

The City Council met in regular session, January 25, 2017 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich; Councilmembers: Gassman, Seeley, McGraw, Allesee, O'Neill, Connell.

M/S, Allesee-Connell moved to dispense with the reading of the minutes of the special City Council meeting and Committee of the Whole minutes of January 10, 2017 and they be approved as published on January 24, 2017. On roll call, carried unanimously

PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning the authorization of a Loan Agreement and the issuance of not to exceed \$4,360,000 General Obligation Capital Loan Notes to evidence the obligation of the City thereunder. No comments were received, written or oral. M/S, Seeley-Gassman moved that the public hearing concerning the authorization of a Loan Agreement and the issuance of not to exceed \$4,360,000 General Obligation Capital Loan Notes to evidence the obligation of the City thereunder be entered into the record. On roll call, carried unanimously.

M/S, Seeley-McGraw moved the Council adopt Resolution No. 2017-013 instituting proceedings to take additional action for the issuance of not to exceed \$4,360,000 General Obligation Capital Loan Notes. On roll call, carried unanimously.

AUDIENCE COMMENT

No persons came before the Council to speak.

CONSENT AGENDA

Councilmember O'Neill requested item #19 be removed to Unfinished Business.

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

1. Airport Commission - minutes 12/19/2016 - receive, approve and place on file.
2. Civil Service Commission - minutes 12/7/2016 - receive, approve and place on file.
3. Committee of the Whole - minutes 1/10/2017 - receive, approve and place on file.
4. Human Rights Commission - minutes 11/7/2016 - receive, approve and place on file.
5. Mayor's Youth Commission MS - minutes 1/11/2017 - receive, approve and place on file.
6. Rezoning Application - Steve & Melissa Diesch, 4625 Bellevue Road, - receive and refer to Plan Commission.
7. Plans & Specs - Margaret Place Pumping Station Reconstruction Project B-2013 - receive, approve and place on file.

8. Resolution No. 2017-014 approving change order #7 to the 19th Avenue North Extension Project Phase III Construction Contract – Langman Construction, Inc. - \$879.67.
9. Resolution No. 2017-015 ordering construction of improvement, setting public hearing and directing advertisement for bids – Margaret Place Pumping Station Reconstruction Project B-2013.
10. Resolution No. 2017-016 recommending payment No. 10 for Phase III of the 19th Avenue North Project, from Randall Court to North 2nd Street - Langman Construction, Inc. - \$200,184.94.
11. Resolution No. 2017-017 recommending payment No. 9 for the North 4th Street & 13th Avenue North Rehabilitation Project, C-2016 – BWC Excavating, LC - \$27,942.25.
12. Resolution No. 2017-018 recommending payment No. 3 for the 19th Avenue NW Sidewalk & Trail Construction Project L-2015 – Eastern Iowa Excavating & Concrete - \$27,138.80.
13. Resolution No. 2017-019 accepting work and recommending final payment No. 4 for the Car Barn Creek Maintenance Project O-2016 - Larry L. “Joe” Detterman, Inc. - \$5,971.17.
14. Resolution No. 2017-020 accepting work and recommending final payment No. 3 to Larry L. “Joe” Detterman, Inc. for the 2016 Demolition of Structures Project, Phase I - \$1,210.00.
15. Resolution No. 2017-021 approving liquor license renewal application with Sunday and outdoor service sales privilege for Lyons Tap & Grill and issuance of a Class II Letter of Exemption for allowing persons under 21 in licensed premises.
16. Resolution No. 2017-022 approving liquor license renewal, Sunday sales privilege and outdoor sales privilege for Main Avenue Pub.
17. Resolution No. 2017-023 approving beer permit/license renewal application for Fareway.
18. Resolution No. 2017-024 approving liquor license renewal application for Clinton Gas & Mart.
19. Resolution – Removed to Unfinished Business - approving liquor license renewal application with Sunday and outdoor service sales privilege for Bonnie’s Scenic Tavern.
20. Resolution No. 2017-025 approving liquor license renewal and Sunday sales privilege for Mezcal 2 Mexican Bar & Grill 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 List be received, approved and placed on file. On roll call, Gassman, Seeley, McGraw, Allesee, O’Neill – Yes; Connell – abstain. Motion carried.

