-396 - recommending Payment No. 1 for the 2017 Demolition of Structures Project for the structures located at 400 North 3<sup>rd</sup> Street - Lansing Brothers Construction Co. Inc. - \$84,600.00.
12. Resolution No. 2017-397 - recommending Payment Request No. 3 for the Downtown Street Light Replacement Project T-2017 - Leslie Electric - \$125,400.00.
13. Resolution No. 2017-398 - recommending Payment No. 4 for the Margaret Place Pumping Station Project B-2013 - Valley Construction Company - \$43,937.50.
14. Resolution No. 2017-399 - recommending Payment No. 5 for the North 2<sup>nd</sup> Street Rehabilitation Project G-2017 - BWC Excavating, LC - \$140,431.41.
15. Resolution No. 2017-400 - recommending Payment No. 5 for the Asphalt Street Resurfacing Project H-2017 - Determann Asphalt Paving, LLC - \$143,639.17.
16. Resolution No. 2017-401 - recommending Payment No. 7 for the Basin 6 Sewer Separation Project P-2016 - BWC Excavating, LC - \$123,976.28.

17. Resolution No. 2017-402 – approving liquor license renewal and Sunday sales privilege for Drink Slingers.
18. Resolution No. 2017-403 – approving liquor license renewal application, Sunday sale privilege, and ownership update for Osco Drug Store #3118.
19. Resolution No. 2017-404 – approving beer permit/liquor license renewal with Sunday sales privilege for Hass Food Market.

#### 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, Allesee-Odor moved that the Council adopt Resolution No. 2017-405 authorizing an agreement with Municipity 5 software. On roll call, carried unanimously.

M/S, Gassman-Seeley moved that the Council adopt Resolution No. 2017-406 approving a Standard of Conduct Statement for Employees and Appointed Board/Commissioners/Agents of the City of Clinton, Iowa. On roll call, carried unanimously.

M/S, Seeley-Gassman moved that the Council adopt Resolution No. 2017-407 supporting submission of nomination papers to National Historic Registry for Leonard Crunelle Statute. On roll call, carried unanimously.

M/S, Seeley-McGraw moved that the Council adopt Resolution No. 2017-408 approving membership with Midwest Art Conservation Center and approving proposal for onsite examination of Leonard Crunelle Statute by Midwest Art Conservation Center. On roll call, carried unanimously.

In discussion before roll call, Administrator Matt Brooke stated Historic Preservation Commissioner John Rowland obtained support and contributions from the following ten organizations/individuals: Clinton County Historical Society Museum, Clinton Art Association, Downtown Business Alliance, Clinton Sawmill Museum, Clinton Library, Clinton Amvets Post 28, Clinton Labor Congress, Clinton Police Bargaining Unit, Mr. and Mrs. Robert Krajnovich, and Mr. and Mrs. John Rowland. Administrator Brooke stated due to these contributions, the City would only be contributing \$100.00 to fulfill the membership dues.

M/S, Seeley-Gassman moved that the Council adopt Resolution No. 2017-409 approving implementation of no parking zones and installation of signage at the following locations: North 4th Street and 14th Avenue North and South 3rd Street and the alley between 4th Avenue South and 5th Avenue South. On roll call, carried unanimously.

M/S, Connell-O'Neill moved that the Council adopt Resolution No. 2017-410 of official endorsement of Federal fiscal year 2017 TIGER Discretionary Grant application to the Office of the Secretary of Transportation for the Mill Creek Parkway Expansion Project. On roll call, Gassman, Seeley, McGraw, Allesee, Odor, Connell – Yes; O'Neill – No. Motion carried.

In discussion before roll call, Councilmember O'Neill stated he made a commitment to Lyons business owners that he would not support the Mill Creek Parkway project until a feasibility or impact study was completed. Councilmember O'Neill stated he still had concerns that the Parkway could be turned over to the State.

Councilmember McGraw inquired if the Corps of Engineers had given approval yet for the North River Drive project. Administrator Brooke stated approval has not yet been received. Councilmember Connell stated it was established at the last meeting that the North River Drive project would not be suitable for the TIGER Grant application.

Administrator Brooke stated he received confirmation from the Lyons Business & Professional Association ("LBPA") that the LBPA is supportive of the TIGER Grant application for the Mill Creek Parkway project. Administrator Brooke stated support was also received from the Downtown Clinton Alliance and that the bike path portion of the project is a huge component.

Councilmember Gassman stated while he prefers projects that are income generating, he is supportive of applying for the TIGER Grant for the Mill Creek Parkway project. Councilmember Odor stated the Mill Creek Parkway project makes good sense and that it is good for the community.

M/S, Connell-Odor moved that the Council adopt Resolution No. 2017-411 approving agreement with Snyder & Associates, Inc. for additional professional services for "Mill Creek Parkway Transportation Study and TIGER Grant Application". On roll call, Gassman, Seeley, McGraw, Allesee, Odor, Connell - Yes; O'Neill - No. Motion carried.

M/S, Odor-McGraw moved that the Council adopt Resolution No. 2017-412 authorizing construction of improvement, setting public hearing, and directing advertisement for bids for Cured-in-Place Pipe, Sanitary Sewer Lining Project Z-2017. On roll call, carried unanimously.

#### UNFINISHED BUSINESS

Councilmember Gassman inquired about item #5 on the Consent Agenda and asked Attorney O'Connell for a legal opinion on the matter. Attorney O'Connell stated if the notice is not sent by certified mail, an individual could claim they were not notified. Attorney O'Connell stated issues arise when an individual refuses to pick up their certified mail and if the City were to choose to have the notice served, a greater expense would be incurred. Councilmember Seeley and O'Neill stated other utility companies do not send shut-off notices by certified mail. Councilmember Connell stated Iowa American Water completes the shut-off process, not the City. Councilmember Seeley stated the change to send shut-off notices by regular mail was recommended and approved by the Finance Committee. Attorney O'Connell suggested adding language in the policy that clarified the shut-off notice would be mailed to the customer's billing address as shown on their account. Finance Director Anita Dalton agreed to add this language to the policy.

M/S, Seeley-Connell moved that the Council adopt Resolution No. 2017-413, with an amendment to the policy to clearly state that the shut-off notice would be mailed to the customer's billing address as shown on their account. On roll call, carried unanimously.

Councilmember Seeley inquired about item #9 on the agenda and whether or not insurance would be covering the cost. Parks and Recreation Director Josh Eggers stated insurance would cover the cost of the repairs, less the \$1,000.00 deductible. Councilmember Seeley stated the quote received from Clinton Engineering Co. Inc. included an additional cost of \$7,200.00 to match roof lines and other features. Councilmember Seeley requested that this figure be approved as well.

M/S, Seeley-Gassman moved that the Resolution Approving a Quote from Clinton Engineering for Repair of Roof Trusses at the Parks and Recreation Shop, Located at the LumberKings

Stadium be amended to include approval of the additional \$7,200.00 to match roof lines and other features. On roll call, carried unanimously.

M/S, Seeley-Connell moved that the Council adopt Resolution No. 2017-414 approving a quote from Clinton Engineering for repair of roof trusses at the Parks and Recreation Shop, located at the LumberKings Stadium, as amended. On roll call, carried unanimously.

M/S, McGraw-Odor moved to adjourn to 7:00 P.M. October 24, 2017. On roll call, carried unanimously.

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Julie Allesee  
Mayor Pro Tem

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Lisa M. Frederick  
City Clerk