

The City Council met in regular session, November 28, 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.

M/S, Allesee-Odor moved to dispense with the reading of the minutes of the regular Committee of the Whole meeting of November 7, 2017 and they be approved as published on November 21, 2017. On roll call, carried unanimously.

M/S, Allesee-Odor moved to dispense with the reading of the minutes of the regular City Council and Committee of the Whole meetings of November 14, 2017 and they be approved as published on November 28, 2017. On roll call, carried unanimously.

PROCLAMATION - Iowa's First Gold Quality Recipient for Long-Term Care – Alverno Health Care Facility

Alverno Health Care Facility Administrator, Libby Goodman, read a proclamation for the Alverno Health Care Facility being Iowa's First Gold Quality Recipient for Long-Term Care.

PUBLIC HEARINGS

There were no Public Hearings to come before the Council.

AUDIENCE COMMENT

No persons came before the Council to speak.

CONSENT AGENDA

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

1. Airport Commission – minutes 10/16/2017 – receive, approve and place on file.
2. Committee of the Whole – minutes 11/07/2017 – receive, approve and place on file.
3. Committee of the Whole – minutes 11/14/2017 – receive, approve and place on file.
4. Hometown Pride Steering Committee – minutes 11/09/2017 – receive, approve and place on file.
5. Hometown Pride Local Clinton Committee – minutes 11/17/2017 – receive, approve and place on file.
6. Local & Government Affairs Committee – minutes 11/10/2017 – receive, approve and place on file.
7. Traffic Study Commission – minutes 11/14/2017 – receive, approve and place on file.

8. Letter from Anni and Larry Johnson, 500 3rd Avenue, Fulton, Illinois – receive, approve and place on file.
9. Email from Dr. Gary Heath, 829 Gateway Avenue, #10, dated 11/16/2017 - receive, approve and place on file.
10. Email from Dr. Gary Heath, 829 Gateway Avenue, #10, dated 11/18/2017 – receive, approve and place on file.
11. Electronic Payments and Transfers – October 2017 – receive, approve and place on file.
12. Summary of Revenues and Receipts – October 2017 – receive, approve and place on file.
13. Contract and Contractor’s Bond – Cured-in-Place Pipe, Sanitary Sewer Lining Project Z-2017 – Hydro-Klean - \$156,807.989 – receive, approve and place on file (copy available for inspection at Clerk’s office).
14. Plans & Specs – South 21st Street Rehabilitation Project K-2017 – receive, approve and place on file (copy available for inspection at the City Clerk’s office).
15. 2017 Annual Financial Report – receive, approve and place on file.
16. Resolution No. 2017-470 – approving the 28E Agreement for Tobacco, Alternative Nicotine and Vapor Product Enforcement between Iowa Alcoholic Beverages Division and the City of Clinton, Iowa for FY2018.
17. Resolution No. 2017-471 – establish a public hearing for the 2018 Community Development Block Grant (CDBG) application.
18. Resolution No. 2017-472 – amending the collection/certification of sidewalk repair/replacement/reconstruction costs lien list.
19. Resolution No. 2017-473 – authorizing the collection/certification of grass/weed cutting and nuisance clean up liens - \$2,404.07.
20. Resolution No. 2017-474 – authorizing the collection/certification of grass/weed cutting and nuisance clean up liens - \$6,882.29.
21. Resolution No. 2017-475 – recommending Payment No. 1 for the 7th Avenue South ADA Curb Ramp Replacement Project A-2018 – Clinton Engineering Company - \$24,921.11.
22. Resolution No. 2017-476 – recommending Payment No. 3 for the Large Diameter Sewer Cleaning Project Project W-2016 – Visu-Sewer, Inc. - \$36,724.28.
23. Resolution No. 2017-477 – recommending Payment No. 6 for the 25th Avenue North Sewer Separation Project A-2016 – BWC Excavating, LC - \$582,819.88.
24. Resolution No. 2017-478 – approving beer permit/license renewal application for Express Lane Gas & Food Mart #73 – 119 19th Avenue North.

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, O'Neill-Gassman moved the Council consider an ordinance for the third time - AN ORDINANCE AMENDING CHAPTER 52 OF THE CLINTON, IOWA, CODE OF ORDINANCES. On roll call, carried unanimously.

M/S, O'Neill-Connell moved the ordinance under consideration be placed on its final passage and adopted. On roll call, carried unanimously.