M/S, O’Neill-Gassman moved the Council consider an ordinance for the second time – AN ORDINANCE AMENDING CHAPTER 97 STREET EXCAVATIONS AND DRIVEWAY CURB CUTS OF THE CODE OF ORDINANCES OF THE CITY OF CLINTON, IOWA. On roll call, carried unanimously.

M/S, O’Neill-Gassman moved that the rules be suspended and the Council consider the ordinance for the third time. On roll call, carried unanimously.

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

ORDINANCE NO. 2553

M/S, Connell-Allesee moved the Council adopt Resolution No. 2017-026 approving consulting engineering agreement with McClure Engineering Associates, Inc. for professional engineering services for "Highway 67 Improvements Project. On roll call, carried unanimously.

In discussion before roll call, Councilmember Connell requested clarification of the resolution under consideration. He inquired regarding whether the engineering had been previously done. City Engineer Jason Craft advised that none of the engineering had been done. He stated that this includes the completion of design.

Mayor Vulich inquired regarding whether the Iowa DOT would reimburse the City. Engineer Craft stated that the Iowa DOT will cover \$68,000.

M/S, Allesee-Connell moved the Council adopt Resolution No. 2017-027 approving cooperative agreement for primary road project between the Iowa Department of Transportation and the City of Clinton for the Highway 67 Improvement Project. On roll call, carried unanimously.

Mayor Vulich advised that this was the time to conduct interviews with William (Bill) Schemers, Michael Kearney, James P. Klaes, Jennifer Graf, Scott Bengtson, and Seth Odor for vacant City Council position.

City Administrator Matt Brooke thanked the candidates and requested that they keep their answers to 90 seconds. He explained the interview process, the candidates introduced themselves, and the interviews proceeded:

Councilmember O'Neill - How do you see the operation of the Council now different than when you were previously on it, if different at all?

Graf - there is a lot more cohesion. She stated that she was impressed with the finance changes. She continued in stating that during her time on the Council they were faced with external turmoil. She further stated that she sees us moving forward as a community in a positive way.

O'Neill - How do you feel you are the best qualified candidate that is here tonight?

Klaes - I am not sure that I am the best qualified. All of the candidates have strong traits, are good citizens and want to help the community. I have certain strengths and the others have certain strengths where I am weak.

O'Neill - If you are placed in the A-Large position will you run for the position in November?

Kearney - I have not made that decision.

O'Neill - If you are placed in the A-Large position will you run for the position in November?

Bengtson - Yes.

O'Neill - What is the hardest decision you have had to make at Skyline?

Odor - The re-branding. I came in with new ideas, updated the logo and the website. We got involved with the Chamber.

O'Neill - What do you feel is the strongest attribute of the City Council sitting here now?

Schemers - I started to study the City Council three years prior to moving to Clinton in 2015. One of the strongest attributes is what I saw at the Capitol and saw the many members of the Community and the County signed the Lobbyist to push forward the many things that are needed here including the lighting of the highway, tax reform, etc. It is not one person, but an entire community working together.

Councilmember Connell - What role should the City have in business retention, attraction of small business and entrepreneurialism?

Klaes - This is the most important of all. The City should work to keep small business and help businesses to expand. It is the Council's job to attract businesses to the City.

Kearney - Most economic growth comes from small business. The City should not put obstacles in the way and should provide counseling for startup.

Bengtson - The City should work with Clinton Regional Development Corporation (CRDC) to bring in small businesses and industry. There is so much potential here. We have a great community, a great workforce and a lot to offer.

Odor - The best way to retain small business is to stay out of the way; however, be visible to them and counsel them. Make sure that regulations are business-friendly. Council Members should visit businesses to see what goes on.

Schemers - The Council plays a vital role. The downtown is the heart beat of the community. We have a great community that supports small business and the Council plays a very important role.

Graf - We own a small business and all Council Members are members of small businesses. I am excited about what Andy Sokolovich is doing at the CRDC. The strength of small businesses are the heart of the community.

Councilmember Allesee - How do you feel about the tax incentives that are available through the City to aid businesses on startup?

Schemers - Tax incentives were an issue at the State Capitol and we got a really good note from the Governor and the Lieutenant Governor that yes, they would continue tax incentives. They know and respect the smaller communities.

