

Committee of the Whole  
November 7, 2017

Present: Mayor Vulich, Council Members Gassman, Seeley, McGraw, Allesee, Odor, Connell and O'Neill, City Administrator, City Attorney, City Clerk, Press and interested citizens.

1. Police Department – Contract for Tasers/Body Cameras – Police Chief Kevin Gyrion

Police Chief Kevin Gyrion stated funding was previously approved for body cameras and TASERS. Chief Gyrion stated the Police Department has been trying out four body cameras from AXON Enterprise, Inc. and presented footage as an example of the quality of the recording from the body cameras. Chief Gyrion stated AXON Enterprise, Inc. would be able to provide TASERS, body-worn cameras and digital evidence storage through Evidence.com. Chief Gyrion stated Evidence.com provides cloud storage and the ability to access data any time of day from any location. Chief Gyrion stated a key component of the program was that it offered the ability to redact confidential information without an additional charge. Chief Gyrion stated the in-car camera systems are five years old and will need replacement in the future and AXON Enterprise, Inc. would be compatible for this as well. Chief Gyrion stated there was no penalty for breaking the agreement early (if funding were to be unavailable in the future).

Councilmember Gassman inquired if other companies were contacted. Chief Gyrion answered in the affirmative and stated he had contacted several other companies and cities. Councilmember Seeley inquired if the City maintained ownership and the rights to the videos stored on Evidence.com and what would happen if the City chose to no longer conduct business with the company. Chief Gyrion answered in the affirmative regarding ownership and rights and stated if the City chose to no longer do business with the company, the City would have to store the videos on its own storage device.

Councilmember O'Neill inquired if a RFP (request for proposals) was completed. Administrator Brooke stated quotes were obtained. Chief Gyrion stated a RFP was not completed as there was only one company that offers the camera system, TASERS and digital evidence storage. Councilmember Seeley stated the report provided by Chief Gyrion was very thorough and well done. Councilmember Seeley stated he would like to review the data that was compiled for comparisons between the companies. Councilmember Connell stated evidence was presented to show that the company chosen is a sole-source provider for this type of project. Councilmember O'Neill stated he believed a RFP should be completed. Councilmember Odor inquired if the vendor chosen is the only vendor that provides the complete package. Chief Gyrion answered in the affirmative. Councilmember Odor stated Chief Gyrion's report was very well done.

M/S, Odor-Connell moved to forward a resolution to the next City Council agenda.

Councilmember Allesee inquired if Chief Gyrion could provide additional information to the Council prior to the next Council meeting. Chief Gyrion answered in the affirmative. Councilmember Connell inquired if City Attorney O'Connell would be reviewing the agreement. City Attorney O'Connell answered in the affirmative. Mayor Vulich inquired if Attorney O'Connell would have enough time to review the agreement before the next Council meeting. Attorney O'Connell answered in the affirmative. Mayor Vulich stated the key item in the contract would be language about video ownership if the agreement ceased.

M/S, O'Neill-Gassman moved to amend the motion to forward a resolution to the next City Council agenda to instead forward a resolution to the City Council agenda on November 28, 2017. On roll call, carried unanimously.

Mayor Vulich then proceeded to take roll call on the original motion to forward a resolution to the next City Council agenda. M/S, Odor-Connell moved to forward a resolution to the next City Council agenda. On roll call, carried unanimously.

2. Community Development Block Grant – 2018 Rehabilitation Pilot Project – Administrator Matt Brooke

Administrator Brooke stated the City would like to request written qualifications (“RFQ”) and proposals for technical services for a rehabilitation pilot project through the Community Development Block Grant. Administrator Brooke stated \$500,000.00 of grant funding would be used to rehabilitate City owned properties and the properties would then be sold, with proceeds being reinvested into the program. Administrator Brooke stated ECIA (East Central Intergovernmental Association) would most likely be the group that would be leading the grant. Administrator Brooke stated ECIA would find properties, acquire contractors and find and screen potential buyers.

