

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

M/S, Allesee-Connell moved to dispense with the reading of the minutes of the regular City Council meeting and regular Committee of the Whole meeting of November 28, 2017 and they be approved as published on December 11, 2017. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, O'Neill - Yes; Odor - absent.

PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning the City of Clinton's 2018 Community Development Block Grant application to provide funding toward the 1st Avenue Lift Station and Force Main Project. No comments were received, written or oral. M/S, McGraw-Allesee moved that the public hearing concerning the City of Clinton's 2018 Community Development Block Grant application to provide funding toward the 1st Avenue Lift Station and Force Main Project be entered into the record. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, O'Neill - Yes; Odor - absent.

In discussion before roll call, Mark Schneider, ECIA Community Development and Public Services Director, stated the need to upgrade the City's wastewater collection system was identified by the Iowa Department of Natural Resources and was detailed in the City's Consent Order. Director Schneider stated improvements to Basin 6 must commence no later than July 1, 2018 and be completed no later than December 31, 2019, pursuant to the Consent Order. Director Schneider stated the proposed project is Phase 1 of the Basin 6 Sewer Separation project and consists of the construction of a sanitary sewer force main capable of conveying the maximum combined flows in the Basin 6 area of the City's sewer system. Director Schneider stated the proposed wastewater activities will be conducted in a targeted area of the City generally bounded by 6th Avenue North on the north, 8th Avenue South on the south, Bluff Boulevard on the west and Riverview Drive on the east. Director Schneider stated the Community Development Block Grant ("CDBG") application will be submitted to Iowa Economic Development Authority ("IEDA") no later than January 1, 2018. Director Schneider stated the proposed improvements will be in the amount of \$4,023,000.00, including construction and administrative fees. Director Schneider stated the City will need to agree to pledge local effort to the project in the amount of \$3,223,000.00. Director Schneider stated the total amount of CDBG funds requested will be \$800,000.00. Director Schneider stated 62.47% percent of the funds will benefit low-to-moderate income persons residing in the targeted area in the City of Clinton. Director Schneider further stated that by design, no displacement will occur; however, if displacement is necessary, the City agrees to fully comply with the Uniform Relocation Act and Section 104(d).

M/S, McGraw-Allesee moved the Council adopt Resolution No. 2017-482 approving Community Development Block Grant Wastewater Collection System Improvement Project Application and Pledging of Local Effort. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, O'Neill - Yes; Odor - absent.

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for South 21st Street Rehabilitation Project K-2017. No comments were received, written or oral. M/S, Allesee-Connell moved that the public hearing concerning accepting bid and awarding

contract for South 21st Street Rehabilitation Project K-2017 be entered into the record. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, O'Neill - Yes; Odor - absent.

M/S, Allesee-Connell moved the Council adopt Resolution No. 2017-483 accepting bid and awarding contract to Determann Asphalt for Project K-2017, South 21st Street Rehabilitation Project for \$433,211.30. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, O'Neill - Yes; Odor - absent.

AUDIENCE COMMENT

No persons came before the Council to speak.

CONSENT AGENDA

Councilmember Seeley requested that item #10, item #11, and item #12 be removed to Unfinished Business.

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

1. Capital Improvement Committee - minutes 11/16/2017 and 11/29/2017 - receive, approve and place on file.
2. Committee of the Whole - minutes 11/28/2017 - receive, approve and place on file.
3. Hometown Pride Local Clinton Committee - minutes 12/01/2017 - receive, approve and place on file.
4. Plan Commission - minutes 12/06/2017 - receive, approve and place on file.
5. Pre-Budget Workshop - minutes 11/21/2017 - receive, approve and place on file.
6. Tree City USA Growth Award - 2017 Application for Certification - receive, approve and place on file.
7. Tree City USA - 2017 Application for Certification - receive, approve and place on file.
8. Resolution No. 2017-484 - declaring surplus property.
9. Resolution No. 2017-485 - denying persons with disabilities residential parking space application.
10. Resolution - Removed to Unfinished Business - authorizing Community Development Block Grant Opportunities and Threats Application and Pledging Local Match.
11. Resolution - Removed to Unfinished Business - accepting bid and awarding contract - nuisance, grass, and snow removal for 2018 calendar year - Bzzzy B Properties LLC - \$25.00 per hour.
12. Resolution - Removed to Unfinished Business - authorizing execution of purchase agreement and property acquisition from Don Austin for the North 3rd Street Rehabilitation Project.