ORDINANCE NO. 2558

M/S, Allesee-Gassman moved the Council consider an ordinance for the second time - AN ORDINANCE AMENDING CHAPTER 10 AND VARIOUS PENALTY PROVISIONS OF THE CLINTON, IOWA, CODE OF ORDINANCES. On roll call, carried unanimously.

M/S, Seeley-Gassman moved the Council consider an ordinance for the first time - AN ORDINANCE AMENDING CHAPTER 97.115 CONCERNING OBSTRUCTION IN RIGHT OF WAY OF THE CODE OF ORDINANCES OF THE CITY OF CLINTON, IOWA. On roll call, carried unanimously.

In discussion before roll call, Councilmember Gassman inquired about the necessity of expedited readings. City Engineer Jason Craft stated there were many outstanding requests and there were no objections or concerns about the proposed ordinance.

M/S, Seeley-McGraw moved the rules be suspended and the Council consider an ordinance for the second time. On roll call, carried unanimously.

In discussion before roll call, Councilmember Seeley inquired if any other Councilmembers had questions or concerns. Councilmember O'Neill requested clarification on what the Ordinance covered. Engineer Craft stated the Ordinance would provide guidelines for requests to place a fence or other structure in the right-of-way for areas in town that have excess right-of-way.

M/S, Seeley-McGraw moved the rules be suspended and the Council consider an ordinance for the third time. On roll call, carried unanimously.

M/S, Seeley-McGraw moved the rules be suspended and the ordinance under consideration be placed on its final passage and adopted. On roll call, carried unanimously.

ORDINANCE NO. 2559

M/S, Connell-O'Neill moved that the Council adopt Resolution No. 2017-479 authorizing a body-worn camera/taser purchase replacement/evidence storage implementation solution with Axon Enterprise, Inc. On roll call, carried unanimously.

In discussion before roll call, Councilmember O'Neill inquired about what actions would activate the cameras. Captain Greenwalt stated the cameras would be automatically activated when emergency lights are activated and when a taser is pulled from the holster. Councilmember Seeley inquired if the contract was reviewed by Lynch Dallas. City Attorney Patrick O'Connell answered in the affirmative and stated the contract clearly states the evidence is the property of the City. Attorney O'Connell stated revisions were proposed to ensure

accessibility to the evidence in the event of malicious activity. Captain William Greenwalt stated communication was made with the vendor to ensure that evidence would be accessible in the event of malicious activity.

Captain Greenwalt and Sergeant Richard Mojeiko showed the Council the docking stations that would be used to house the cameras, as well as one of the cameras. Mayor Vulich inquired about the durability of the cameras. Captain Greenwalt stated spare cameras are provided in the event of damage and cameras are covered against damage for sixty months. Captain Greenwalt noted if a taser were to break, repairs could cost \$300.00 - \$400.00 and these expenses would not be incurred under the contract. Captain Greenwalt stated the agreement provides the latest software and equipment and stated County Attorney Mike Wolf was very supportive of the contract and equipment. Councilmember Connell inquired about downloading content and battery life. Captain Greenwalt stated battery life would provide more than twelve hours of use and once the camera is placed in the docking station, content would be automatically downloaded. Sergeant Mojeiko stated the software is fully compliant with all encryption guidelines and standards. Administrator Brooke stated in-car cameras will be forthcoming and timeframes will be determined regarding the storage of the data. Captain Greenwalt stated the equipment and software was fully tested by Davenport and Police Chief Kevin Gyrion had received positive feedback from other departments using the software and equipment.

M/S, Odor-Connell moved that the Council adopt Resolution No. 2017-480 approving 28E Agreement between Clinton, Iowa; Camanche, Iowa; Clinton County; DeWitt, Iowa; Clinton Regional Development Corporation; and Clinton Area Chamber of Commerce for the Hiring of the Lobbying Firm, Advocacy Strategies, LLC. On roll call, carried unanimously.

M/S, O'Neill-Gassman moved that the Council adopt Resolution No. 2017-481 approving staff development days for 2018. On roll call, carried unanimously.

UNFINISHED BUSINESS

No Unfinished Business was brought forth.

M/S, Allesee-Odor moved to adjourn to 7:00 P.M. December 12, 2017. On roll call, carried unanimously.

Mark S. Vulich
Mayor

Lisa M. Frederick
City Clerk