Graf - It is forward thinking of the Council.

Klaes - I think it is a good choice to help businesses grow.

Kearney - The cost of running local government has been inflated from unfunded mandates. The best thing we can do for our small businesses and our taxpayers is to lobby hard to have some of the unfunded funded. We must recognize that virtually no business is forever. We must be a coach for people wanting to start a business and encourage them.

Bengtson - I agree with tax incentives. It is well thought out, although some people don't like it, it is good for the startup of businesses. It brings people into the community.

Odor - I think it is great, the tax incentives that have been given. It is great to retain and bring in new businesses.

Councilmember McGraw - At a recent budget meeting we were able to lower the tax levy, do you think that was a good idea or bad idea?

Kearney - The biggest request by the citizens was to lower taxes. I think it is a good thing.

Bengtson – I agree with that. People always want taxes lowered and if it a fiscally responsible solution then it is the best thing to do.

Odor – I cannot give you my full thoughts since I have not seen the full budget. It is great for families; however, the bad part is that the City cannot hire additional staff and provide additional services.

Schemers – The levy was lowered and the City will have surplus. Two additional police officers will be added. The ADM appeal may impact this. If you put money back in the pockets of the citizens they will spend it locally. You are also keeping people employed and your small businesses downtown.

Graf – I would not second guess the Council. You have reviewed everything to get a balanced budget. Two police officers is great. The City will always be short and making hard decisions is what all of you have been elected to do. The reduction of taxes is a good thing for the citizens.

Klaes – As a homeowner I am glad; however, I would have waited one year. We could save money and then look at lowering the tax levy. The State of Iowa rolled back taxes three or four years ago and now they are short of money.

Councilmember Seeley – In your opinion what is the greatest threat to the City of Clinton in the near future and what can we do to address the threat?

Bengtson – there are a lot intangibles, the loss of businesses, regulations, legislation.

Councilmember Seeley – Do you agree with TIF and tax abatement?

Odor – Yes, I agree. It is another incentive for us to build, attract and retain businesses.

Councilmember Seeley – What new or fresh approach will you bring to the City Council?

Schemers – It would depend on the topic you have at hand. Fresh new ideas is what I could bring from other areas.

Councilmember Seeley – In your opinion what is the greatest asset of Clinton and what can we do to improve and capitalize on this asset?

Graf – the people are the greatest asset. We have some super people and a good workforce. Keeping positive and forward moving actions is what we need to keep doing and keeping a positive attitude about ourselves and our community is important.

Councilmember Seeley – are you able to compromise for the good of the whole even when you think strongly that others are wrong?

Klaes – Yes; however, if what is being done I think is wrong I will point it out but will still work with the others.

Councilmember Seeley - What will you do to help build and foster good working relationships with the County, School District and other entities and the communities surrounding Clinton?

Mike – It is very important and I think that the Intergovernmental Relations group should have continued. We need to collaborate more with our neighboring communities and other governmental entities that operate in our area so that we can operate more efficiently and effectively.

Councilmember Gassman – Why are you here? What do you want to change and what is a priority to you?

Odor – To put Clinton on the map. The City has a great past and a great future. A lot of people told me not to live in Clinton; however, my wife and I settled here and have been in the same place for eight years. I want to be a part of bringing Clinton to life, we have a great area to display.

Schemers – My entire life has been helping communities. When I got here I could have sat back; however, I didn't, I came to the Council meetings. It is my duty to serve my community.

Graf – I have no agenda. My life's work has been to serve and work with others. My only objective is to fill the seat and keep the business of the City going.

Klaes – I am proud of Clinton. I am proud of what we have done. If I can see the City grow in population and businesses I would be very proud.

Kearney – I would like to make Clinton great again. In the last 50 years people have come to work here, but not live here. I want to see us do things to make people want to come here.

Bengtson – I love Clinton and I love helping the people in the community. When I worked for the City I saw some frustrating things. This is a great opportunity to help the town and make changes.

Councilmember Connell – What can you offer as a City Council Member to suggest to department heads to keep health care costs from rising?

Klaes – I have not dealt with health care or insurance. I think this is more of a national problem and not that of a city.

