

Committee of the Whole
October 23, 2018

Present: Mayor Vulich; Councilmembers Gassman, Seeley, McGraw, Allesee, and Schemers, City Attorney, City Administrator, City Clerk, Press and interested citizens. Councilmembers Connell and Odor – absent.

1. American Fidelity – Brent Rempe

Rempe stated American Fidelity was an A+ company and had been in business since 1960. Rempe stated American Fidelity worked with over six thousand public sector organizations. Rempe stated services offered to the City of Clinton could include Section 125 assistance, flexible spending accounts, health savings accounts and enrollment solutions. Rempe stated at a recent City meeting, 14 of 17 employees polled expressed interest in a flexible spending account. City Administrator Matt Brooke inquired what the cost to the City would be. Rempe stated there would be no cost to the City.

Rempe stated American Fidelity was not a broker and did not offer major medical plans. Rempe stated American Fidelity would partner with the City. Rempe stated for Section 125 services, American Fidelity would write and maintain the plan document as well as prepare benefit verification forms.

Rempe stated for flexible spending accounts, American Fidelity would administer the accounts for the City at no charge. Rempe stated funds in a flexible spending account could be used for items such as daycare costs, glasses and prescriptions. Rempe stated the flexible spending accounts would be funded on a plan year basis but if the City elected, a short-year account could be set up beginning on January 1, 2019. Rempe stated American Fidelity would provide the debit cards to employees who obtained a flexible spending account. Rempe stated there would be no risk to the City, as American Fidelity would eat any negative losses on the City's behalf (such as in instances where an employee elected to participate but terminated employment with the City prior to fulfilling the financial obligation in the account). Rempe stated American Fidelity created a trust to cover any losses that could occur with the flexible spending accounts. Rempe stated any positives in the accounts would go to the City. Finance Director Anita Dalton stated during the collective bargaining process, flexible spending accounts for employees was brought up. Director Dalton stated there would be no administration fees to the City if American Fidelity administered the flexible spending accounts.

Rempe stated American Fidelity would offer employee benefits assistance. Rempe stated the City had utilized AFLAC in the past but there were low participation rates among employees. Rempe stated American Fidelity would offer voluntary benefits such as long-term disability insurance (guarantee issued and could be coordinated with sick leave), term and whole life insurance, accidental insurance, cancer insurance and critical injury/heart attach insurance. Rempe stated American Fidelity would assist with open enrollment support.

Councilmember Seeley inquired about the cost to employees. Rempe stated the only cost to employees would be the cost of the plan chosen by the employee. Rempe stated he could provide exact employee costs to the Council. Administrator Brooke stated the City of Fort Dodge had a similar offering for its employees. Administrator Brooke stated the long-term disability insurance would cover an individual until they reached Social Security age, which was a unique policy feature. Administrator Brooke stated American Fidelity was a reputable company and participation would be completely voluntary for employees.

Councilmember Seeley inquired if there would ever be a cost to the City for the services provided by American Fidelity. Rempe stated there would not be and there would be no contract. Councilmember Seeley inquired if American Fidelity promoted City matches. Rempe stated it did not.

M/S, Seeley-Allesee moved that a resolution be forwarded to the next City Council agenda authorizing American Fidelity to provide employee benefit services for the City. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers – Yes; Connell, Odor – Absent. Motion carried.

2. Unity Christian School Update – Dee Willoughby

Willoughby stated Unity Christian School had been in existence in Fulton, Illinois for the last ninety-eight years. Willoughby stated Unity was a non-denominational Christian school. Willoughby stated Unity had purchased property at 1000 19th Avenue NW and would be constructing a new K-12 school. Willoughby stated it would take twelve months to build the new school, with a projected opening date of the second semester of the 2019/2020 school year. Willoughby stated the existing facility in Fulton, Illinois would be used entirely for preschool and daycare. Willoughby stated Bargain Bonanza had been operational for ten years.

Willoughby stated Unity chose the site in Clinton due to visibility, the room for growth, cost and accessibility. Willoughby stated eighteen months ago there were no funds dedicated to the project and there was currently \$4.3 million raised or pledged for the \$5.7 million project.