13. Resolution No. 2017-486 – approving parking restrictions on the north and south side of the 1900 block for 15th Avenue South.
14. Resolution No. 2017-487 – approving parking modifications on the north side of the 100 block of 2nd Avenue South.
15. Resolution No. 2017-488 – recommending Payment No. 1 for the Jurgensen Soccer Fields Project X-2017 – Jurgensen Hauling LLC - \$78,231.46.
16. Resolution No. 2017-489 – recommending Payment No. 5 for the Downtown Street Light Replacement Project T-2017 – Leslie Electric - \$174,352.77.
17. Resolution No. 2017-490 – recommending Payment No. 6 for the Margaret Place Pumping Station Project B-2013 – Valley Construction Company - \$278,733.80.
18. Resolution No. 2017-491 – approving liquor license renewal with Sunday sales privilege and outdoor service privilege for Silver Dollar Saloon and issuance of a Class II Letter of Exemption for allowing persons under 21 in licensed premises.
19. Resolution No. 2017-492 – approving a Class C Beer Permit and Class B Native Wine Permit with Sunday sales privilege for Kwik Star #698.
20. Resolution No. 2017-493 – approving a Class E Liquor License, Class B Native Wine Permit, Class C Beer Permit with Sunday Sales privilege for Flaming Hot Fish and Chicken LLC.
21. Resolution No. 2017-494 – approving liquor license renewal and Sunday sales privilege for El Tapatio and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.
22. Resolution No. 2017-495 – approving liquor license renewal, outdoor service privilege, and catering privilege for McKinley Street Taverne and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.

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, Connell, O'Neill – Yes; Odor - absent.

M/S, Allesee-Connell moved the Council consider an ordinance for the third time - AN ORDINANCE AMENDING CHAPTER 10 AND VARIOUS PENALTY PROVISIONS OF THE CLINTON, IOWA, CODE OF ORDINANCES. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, O'Neill – Yes; Odor - absent.

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

ORDINANCE NO. 2560

M/S, Seeley-Gassman moved the Council consider an ordinance for the first time - AN ORDINANCE AMENDING CHAPTER 114 OF THE CLINTON, IOWA, CODE OF ORDINANCES. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, O'Neill – Yes; Odor - absent.

M/S, Connell-Allesee moved the Council consider an ordinance for the first time - AN ORDINANCE AMENDING CHAPTER 159 OF THE CLINTON, IOWA, CODE OF ORDINANCES. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, O'Neill - Yes; Odor - absent.

M/S, O'Neill-Gassman moved the Council consider an ordinance for the first time - AN ORDINANCE AMENDING CHAPTER 32 OF THE CLINTON, IOWA, CODE OF ORDINANCES. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, O'Neill - Yes; Odor - absent.

UNFINISHED BUSINESS

Councilmember Seeley inquired about item #10 on the Consent Agenda and asked about the draft plan, the Iowa Green Streets criteria, ownership of acquired properties, feasibility determination and after-rehabilitation value. Administrator Matt Brooke stated the program was a pilot program to acquire properties to be rehabilitated and then sold. Administrator Brooke stated East Central Intergovernmental Association ("ECIA") would inspect prospective vacant properties owned by the City and determine suitability for rehabilitation. Administrator Brooke stated the program would offer downpayment assistance to eligible buyers. Mark Schneider, ECIA Community Development and Public Services Director, stated the after-rehabilitation value could not exceed 95% of the area median purchase price (for Clinton County) as established by HUD. Director Schneider stated the Iowa Economic Development Authority requires conformity to the Iowa Green Streets criteria. Director Schneider stated a housing trust fund would be established and proceeds would be reinvested into the program.

M/S, Seeley-Allesee moved that the Council adopt Resolution No. 2017-496 authorizing Community Development Block Grant Opportunities and Threats Application and Pledging Local Match. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, O'Neill - Yes; Odor - absent.

Councilmember Seeley inquired about item #11 on the Consent Agenda and asked what the contract amount was for the 2017 calendar year. Councilmember Gassman inquired how hours were tracked. Councilmember Connell inquired if the Building & Neighborhood Services Department estimated the time to complete a job or if the contractor provided the number of hours worked to complete the job. Councilmember Connell inquired if there was a back-up list if the contractor awarded the bid became unavailable. Administrator Brooke stated information for the inquiries presented could be obtained from the Building & Neighborhood Services Department. Mayor Vulich stated the item would be tabled and brought back to the December 19, 2017 Council meeting.

Councilmember Seeley inquired about item #12 on the Consent Agenda and asked how the agreement was formed. City Engineer Jason Craft stated the City needed to acquire property from the existing homeowner, as the sidewalk was currently on the homeowner's property. Engineer Craft stated the homeowner requested that his driveway be repaved in lieu of payment for the property the City needed to acquire from the homeowner. Councilmember Seeley inquired about the engineer drawing. Engineer Craft presented the drawing to Councilmember Seeley.

M/S, Seeley-Connell moved that the Council adopt Resolution No. 2017-497 authorizing execution of purchase agreement and property acquisition from Don Austin for the North 3rd Street Rehabilitation Project. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, O'Neill - Yes; Odor - absent.

M/S, Allesee-Connell moved to adjourn to 9:30 A.M. December 19, 2017. On roll call, Gassman, Seeley, McGraw, Allesee, Connell, O'Neill - Yes; Odor - absent.

Mark S. Vulich
Mayor

Lisa M. Frederick
City Clerk