Councilmember Connell stated the pilot program is a great idea and stated that there may not be enough funding for large homes. Mayor Vulich stated homes that would be rehabilitated would most likely be one-story homes. Councilmember Connell inquired what the criteria would be for the homes and if ECIA would help determine the criteria. Administrator Brooke stated ECIA would assist in determining the criteria and this can be discussed once the RFQ has been completed. Councilmember Seeley stated this was something that was previously approved and the Council is now moving forward on this project. Councilmember Allesee stressed the importance of educating new homeowners on maintenance and finances. Councilmember McGraw inquired who the contractors would be and if the contractors would be local. Administrator Brooke stated ECIA would put bids out to obtain contractors and the contractors would be local. Councilmember Seeley inquired who the general contractor would be overseeing all of the projects. Administrator Brooke stated ECIA would oversee all of the work. Councilmember Seeley inquired if ECIA would be available on a daily basis throughout the construction process. Administrator Brooke answered in the affirmative and stated ECIA has done so in the past for similar projects. Councilmember Seeley inquired what criteria would be used to determine if a house was worth rehabilitating and if the cost of rehabilitation would be more than the house is worth. Administrator Brooke stated inspections would be completed to determine if a house would qualify for rehabilitation. Mayor Vulich stated ECIA would ensure that the cost of rehabilitation would not be more than the house would be worth. Mayor Vulich stated once the contract was awarded many of these questions could be answered by the contractor.

Councilmember Seeley inquired if the City was required to match any of the grant funding. Administrator Brooke stated no match was required. Councilmember O'Neill inquired if LMI funds would be used. Administrator Brooke stated that LMI funds would not be used. Councilmember Seeley inquired if deed restrictions would be implemented. Administrator Brooke answered in the affirmative and stated the home would need to be used as a single-family residence for at least five years (or longer if chosen by the Council). Councilmember Seeley stated a condition that a sum of money must be paid by the owner if the property was sold prior to the end of the five year period could be implemented.

Administrator Brooke stated the grant would be used in the area from 9<sup>th</sup> Avenue North to North 4<sup>th</sup> Street to Bluff Boulevard to 7<sup>th</sup> Avenue South to the river.

M/S, Allesee-Seeley moved to forward a resolution to publish the RFQ in the newspaper to the next City Council agenda. On roll call, carried unanimously.

3. Rescheduling of the December 26, 2017 City Council meeting to December 19, 2017 and Cancelling the December 26, 2017 Committee of the Whole meeting – Administrator Matt Brooke

Mayor Vulich stated the last Council meeting of the year typically is for business only and is a short meeting. Mayor Vulich stated a special Council meeting would take place on December 19, 2017 at 9:30 a.m.

M/S, Gassman-Seeley moved to forward a resolution to the next City Council agenda cancelling the December 26, 2017 Council and Committee of the Whole meetings and scheduling a special Council meeting on December 19, 2017 at 9:30 a.m. On roll call, carried unanimously.

4. Cancelling of the January 2, 2018 Committee of the Whole meeting – Administrator Matt Brooke

Administrator Brooke stated cancelling of the January 2, 2018 Committee of the Whole meeting was proposed due to the proximity of New Year's Day.

M/S, Odor-Gassman moved to forward a resolution to the next City Council agenda cancelling the January 2, 2018 Committee of the Whole meeting.

5. City Assessor – Administrator Matt Brooke

Administrator Brooke stated the current City Assessor will be retiring on November 30, 2017. Administrator Brooke stated the City Assessor is not a City Council appointment, but rather an appointment by the conference board (Clinton Community School District, County Board of Supervisors, and City Council – with each entity collectively having one vote). Administrator Brooke stated an examining board has been created to find a replacement for the outgoing City Assessor (consisting of Administrator Brooke, County Recorder Scott Judd and Clinton Community School District Superintendent Gary DeLacy), and this examining board will provide a hiring recommendation to the conference board. Administrator Brooke stated the examining board would like to have the Council's decision on disposition of the City Assessors' office prior to moving forward with interviewing and recommending a new City Assessor. Administrator Brooke stated it would create a challenge in hiring a qualified replacement without a determination on the disposition of the office.