Graf – Initiate the overhaul of health cost and initiate a wellness program. We can look at what we need to offer and those who want the Cadillac plan could purchase it at a higher cost.

Schemers – This is more of a federal issue. There is only so much control a City has. We could work with the unions and employees to keep the costs down.

Odor – This is a federal and state issue. All people have to pay for health insurance. The idea is to see what the needs are regionally.

Bengtson – I served on the Health & Safety Committee and went through the RFP. We need to look over the plan to see if there are any ways to save and ways to keep catastrophic claims down.

Kearney – Two thirds of health care costs are the consequence of lifestyle choices. We need to help people make good lifestyle choices and perhaps implement a rewards program.

Councilmember Gassman – What were the best and worst moment moments on the Council.

Graf – Being on the Council is not a part-time job. There are many highlights such as the Regional Waste Water Treatment Facility and the Chancy Fire Station. There were a lot of high points and I was proud to serve the City. There were also some low points and the City went through a tough time. There were a lot of Department Head changes and I am pleased with the choices. There were some sleepless nights, but we got through it together.

Councilmember Seeley – Are there any specific issues or concerns?

Schemers – Not at all, I have enjoyed my time here and getting involved in the community.

Councilmember Seeley – Are you able to compromise for the good of the whole?

Bengtson – Yes, we must look out for the greater good.

Councilmember Seeley – What is the most important, higher taxes and more amenities or lower taxes and less amenities?

Graf - We must go with the budget. We can work with groups to enhance amenities and apply for grants. We can collectively work with partners to create enhanced amenities.

Councilmember Seeley - How can the Council work better with other entities?

Odor - It is important to work with other entities. We are citizens of the City, County, State and United States. We would miss out if we would not come together and work together. We must keep the lines of communication opened with the County Supervisors, business leaders, etc.

Graf - It is necessary to work with the other taxing entities. We are all serving the same people.

Schemers - This is something which is being done now. Everyone is reaching across the table and working together.

Councilmember McGraw - What is your opinion of the Franchise tax?

Graf - This is something which must be looked at. There are a lot of non-profits that do not pay their fair share; however, there will be a lot of push-back from the non-profits and industries.

Councilmember Allesee - What is your opinion of the money being spent to repair roads and streets?

Kearney - Everyone knows the poor condition of the streets. It is essential to have a plan going forward. The street repair program must continue.

Bengtson - I like seeing the roads fixed. When I started at the Street Department there were 18 people, now there are five. We do not have the people to do the work. RUT and LOST fund the street projects; however, I saw a lot irrational spending on change orders. The City must be financially responsible.

Councilmember O'Neill - We had a study done which indicated that the Police Department is short six to ten officers. What approach would you take to fill the vacancies?

Kearney - I did not see the study so I cannot make a statement; we need to solve the problem of what is the best use of our resources and how to keep people. The most expensive employees are in public service.

Bengtson - We have a great Police Department and Fire Department. I thank them for what they do. Police presence makes people feel secure.

Klaes - That was the 4th study conducted. The Police Department is woefully understaffed; however, has never been told how to remedy this. I would love to see more officers on the force. The City should work on adding officers annually. The City must also look at how to increase staff in the Fire Department and Street Department.

Graf - The City can apply for C.O.P.S. Grants. Problems with addiction is giving us cause and we must address this issue.

Schemers - I am aware of the study. We should also study the response time. A city which hired additional officers put a small tax on food items. Additional officers make a population grow.

Councilmember O'Neill - If the Manager of General Motors asks why they should build a plant here what would be your response?

Schemers - We have access to rail, air, barge and highway.

Graf - Award winning schools.

Kearney - We are a transportation center and distribution costs should be important.

Bengtson - Clinton has the tools and technology.

Odor - the Railpark.

Councilmember Connell - I would like your feedback regarding the Council's decision with this format.

Odor - I like the format and to hear the other candidates positions. Also, I like the Council's decision to appoint a person to the position.

Bengtson - This format is easier to deal with and get your point across.

Kearney - It is great to be as opened as possible. It satisfies the citizens.

Klaes - I think this is terrific. Easy going and nice.

Graf - I agree that it was good not to take this to a special election. This decision will be hard for the Council.

