

The City Council met in regular session, January 13, 2015 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich; Councilmembers: McGraw, Rowland (by telephone), Gassman, Determann, Wilke, O'Neill and Allesee.

PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning the proposed Capital Improvement Program for FY 2016-2021 for the City of Clinton, Iowa. No comments were received written or oral. M/S, Gassman-O'Neill moved that the public hearing concerning the proposed Capital Improvement Program for FY 2016-2021 for the City of Clinton, Iowa be entered into the record. On roll call, carried unanimously.

In discussion before roll call, Councilmember Rowland stated that the resolution to approve the plan reads "is adopted". He continued in stating that his interpretation of adopt means the plan is accepted and put into effect. City Attorney Patrick O'Connell stated that the Council can adopt the CIP as a plan and it will go into effect as a plan; however, the Council can approve or not approve items in the CIP.

M/S, Determann-O'Neill moved to amend the CIP to add the Airport entrance to FY 2016. On roll call, carried unanimously.

In discussion before roll call, Councilmember Gassman inquired regarding how the Airport drive would be paid for. Councilmember Determann stated that it could be added to the Capital Improvement List and discussed during the budget discussions.

M/S, Determann-O'Neill moved to amend the CIP to add the North End Bike Trail to FY 2016. On roll call, carried unanimously.

1. M/S, Gassman-Determann moved the Council adopt Resolution No. 2015-001 adopting a Capital Improvement Plan as amended for Fiscal Years 2016 through 2021. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning the proposal to enter into a forgivable loan agreement with Economic Growth Corporation. No comments were received written or oral. M/S, McGraw-Gassman moved to set the date of January 27, 2015 at 7:00 p.m., the next regular City Council meeting, at City Hall, for the continuation of the public hearing regarding the proposal to enter into a Forgivable Loan Agreement with Rock Island Economic Growth Corporation d/b/a Economic Growth Corporation. On roll call, carried unanimously.

In discussion before roll call, Mayor Vulich advised the Council that if the motion is approved it would also be discussed under Unfinished Business.

AUDIENCE COMMENT

Ms. Marlo Fuglsang, 725 4th Avenue South, stated that she had decided to visit a friend on December 11, 2014 while out for a walk with her small dog Oreo. When she approached her friend's house two pit bulls attacked her dog. The owner of the pit bulls lived across the alley and did not come to her aid, but rather stood on his property and yelled at his dogs. Finally the pit bulls let go of her dog leaving bites on its ears and mouth. The owner of the pit bulls indicated that they had jumped the fence. The police were called and her dog Oreo was taken to the veterinarian where it was treated. She continued in stating that there are more pit bulls in Clinton County now and requested that the Council pass an ordinance which does not allow any more pit bulls to be brought into the City.

CONSENT AGENDA

Mayor Vulich advised the Council that Item #18 has been removed.

Councilmember Rowland requested that item #12 be removed to Unfinished Business.

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

1. Claims - receive, approve and place on file.
2. Airport Commission - minutes 11/17/2014 - receive, approve and place on file.
3. Committee of the Whole - minutes 1/6/2015 - receive, approve and place on file.
4. Historic Preservation Commission - minutes 12/11/2014 - receive, approve and place on file.
5. Human Rights Commission - minutes 10/13/2014 - receive approve and place on file.
6. Human Rights Commission - minutes 11/3/2014 - receive, approve and place on file.
7. Human Rights Commission - minutes 1/5/2015 - receive, approve and place on file.
8. Tree Commission - minutes 12/11/2014 - receive, approve and place on file.
9. Clinton Fire & Rescue - December 2014 PCC Ambulance Billing Report - receive, approve and place on file.
10. Clinton Police Department Incidents and Arrests by Type and Location - November, 2014 - receive, approve and place on file.