Administrator Brooke stated the City Council can choose to repeal the ordinance establishing the City Assessor's office. Administrator Brooke read an excerpt from Iowa Code Chapter 441.1: "A city desiring to abolish the office of city assessor shall repeal the ordinance establishing the office of city assessor, notify the county conference board and the affected taxing districts, provide for the transfer of appropriate records and other matters, and provide for the abolition of the respective boards and the termination of the terms of office of the assessor and members of the respective boards. The abolition of the city assessor's office shall take effect on July 1 following notification of the abolition unless otherwise agreed to by

the affected conference boards. If notification of the proposed abolition is made after January 1, sufficient funds shall be transferred from the city assessor's budget to fund the additional responsibilities transferred to the county assessor for the next fiscal year.”

Administrator Brooke stated combining the offices would double the workload of the County Assessor. Administrator Brooke read an excerpt from Iowa Code Chapter 441.8(8): “In the event of the removal, resignation, death, or removal from the county of the said assessor, the conference board shall proceed to fill the vacancy by appointing an assessor to serve the unexpired term in the manner provided in section 441.6. Until the vacancy is filled, the chief deputy shall act as assessor, and in the event there be no deputy, in the case of the counties the auditor shall act as the assessor and in the case of cities having an assessor the city clerk shall act as assessor.”

Councilmember Gassman stated he is not supportive of abolishing the City Assessor’s office and has never seen any documentation that would indicate a cost savings for abolishing the office.

Carolyn Tallett, 1315 North 3<sup>rd</sup> Street, stated she started the petition to abolish the City Assessor’s office. Mrs. Tallett stated since the current City Assessor is retiring, it would be an opportune time to discuss the future of the office. Mrs. Tallett stated when an outgoing City Assessor retires in a city with declining population, the city often chooses to consolidate with the county at that time. Mrs. Tallett stated she was in favor of less government and that signatures were still being acquired on the petition. Mrs. Tallett stated the general public has a hard time understanding their assessment appeal rights and that she believed the appeal process would be improved if done through the County.

Councilmember Seeley stated he was also supportive of less government and inquired about how Mrs. Tallett believed the appeal process would be improved with the County. Mrs. Tallett stated citizens were spending large sums of money on the appeal process and believed the process would be more efficient with the County. Councilmember Seeley stated the Board of Review consisted of members of the community who review the assessment appeals and determine if the values are fair. Councilmember Seeley stated the process would be exactly the same regardless of whether it was done through the City or the County. Councilmember Seeley stated there was not a cost savings in combining with the County and in comparing the current levy rates, a \$100,000.00 home in the City costs \$1.58 more a year than a \$100,000.00 home in the County. Councilmember Seeley stated it seemed that many citizens were unhappy with a person rather than the office. Councilmember Seeley stated the Sioux City Council recently had a similar discussion and chose to retain their City Assessor’s office. Councilmember Seeley stated the City of Clinton has a lot of complex properties and development occurring. Mrs. Tallett stated she believed there would be a cost savings in combining with the County. Councilmember Seeley stated he believed the petition will undermine the City’s ability to attract a qualified candidate for the City Assessor position. Councilmember Seeley stated he was not for eliminating the City Assessor’s office at this time.

Attorney O’Connell stated citizens can have a hard time litigating assessment appeals once the matter is outside of the City. Attorney O’Connell stated in working with a variety of cities, some assessors and review boards are approachable and some are not. Attorney O’Connell stated the actual person is what makes the most difference.

Mrs. Tallett stated she was not unhappy with a particular person or with the City Assessor's office.

Tom Determann, Clinton County Supervisor, 3601 Valley Oaks Drive, stated he believed smaller government was better government. Mr. Determann stated he believed the petition would be successful and that the Council could solve the issue by putting the item on a ballot to let the citizens decide.

Councilmember Connell inquired if the conference board would have to hire someone if no qualified candidates applied. Administrator Brooke stated there were over eighty qualified individuals and the concern would be the uncertainty over the retention of the office.

Councilmember O'Neill stated once someone was hired as the new City Assessor, it would be much harder to then decide to eliminate the office. Councilmember O'Neill stated the current City Assessor stated that the new assessor would need to be hired within thirty-nine days after the current assessor retired.