Willoughby stated the school would be constructed on the north half of the property, with a parking area on the north and a one-way exit to 16th Avenue NW. Willoughby stated the school would be one story and would expand on the square footage of the existing school.

Willoughby stated the project would create thirty-five to forty jobs and some of the students' families had also indicated that they would move to Iowa once the project was complete. Willoughby stated there was no planned use for the portion of the property adjacent to 13th Avenue North.

Willoughby stated Unity was a 501(3)(c) organization that was exempt from paying taxes. Willoughby stated Unity would like to seek in-kind donations from the City and options included the City creating a roadway for Unity, the City completing signage for Unity, the City providing security gates on 16th Avenue NW for Unity, the City planting trees for Unity, the City creating soccer or baseball fields for Unity (with the option of a usage agreement between the City and Unity, with Unity having the first right for usage), or the City creating a connecting road on the southern ten acres of the parcel for Unity in order to promote development.

Councilmember Allesee inquired if Unity received a CCDA (Clinton County Development Association) grant. Willoughby answered in the affirmative and stated Unity received a \$100,000.00 grant from the CCDA.

3. Ordinance Amending Chapter 134.01 (Curfew) – Assistant Police Chief Bill Greenwalt

Assistant Chief Greenwalt stated minor changes were proposed to the curfew ordinance. Assistant Chief Greenwalt stated the existing ordinance was confusing, as there were different curfews for different ages. Assistant Chief Greenwalt stated the proposed ordinance would provide one curfew for minors aged seventeen and younger. Assistant Chief Greenwalt stated

the proposed ordinance would provide a curfew for minors aged seventeen and younger of 10:30 P.M. to 6:00 A.M. on Sunday through Thursday and 11:30 P.M. through 6:00 A.M. on Friday and Saturday.

Mayor Vulich stated there was a scrivener's error in the proposed ordinance as the word "under" had been stricken and should have remained. Councilmember Seeley inquired if the proposed ordinance was typical and inquired about minors who may be traveling due to employment. Assistant Chief Greenwalt stated the City ordinance would take precedence over State Code, which stated a minor could drive until 12:30 A.M. Assistant Chief Greenwalt stated the ordinance provided a variety of exceptions, including to-from work travel and travel related to participation in school activities.

M/S, Seeley-Allesee moved to forward the Ordinance Amending Chapter 134.01 (Curfew) to the next City Council agenda for its first reading. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers – Yes; Connell, Odor – Absent. Motion carried.

4. Ordinance Amending Chapter 96 (Park Regulations) – Parks and Recreation Director Josh Eggers

Director Eggers stated the proposed ordinance amending park regulations was created in order to streamline park hours throughout the City. Director Eggers stated parks currently opened and closed at varying times. Director Eggers stated the proposed ordinance would provide all parks would be closed between 11:00 P.M. until 5:00 A.M. Director Eggers stated the area along Riverview Drive would be considered park area as part of the ordinance. Director Eggers stated the area along Riverview Drive was included in attempt to prevent loitering and the destruction of items along riverfront. Director Eggers stated regulations were reviewed for other communities, including Dubuque and DeWitt, and similar closing hours were included.

Mayor Vulich inquired about the hours of the Candlelight restaurant, the Showboat and LumberKing games. Mayor Vulich stated the proposed ordinance restricted parking on Riverview Drive after 11:00 P.M. Councilmember Schemers stated the intent of the ordinance was to address loitering that was occurring and if a special event was occurring there would not be enforcement of the parking restrictions. Director Eggers stated safety was to be promoted and many of the parks were not well lit. Attorney O'Connell stated Chief Gyron wanted to ensure that Riverview Drive was not a gathering place for individuals breaking the law. Attorney O'Connell stated the Candlelight restaurant closed at 10:00 P.M.

Councilmember Seeley stated he did not agree with the parking restriction for Riverview Drive and that parking on streets could not be restricted due to some individuals loitering. Attorney O'Connell stated the parking provision could be removed. Director Eggers concurred.

Director Eggers stated Eagle Point Park was a gated park and would continue to close at sunset and open at sunrise. Councilmember McGraw inquired about gate closure if an evening event was scheduled at the Lodge. Director Eggers stated if a special event was scheduled at the Lodge the main gate would not be locked. Mayor Vulich stated there were other gates at Eagle Point Park that would block all portions of the park except the Lodge area in the event of Lodge usage after park hours.

