

The City Council met in regular session December 8, 2015 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich; Councilmembers: McGraw, Rowland, Determann, Gassman, Wilke, O'Neill and Allesee.

M/S, Determann-Wilke moved to dispense with the reading of the regular City Council meeting and Committee of the Whole minutes of November 24, 2015 and they be approved as published on December 8, 2015. On roll call, carried unanimously.

## PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning the proposed Capital Improvement Program for FY2017-2022 for the City of Clinton, Iowa. No comments were received, written or oral. M/S, Wilke-Rowland moved that the public hearing concerning the proposed Capital Improvement Program for FY2017-2022 for the City of Clinton, Iowa be entered into the record. On roll call, carried unanimously.

1. M/S, Wilke-Determann moved the Council adopt Resolution No. 2015-483 adopting a Capital Improvement Plan for Fiscal Years 2017 through 2022. On roll call, McGraw, Rowland, Gassman, Determann, Wilke, Allesee - Yes; O'Neill - No. Motion carried.

In discussion before roll call, Councilmember Rowland stated that he has been participating in the CIP process for several years. He continued in stating that the City does not have a funding source for the projects being proposed. He further stated that funding through debt is not a long term solution and urged the City to look into franchise fees as a funding resource.

Councilmember O'Neill stated that the City has \$80 Million in sewer projects plus the payback for the Railpark. He continued in stating that the City does not have the funding for this.

Councilmember Gassman stated that he has been on the CIP Committee for several years and the Capital Improvement Plan is used as a planning tool. Councilmember Determann requested that the City Administrator explain the amount the City will bond for in FY17 and how much will be funded by "other" resources. City Administrator Jessica Kinser stated that the City will bond for \$5.46 Million and anticipates \$3 Million from other sources. She continued in stating that once a project is approved staff begins to look for alternative funding sources. Mayor Vulich stated that just because the Council approves the CIP does not mean that the City will spend that amount. The CIP is a working document.

Mayor Vulich convened a public hearing concerning the rezoning of Lots 10 through 18, Valley Bluff Horizons Second Addition. No comments were received written or oral. M/S, Allesee-McGraw moved that the public hearing concerning the rezoning of Lots 10 through 18, Valley Bluff Horizons Second Addition be entered into the record. On roll call, carried unanimously.

M/S, Allesee-Gassman moved that the Council consider an ordinance for the first time - AMENDING CHAPTER 159, ZONING REGULATIONS OF THE CITY OF CLINTON, IOWA, BY CHANGING THE ZONING CLASSIFICATION OF LOTS 10 THROUGH 18, VALLEY BLUFF HORIZONS SECOND ADDITION FROM C-2M, GENERAL COMMERCIAL-LIGHT MANUFACTURING DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT. On roll call, carried unanimously.

In discussion before roll call, an associate of Pasternak Law Firm extended Greg Jaeger's apologies for not being in attendance. She stated that the site plan is ready and they are ready to begin and are working on getting local bids. She requested that when the second reading of the ordinance is performed the Council waive the third reading and adopt the ordinance at that meeting.

Mr. Bob Buker, Beaver Builders, advised the Council that he needed their approval of the ordinance in order to get going on the project. He stated that he already has one unit rented contingent upon Council's approval. He further stated that he has been soliciting local contractors and suppliers and is very happy with the excellent local tradespeople.

#### AUDIENCE COMMENT

Mr. Jim Irwin, 723 Melrose Court, advised the Council that the majority of the residents of Melrose Court have requested parking on the west side of the 700 block. He stated that emergency vehicles and snow plows cannot get through when there are cars parked on both sides of the street. He requested that the Council approve the resolution to implement a no parking zone along the west side of Melrose Court.

#### CONSENT AGENDA

Mayor Vulich advised the Council that items #14 and #16 would be removed from the Consent agenda due to pending modifications to the resolutions.

M/S, Determann-Wilke moved to approve the Consent Agenda as amended. On roll call, carried unanimously.

1. Claims - receive, approve and place on file.
2. Airport Commission - minutes 11/16/2015 - receive, approve and place on file.
3. Committee of the Whole - minutes 11/24/2015 - receive, approve and place on file.
4. Committee of the Whole - minutes 12/1/2015 - receive, approve and place on file.
5. Mayor's Youth Commission - High School - minutes 11/4/2015 - receive, approve and place on file.
6. Planning Commission - minutes 12/2/2015 - receive, approve and place on file.
7. Pre-Budget Workshop - minutes 11/19/2015 - receive, approve and place on file.

8. Proclamation - Declaring December 20th – 26th, 2015 Childhood Cancer Awareness Week in Clinton, Iowa – receive, approve and place on file.
9. Resolution No. 2015-484 amending Resolution 2015-138 to include sending ambulance aged receivables and excessive library fines to Municipal Collection Services, Inc. (MCSI).
10. Resolution No. 2015-485 amending Resolution 2015-454; retracting sewer and solid waste lien.
11. Resolution No. 2015-486 ordering construction of improvement, setting public hearing and directing advertisement for bids - ADA Curb Ramp Improvements, Project H-2015.
12. Resolution No. 2015-487 setting public hearing for the 19th Avenue North Extension Project, Phase III.
13. Resolution No. 2015-488 re-authorizing construction of improvements, re-setting public hearing, and directing re-advertisement for bids for the TSIP Project T-2015, 8th Avenue South & South 4th Street Intersection Improvements.
14. Resolution – Removed from agenda - approving change order #1 for 7th Avenue North Sewer Separation Project L-2014 – BWC Excavating, LC - \$6,054.50.
15. Resolution No. 2015-489 approving change order #3 for 44th Avenue South Resurfacing Project B-2015 – Determann Asphalt Paving, LLC - \$23,528.82.
16. Resolution – removed from agenda - accepting work and recommending final payment No. 5 to BWC Excavating, LC for the 7th Avenue North Sewer Separation Project, L-2014 - \$24,408.01.
17. Resolution No. 2015-490 recommending payment No. 5 for the 44th Avenue South Resurfacing Project B-2015, Determann Asphalt Paving, LLC - \$257,824.32.
18. Resolution No. 2015-491 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.
19. Resolution No. 2015-492 approving liquor license renewal with Sunday sales privilege and outdoor sales privilege for Silver Dollar Saloon.
20. Resolution No. 2015-493 approving beer permit/license renewal application and Sunday sales privilege for Porter’s Convenient 66.
21. Resolution No. 2015-494 approving liquor license renewal for Hy-Vee Inc., dba Hy-Vee Gas.