Schemers - This an excellent process. Given the amount of time that is left it is good.

Mayor Vulich - We are potentially in a suit with ADM and the PAAB Appeal. If they would win 100% of their appeal, the City would see a \$400,000 per year loss of revenue. Yesterday we learned from the state that our backfill is safe for 2017; however, the Legislature says we will see what next year brings. What would be your response if you were presented by the City Administrator that this loss would result in the loss of 12 employees, the closing of the pool and other amenities, the sale of City property or enacting a franchise fee?

Kearney - the City has had 15 years of suffering from the loss of the M&E Tax. If the City loses the appeal and the rollback, I'm not sure where I would stand on that. The most expensive area is public safety. We cannot raise the millage rate and the City has unfunded mandates also. I would not advocate the taking away of amenities as that would have a negative impact on the City.

Bengtson - Council must look at what is the least amount of impact to the citizens and get feedback from the citizens. We need to be proactive. If the City loses the \$400,000 from ADM we need to look at getting industries to come into the Railpark.

Odor - We need to try to bridge the gap with ADM for the future. It becomes a balancing act and look at places that could be potentially cut. We must get citizen impact and do what is best for the community as a whole.

Schemers - We cannot cut public safety. One method that would work would be to put City Hall on a 4/10 schedule and cut back on Library and Park hours. We would need to get the citizen's opinions. We need to sit down at the table with ADM and other big businesses.

Graf - We went through that when I was on the Council. We had to borrow to meet payroll and we were forced to sell a City asset. I can make tough decisions. Knowing beforehand is important as well as having information from the Assessor's Office. We cannot cut 12 employees. We will need to figure out where to find additional savings. We need to be vigilant and work together. We need to hold open conversations with the County about amenities.

Klaes - We need to look at bringing other businesses in. Letting people go is not good and selling something is only good for one year, not the future.

Councilmember O'Neill - There have been a lot of good questions. The last one was quite thought provoking. Whether you get the appointment or not, keep thinking out of the box on how to address the issues. When you leave here tonight, take the Mayor's question and think of some out of the box solutions.

City Administrator Brooke – Now is the time for closing remarks.

Bengtson – I ask for your appointment; however, whatever happens will be the best for the City. I want to see the City move forward.

Odor – You can't go wrong with any of the candidates. I come with a lot of passion. I have met a lot of people and want to work with the Council. Clinton is a great place to live. I work closely with the Chamber and CRDC to promote what Clinton has to offer. I look forward to a continuing relationship.

Schemers – Thank you. You cannot go wrong with any of the candidates, but with some of the boards I have sat on I bring good experience to the table. I brought my family here for a reason and I hope for your vote.

Graf – Thank you for your time. I would appreciate your vote. There would not be a learning curve for me. I am willing to step up to the responsibility. We all have a lot to bring to the table.

Klaes – Thank you all for giving me the opportunity to answer your questions. I see a positive future for Clinton and hope to work with you.

Kearney – I care deeply for what happens in the City of Clinton.

M/S, McGraw-Gassman moved that Council write down three names and narrow the field down to three candidates. On roll call, carried unanimously.

M/S, Gassman-Seeley moved that the City hold a special City Council meeting at a date chosen by the Mayor to ask one question of the field of three candidates. On roll call, carried unanimously.

Councilmember O'Neill suggested that a special City Council meeting could be held o at 2:00 PM on January 30, 2017 prior to the scheduled 3:00 PM Budget Workshop. The Mayor, Council Members and Candidates agreed to this date and time.

UNFINISHED BUSINESS

Councilmember O'Neill stated that he recollected that the resolution for Bonnies should be for a new liquor license, not a renewal.

City Clerk Pat Van Loo stated that Council Member O'Neill was correct and the resolution should be amended to state "New Liquor License".

#19 – M/S, O'Neill-Seeley moved to adopt Resolution No. 2017-028 approving a new liquor license application with Sunday and outdoor service sales privilege for Bonnie's Scenic Tavern. On roll call, carried unanimously.

M/S, Allesee-Connell moved that the Council adjourn to 7:00 PM February 14, 2017. On roll call, carried unanimously.

Mark S. Vulich,
Mayor

Pat Van Loo
City Clerk