11. Certification of local government approval for nonprofit organizations receiving Iowa Statewide Emergency Solutions Grant (ESG) funds for shelter – receive, approve and place on file.
12. Communication from the YWCA – Removed to Unfinished Business - receive, approve and place on file.
13. Resolution No. 2015-002 authorizing the collection/certification of demolition costs.
14. Contract & Bond – 2015 Demolition of Structures Project (645 2nd Ave. S., 928 11th Ave. S, 2442 Camanche Ave.) – G&R Trucking - \$25,300 - receive, approve and place on file.
15. Contract & Bond – 2015 Demolition of Structures Project (231 1st Avenue, 426 2nd Ave. S, 835 10th Ave. S, 239 20th Place, 234 21st Place, 309 22nd Place) – Colgan Excavating, LLC - \$36,915.00 - receive, approve and place on file.
16. Contract & Bond – 7th Avenue North Sewer Separation Project L-2014 – BWC Excavating, LC - \$237,347.75.
17. Resolution No. 2015-003 approving a budget modification for the Self Supporting Municipal Improvement District (SSMID) II.
18. Resolution – Removed from Agenda - of endorsement for the Clinton Fire Department to apply for an Assistance to Firefighters Grant to replace thermal imaging cameras and gas monitors.
19. Resolution No. 2015-004 approving change order No. 1 with Larry Joe Detterman Excavating for the 2014 Structure Demolition Project - \$300.00.
20. Resolution No. 2015-005 approving final change order #1 Kenilworth & Argyle Court Rehabilitation Project G-2014 – Clinton Engineering Company - \$20,805.79.
21. Resolution No. 2015-006 approving final change order #5 HMA Resurfacing Project K-2014 – Determann Asphalt Paving, LLC - \$13,121.00.
22. Resolution No. 2015-007 recommending payment No.1 to BWC Excavating LC for the 19th Avenue Northwest Tech Park Extension Project H-2014 - \$169,708.38.
23. Resolution No. 2015-008 recommending payment No. 2 to Eastern Iowa Excavating, LLC for the ADA Curb Ramp Project K-2014(B) - \$23,910.48.
24. Resolution No. 2015-009 recommending payment #3 to Larry “JOE” Detterman, Inc. for the 2014 Demolition of Structures Project - \$33,723.10.
25. Resolution No. 2015-010 accepting work and recommending final payment No. 7 to Determann Asphalt Paving LLC for the HMA Resurfacing Project K-2014 - \$88,577.18

26. Resolution No. 2015-011 accepting work and recommending final payment No. 8 to Clinton Engineering for the Kenilworth & Argyle Court Rehabilitation Project G-2014 - \$29,373.84.
27. Resolution No. 2015-012 approving liquor license renewal with Sunday sales privileges for La Feria Mexican Restaurant and issuance of a Class I Exemption for allowing persons under 21 in licensed premises.
28. Resolution No. 2015-013 approving liquor license renewal application with Sunday sales privilege for Main Avenue Pub.
29. Resolution No. 2015-014 approving liquor license renewal application with Sunday sales privilege for Manning's Whistle Stop.
30. Resolution No. 2015-015 approving liquor license renewal, Sunday sales privilege and outdoor service area 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

2. M/S, O'Neill-Allesee moved the Council adopt Resolution No. 2015-016 endorsing the Clinton Regional Development Corporation's five-year funding initiative and supporting its implementation. On roll call, carried unanimously.
3. M/S, Rowland-Gassman moved the Council adopt Resolution No. 2015-017 approving E-Payment Services Agreement with Point & Pay, LLC. On roll call, carried unanimously.

In discussion before roll call, Councilmember O'Neill inquired regarding whether the City Attorney's review was positive. City Attorney Patrick O'Connell stated that the objectionable language had been removed and the agreement is now suitable.

4. M/S, Allesee-O'Neill moved the Council adopt Resolution No. 2015-018 confirming City Council appointments for 2015. On roll call, carried unanimously.
5. M/S, Wilke-O'Neill moved the Council adopt Resolution No. 2015-019 amending dates for the regularly scheduled second meeting in January. On roll call, carried unanimously.

In discussion before roll call, Mayor Vulich advised the Council that January 28, 2015 is Transportation Day in Des Moines and the day before there is a meeting being held relating to tourism. He stated that he would be attending Transportation Day as well as the the January 27th tourism meeting along with several other Council Members so there would not be many Council Members at the January 27th City Council meeting.

UNFINISHED BUSINESS

Mayor Vulich stated that since the Council approved moving the last meeting in January to January 29, 2015 the motion to set the date of January 27, 2015 at 7:00 p.m., the next regular City Council meeting, at City Hall, for the continuation of the public hearing regarding the proposal to enter into a Forgivable Loan Agreement with Rock Island Economic Growth Corporation d/b/a Economic Growth Corporation must be amended to reflect the date of January 29th.

6. M/S, O'Neill-Allesee moved to amend the motion to set the date of January 27, 2015 at 7:00 p.m., the next regular City Council meeting, at City Hall, for the continuation of the public hearing regarding the proposal to enter into a Forgivable Loan Agreement with Rock Island Economic Growth Corporation d/b/a Economic Growth Corporation to January 29, 2015. On roll call, carried unanimously

Councilmember Rowland stated that the communication from the YMCA is not clear or conveys where the money would come from. He continued in stating that the Council should just receive the communication and place it on file instead of approving it until further information is brought forward.

7. M/S, Rowland-Determann moved that the Communication from the YWCA be received and placed on file. On roll call, carried unanimously.

M/S, Determann-Wilke moved to adjourn to 7:00 pm January 29, 2015. On roll call, carried unanimously.

Mark S. Vulich
Mayor

Pat Van Loo
City Clerk