Councilmember Seeley inquired with Mr. Determann as to why he believed the City Assessor's office should be abolished. Mr. Determann stated he believed it would be best to combine services with the County. Councilmember Seeley inquired with Mr. Determann if Mr. Determann believed there was a cost savings. Mr. Determann stated a salary would only be expended for one assessor instead of two. Administrator Brooke stated it would be very unlikely that an assessor would be willing to take on twice the workload without an increase in their salary. Administrator Brooke stated the County Assessor would most likely need additional deputies to handle the increased workload, particularly for commercial and industrial assessments, and this could end up costing more money (rather than being a savings).

Councilmember O'Neill stated if an assessor would acquire double the workload it would be most likely that the assessor would ask for a significant raise. Councilmember O'Neill stated the deputy assessors' salaries are based upon a percentage of the assessor's salary and if the assessor's salary increases, the deputy assessors' salaries also increase. Councilmember O'Neill stated when calculations were presented previously there was only an overall savings of \$12,000.00 or roughly \$0.46 per citizen. Councilmember O'Neill stated he did not believe this was justification to eliminate the office.

Jill Heims, Clinton County Assessor, stated the examining board will have seven days from the last day of the City Assessor's employment to request a list of qualified assessors from the Iowa Department of Revenue. Ms. Heims stated the examining board will then have fifteen days to provide a hiring recommendation to the conference board. Ms. Heims stated she had commercial assessment experience and her deputy is not currently paid at eighty percent of her salary. Ms. Heims stated she did not have to hire another deputy and only projected increasing her staff by two.

Mayor Vulich inquired with Ms. Heims about who made up the County Conference Board. Ms. Heims stated three bodies made up the County Conference Board: the County Board of Supervisors, a representative from each of the school boards in the County, and mayors from all of the cities in the County (each body collectively having one vote each). Councilmember Seeley inquired with Ms. Heims if the levy for the County Assessor's office was projected to decrease. Ms. Heims stated the levy for the County Assessor's office will be increasing due to

revaluations. Councilmember O'Neill inquired with Ms. Heims if she resided in town or in Clinton County. Ms. Heims stated she resided in Jones County, Iowa.

Councilmember O'Neill stated on the City Conference Board, the City Council carries one third of the vote, and the Clinton Community School District has one third of the vote. Councilmember O'Neill stated the Board of Supervisors also has one third of the vote on the City Conference Board and the Board of Supervisors wants the City Assessor's office to combine with the County Assessor's office. Councilmember O'Neill stated the Board of Review for property assessment appeals in the City of Clinton is made up of citizens that reside in the City of Clinton and if this was combined with the County, there may or may not be a person on the Board of Review that resides in the City of Clinton. Councilmember O'Neill stated there is not a cost savings to combine and that he would like to see control remain local for the citizens.

Councilmember McGraw stated years ago the City sold the water company and the dock and lost control of both items. Councilmember McGraw stated it should be considered if the City wants to lose control of the City Assessor's office, as once the office is abolished it is gone.

Councilmember Connell stated it was a proper time to discuss the issue and the City does want to work with other partners.

Mayor Vulich inquired with the Council about what direction they would like to take. Mayor Vulich stated the Council could chose to take no action and thus retain the City Assessor's office. Mayor Vulich stated alternatively the Council could chose to abolish the City Assessor's office and begin the process of repealing the ordinance.

M/S, Gassman-O'Neill moved to take no action on the City Assessor's office. On roll call, carried unanimously.

## 6. Mayor and Council Updates

Administrator Brooke stated in comparing October 2016 to October 2017, recycling collection increased by 34 tons. Administrator Brooke further stated that solid waste collection decreased by 29 tons. Administrator Brooke stated operating costs for recycling collection were cut by two-thirds and a savings of \$2,000.00 has accrued from a combination of the tipping fee and money earned for recycling. Councilmember O'Neill expressed thanks to Laura Liegois for her work on this project.

M/S, O'Neill-Gassman moved to adjourn. All in favor.

Respectfully Submitted,

Lisa M. Frederick  
City Clerk