22. Resolution No. 2015-495 approving the renewal of an off premises beer permit/liquor license application for Lyons Filling Station.
23. Resolution No. 2015-496 approving renewal of liquor license and Sunday sales privilege for Stout's Irish Pub and issuance of a Class II Letter of Exemption for allowing persons under 21 in licensed premises.

#### MOTIONS, RESOLUTIONS, AND ORDINANCES

2. M/S, Wilke-O'Neill moved the Council adopt a resolution approving an agreement with the Clinton Area Chamber of Commerce for the Convention and Visitors Bureau. Motion and second retracted.

In discussion before roll call, Councilmember McGraw advised the Council that she had requested financial statements and balance sheets. She stated that they were very confusing because the Chamber and the Visitors Bureau accounts were not split out. She continued in stating that account names will be changed in order to end the confusion. She further stated that she had received an email from Nathan Sondergroth, President of the Clinton Area Chamber of Commerce, which stated that the Chamber is willing to wait until this change is completed.

Mr. Nathan Sondergroth, President of the Clinton Area Chamber of Commerce, stated that the financial changes would be completed by the December 18th Council meeting. He continued in stating that the funds have been segregated making the report easier to read. He further stated that he would like to start 2016 knowing that they would be the City's CVB.

M/S, McGraw-Rowland moved to postpone approving an agreement with the Clinton Area Chamber of Commerce for the Convention and Visitors Bureau until the December 18, 2015 City Council meeting. On roll call, McGraw, Rowland, Determann, Wilke, O'Neill, Allesee - Yes; Gassman - No. Motion carried.

3. M/S, O'Neill-Allesee moved the Council adopt Resolution No. 2015- 497 approving the purchase of Parcels 212 and 222 of Project NHSZ-030-9(123)-3H-23 from the Iowa Department of Transportation. On roll call, carried unanimously.

In discussion before roll call, Councilmember O'Neill stated that the item under consideration is a continuation of purchasing the land on Camanche Avenue from the DOT.

4. M/S, Gassman-Rowland moved the Council adopt Resolution No. 2015-498 approving jurisdiction agreement for Iowa Byways signage installation and maintenance. On roll call, carried unanimously.
5. M/S, Rowland-Gassman moved the Council adopt Resolution No. 2015-499 approving a sign grant program for the Downtown Clinton Alliance. On roll call, McGraw, Rowland, Determann, Wilke, O'Neill, Allesee - Yes; Gassman - Recuse. Motion carried.

6. M/S, McGraw-Rowland moved the Council adopt Resolution No. 2015-500 approving implementation of no parking zone along the west side of Melrose Court from 7th Avenue South to 8th Avenue South. On roll call, carried unanimously.
7. M/S, O'Neill-Allesee moved the Council adopt Resolution No. 2015-501 approving implementation of no parking zone on west side of the 1800 block of South 21st Street. On roll call, carried unanimously.
8. M/S, Rowland-Gassman moved the Council adopt Resolution No. 2015-502 approving changes to no parking zone on west side of the 700 block of South 9th Street. On roll call, carried unanimously.
9. M/S, Allesee-McGraw moved the Council adopt Resolution No. 2015-503 approving establishment of speed zones along Camanche Avenue, Liberty Avenue, and Lincoln Way within the City of Clinton, Iowa. On roll call, carried unanimously.
10. M/S, Gassman-Rowland moved the Council adopt Resolution No. 2015-504 directing sale of \$3,395,000 (subject to adjustment per terms of offering) General Obligation Capital Loan Notes, Series 2016A. On roll call, carried unanimously.

In discussion before roll call, Councilmember Rowland inquired regarding what the bond funds would be used for. City Administrator Kinser stated that they would be used for the contract payment to the Iowa DOT for Camanche Avenue and the remainder will be used for the 20th Avenue North Pump Station Project.

City Finance Director Anita Dalton advised the Council that the winning bid was from Robert W. Baird Co, with a true interest rate of 3.088%. Councilmember Rowland inquired regarding whether this would be the last bond for Camanche Avenue. Director Dalton stated that it would be the last bond. Councilmember O'Neill inquired regarding whether this was part of the budget. Director Dalton stated "yes", the Council voted for it in February, 2015. She continued in stating that since the bond was over \$10 Million, the City received non-bank bids which come in at a different interest rate.

#### UNFINISHED BUSINESS

No Unfinished Business was brought forth.

M/S, Determann-Wilke moved to adjourn to 7:00 pm December 22, 2015. On roll call, carried unanimously.

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Mark S. Vulich  
Mayor

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Pat Van Loo  
City Clerk