Director Eggers stated the proposed ordinance amending park regulations also contained revisions to the usage of alcoholic beverages in the parks. Councilmember Seeley stated he believed prohibiting alcohol consumption after 6:00 P.M. was too early and stated he would

prefer 9:00 P.M., 10:00 P.M. or the alignment with when the parks closed. Director Eggers stated Clinton Park and Riverview Park (two of the City's major parks) already prohibited the consumption of alcoholic beverages after 6:00 P.M. Director Eggers stated the proposed ordinance was meant to provide consistency in that all parks would align with the 6:00 P.M. time (as some parks prohibited the consumption of alcoholic beverages after 9:00 P.M.). Attorney O'Connell stated Chief Gyrion supported the 6:00 P.M. timeframe, as it was dark at that time during the winter months.

Councilmember Schemers stated individuals could not walk down a City street with an open container but could consume alcohol in the parks. Councilmember Schemers stated other cities do not allow the consumption of alcohol in their parks without a permit. Assistant Chief Greenwalt stated consistency on the time was needed throughout the parks and unfortunately the actions of a few dictated the need for the ordinance. Assistant Chief Greenwalt stated Clinton Park and Riverfront Park already prohibited the consumption of alcoholic beverages after 6:00 P.M. and there were no major issues. Assistant Chief Greenwalt stated if the time was expanded to 9:00 P.M. for these parks, there would be a concern that issues may arise with individuals consuming alcoholic beverages for a longer period in these parks.

Councilmember Seeley inquired if the time restriction would apply to the marina. Assistant Chief Greenwalt stated it would not. Attorney O'Connell stated the campground also had separate regulations within the ordinance. Councilmember Seeley stated he would prefer that alcohol be prohibited from 9:00 P.M. until 9:00 A.M. and he would like an opinion from Chief Gyrion. Attorney O'Connell stated for half of the year it would be dark before 9:00 P.M.

Councilmember Allesee stated she would like feedback on any existing issues. Assistant Chief Greenwalt stated there was approximately twenty parks and consistency was needed. Assistant Chief Greenwalt stated Chief Gyrion had expressed concerns that if the time was extended to 9:00 P.M. there could be more issues related to alcohol consumption. Councilmember Allesee stated the loitering issue on riverfront was very evident. Councilmember Seeley inquired if individuals had been drinking in the road on riverfront. Assistant Chief Greenwalt stated individuals would hover between cars to drink and would loiter around the cars. Assistant Chief Greenwalt stated empty beer cans had been regularly found early in the morning on riverfront.

Councilmember McGraw stated Clinton Park frequently had gatherings and prohibiting alcohol consumption after 6:00 P.M. may deter some of the gatherings. Director Eggers stated alcohol was already prohibited at Clinton Park after 6:00 P.M. and special events could apply for an exemption.

Mayor Vulich stated the provision in 96.08(c) for Riverfront Drive pertaining to persons parking a vehicle could be stricken from the ordinance. Mayor Vulich stated he believed the marina should be mentioned in the ordinance. Mayor Vulich stated the Council could decide on the time after which alcohol was prohibited in conjunction with the first reading of the ordinance at the next Council meeting.

M/S, Gassman-Schemers moved to forward the Ordinance Amending Chapter 96 (Park Regulations) to the next City Council agenda for its first reading. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers – Yes; Connell, Odor – Absent. Motion carried.

5. Riverfront Zoning – City Administrator Matt Brooke

Administrator Brooke reviewed a map of City-owned properties along riverfront from 5th Avenue South to 11th Avenue North. Administrator Brooke stated discussion had previously occurred in July of 2016 regarding rezoning City-owned properties along riverfront to C-R (Commercial/Recreation). Administrator Brooke stated the C-R zoning would cover all existing uses of the properties. Administrator Brooke stated C-R zoning was meant to improve the general welfare by increasing public access to riverfront areas, encourage revitalization and redevelopment through the expansion of tourist-related and river-related commercial and recreational use, compliment and support redevelopment efforts in commercial areas adjoining the riverfront, and enhance the general welfare by preserving the principal vistas and visual relationships both from and to the river. Administrator Brooke stated C-R zoning permitted a variety of uses including hotel/motel, restaurant, brewpub, excursion boats, and parks.

