

The City Council met in special session, December 19, 2017 at 9:30 A.M. in the City Hall Council Chamber. Present on roll call: Councilmembers: Gassman, Seeley, Allesee, and Odor. Mayor Vulich, Councilmember McGraw, Connell and O'Neill - absent.

M/S, Gassman-Seeley moved to dispense with the reading of the minutes of the regular Committee of the Whole meeting of December 5, 2017 and they be approved as published on December 18, 2017. On roll call, Gassman, Seeley, Allesee, Odor - Yes; McGraw, Connell and O'Neill - absent.

PUBLIC HEARINGS

There were no Public Hearings to come before the Council.

AUDIENCE COMMENT

No persons came before the Council to speak.

CONSENT AGENDA

Councilmember Gassman requested that item #10 be removed to Unfinished Business. Councilmember Seeley requested that item #2 and item #6 be removed to Unfinished Business.

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

1. Committee of the Whole - minutes 12/05/2017 - receive, approve and place on file.
2. Tree Commission - minutes 11/09/2017 - Removed to Unfinished Business.
3. Completed Work Orders - November & December - receive, approve and place on file.
4. Electronic Payments and Transfers - November 2017 - receive, approve and place on file.
5. Summary of Revenues and Receipts - November 2017 - receive, approve and place on file.
6. Resolution - Removed to Unfinished Business - approving Lyondell equipment movement.
7. Resolution No. 2017-498 - denying persons with disabilities residential parking space application.
8. Resolution No. 2017-499 - consenting to modification of equipment for cell tower located at Site #370968 (Emma Young Park).

9. Resolution No. 2017-500 – authorizing Conner Wasson, attorney for Ahlers & Cooney, to act as our environmental representative in reference to Fifth Amendment to the City of Clinton’s Consent Decree with the State of Iowa Attorney General’s Office.
10. Resolution – Removed to Unfinished Business – accepting bid and awarding contract – nuisance and snow removal for 2018 calendar year – Bzzzy B Properties LLC - \$25.00 per hour.
11. Resolution No. 2017-501 – approving a Class C Beer Permit with Sunday sales privilege for Porter’s Convenient 66.
12. Resolution No. 2017-502 – approving a Class C Beer Permit and Class B Native Wine Permit with Sunday sales privilege for Lyons Filling Station.
13. Resolution No. 2017-503 – approving a Class C Beer Permit and Class B Native Wine Permit with Sunday sales privilege for Hy-Vee Gas.

MOTIONS, RESOLUTIONS, AND ORDINANCES

M/S, Gassman-Seeley moved that the Claims be received, approved and placed on file. On roll call, Gassman, Seeley, Allesee, Odor – Yes; McGraw, Connell and O’Neill - absent.

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

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

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

UNFINISHED BUSINESS

Councilmember Seeley inquired about item #2 on the Consent Agenda and asked about the City Tree Inventory. Administrator Matt Brooke stated Street Department Superintendent Creighton Regenwether attended the Tree Commission meeting on November 9, 2017, and the list will be updated. Councilmember Seeley inquired about the option of constructing a prairie at the Liberty Square site. Administrator Brooke stated this option will continue to be explored. Councilmember Seeley inquired about trees planted at Eagle Point Park and stated rods were placed but not fastened. Administrator Brooke stated this would be conveyed to the Tree Commission.

M/S, Seeley-Gassman moved that the Council receive, approve and place on file the November 9, 2017 Tree Commission meeting minutes. On roll call, Gassman, Seeley, Allesee, Odor – Yes; McGraw, Connell and O’Neill - absent.

Councilmember Seeley requested background information for item #6 on the Consent Agenda. Administrator Brooke stated LyondellBasell would be receiving oversized equipment from J.T. Cullen and has requested to utilize 19th Avenue North to transport the equipment. Administrator Brooke stated the fee would be paid to transport oversized equipment and in travelling from Illinois to LyondellBasell, the Engineer did not believe the truck would be able to navigate the turn off the South Bridge (Highway 30) onto South 4th Street. Administrator Brooke stated there would be sixteen total deliveries to LyondellBasell of the oversized equipment.

Roger Johnson, Vice President of J.T. Cullen, stated the equipment measured eighty feet long and the truck would not be able to make the turn from the South Bridge (Highway 30) to South 4th Street, as well as the turn from South 4th Street to Camanche Avenue. Administrator Brooke requested that Mr. Johnson explain the use of a wrecker in transporting the equipment. Mr. Johnson stated a wrecker will be used to adjust the height of the load when traveling over hills/inclines or railroad tracks, to ensure that the load does not scrape the pavement. Administrator Brooke stated the turns from 19th Avenue North to Mill Creek Parkway and Mill Creek Parkway to Highway 30 would be feasible.

Councilmember Allesee inquired with Mr. Johnson if escorts would be present when the loads were being transported. Mr. Johnson answered in the affirmative and stated there would be an escort in the front and the back. Administrator Brooke inquired about the time of day for the equipment delivery. Mr. Johnson stated the equipment would be transported during the daylight hours. Administrator Brooke stated the neighbors would be notified along 19th Avenue North, as well as local law enforcement. Mr. Johnson stated utilizing 19th Avenue North to transport the equipment would be much safer than using the South Bridge (Highway 30) to Camanche Avenue route.

Councilmember Connell joined the meeting.

M/S, Seeley-Gassman moved that the Council adopt Resolution No. 2017-504 approving Lyondell equipment movement. On roll call, Gassman, Seeley, Allesee, Odor, Connell - Yes; McGraw and O'Neill - absent.

Councilmember Gassman stated the Council had requested additional information for item #10 on the Consent Agenda. Jeff Chapman, Battalion Fire Chief and Building and Neighborhood Services Code Official, stated in adding an additional inspector to the Building and Neighborhood Services Department, the work volume has nearly doubled. Battalion Chief Chapman stated bid amounts do tend to vary and this has been seen in prior years.

Councilmember Seeley inquired how many clean ups occurred per week. Battalion Chief Chapman estimated nearly seven hundred clean ups and mowings occur per year. Councilmember Seeley inquired if the hourly contractor fee included the landfill fee. Battalion Chief Chapman stated it did not. Councilmember Seeley inquired about the course of action if a contractor could not keep up with all of the work. Battalion Chief Chapman stated for the 2018 calendar year grass and weeds would be bid out separately from the snow removal and nuisance clean ups. Battalion Chief Chapman stated in the case of emergencies, any contractor can be used.

Administrator Brooke inquired if time and date-stamped photos are used for clean ups. Battalion Chief Chapman answered in the affirmative and stated the Building and Neighborhood Services Department takes photos of a nuisance property when a complaint is received and the contractor is required to take photos of the property before and after the contractor cleans up the property.

M/S, Gassman-Seeley moved that the Council adopt Resolution No. 2017-505 accepting bid and awarding contract - nuisance and snow removal for 2018 calendar year to Bzzzy B Properties LLC at \$25.00 per hour. On roll call, Gassman, Seeley, Allesee, Odor, Connell - Yes; McGraw and O'Neill - absent.

M/S, Gassman-Seeley moved to adjourn to 7:00 P.M. January 9, 2018. All in favor.

Julie Allesee
Mayor Pro Tem

Lisa M. Frederick
City Clerk