Administrator Brooke stated it would be proposed to rezone the riverfront areas in phases. Administrator Brooke stated the first phase would include rezoning City-owned properties to C-R and the second phase would consider the rezoning of non-City owned properties and the rezoning of riverfront properties north of 11th Avenue North.

Mayor Vulich stated the proposed rezoning to C-R of City-owned properties along riverfront from 5th Avenue South to 11th Avenue North had already been approved by the Plan Commission and was initially started in 2010.

Councilmember Seeley stated the northerly portion of the proposed re-zoning had a dwelling that he believed should be included in the rezoning. Councilmember Seeley stated he believed the parking area to the west of Roosevelt Street and north of 9th Avenue North should remain zoned as C-2. Councilmember Seeley stated the water works was zoned R-1C and the zoning would not change. Mayor Vulich stated any changes to what was outlined would require the matter to return to the Plan Commission. Administrator Brooke stated additional changes could be covered during phase two of the project.

Councilmember Seeley stated C-R zoning provided the same height requirements as C-1 zoning, which would have a two and one half story restriction. Councilmember Seeley stated he believed the C-R zoning should provide the same height requirements as C-3 zoning instead, which would allow taller structures. Mayor Vulich stated such a change would require approval from the Plan Commission.

Councilmember Gassman stated he would like to move forward with the rezoning as presented. Councilmember Seeley stated the area would need to be legally described.

M/S, Allesee-Gassman moved to forward the rezoning of City-owned properties along riverfront from 5th Avenue South to 11th Avenue North to the next City Council meeting. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers – Yes; Connell, Odor – Absent. Motion carried.

6. Home Base Iowa Incentives – City Administrator Matt Brooke

Administrator Brooke stated Clinton County was a Home Base Iowa Community and the prior incentive offered by the City of Clinton was an incentive that was available to all residents in the City. Administrator Brooke stated it would be proposed to offer additional incentives to veterans moving to the City. Administrator Brooke stated incentives for ten other communities were reviewed.

Administrator Brooke stated it would be proposed to offer the following incentives: a waiver of garbage, recycling and yard waste fees for one year, a \$250.00 sewer credit upon move-in, a \$250.00 building permit fee waiver, a \$100.00 Parks and Recreation credit, one free pet license, in-home smoke detector inspection and free smoke detector installation, and twenty general admission tickets for any LumberKings baseball home game.

Administrator Brooke stated since Clinton County was designated a Home Base Iowa Community two years ago, four individuals had received incentives from the program. Administrator Brooke stated expanded incentives could help attract residents to the City.

Councilmember Allesee inquired how the incentives would be marketed. Administrator Brooke stated information would be distributed on the City webpage, in *The Lighthouse* publication and would be marketed with local human resources representatives. Councilmember Allesee inquired if individuals could be informed when recording their discharge paperwork. Administrator Brooke answered in the affirmative and stated information could also be provided when sewer service was transferred to a new individual. Mayor Vulich inquired if the incentives would be available for renters. Administrator Brooke answered in the affirmative and stated many renters were responsible for their sewer bill.

M/S, Schemers-Seeley moved to forward a resolution to the next City Council agenda modifying the Home Base Iowa incentives offered by the City. On roll call, Gassman, Seeley, McGraw, Allesee, Schemers – Yes; Connell, Odor – Absent. Motion carried.

7. Mayor and Council Updates

Mayor Vulich stated a check in the amount of \$116,381.83 was provided from the CCDA, as the last payment from the CCDA for the Jurgensen Soccer Field project. Mayor Vulich stated the project was a \$512,000.00 project, with \$200,000.00 being awarded from the CCDA. Mayor Vulich expressed the City's appreciation to the CCDA for its support of the project.

Mayor Vulich stated he would be taking a two-hour tour of the Thompson Prison on October 24, 2018, as the prison was preparing to open. Mayor Vulich stated the City of Muscatine was attacked by ransomware and stated the importance of virus protection on phones and computers.

M/S, Gassman-Seeley moved to adjourn. All in favor.

Respectfully Submitted,

Lisa Frederick
City Clerk