

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

M/S, Allesee-Connell moved to dispense with the reading of the minutes of the regular City Council meeting and Committee of the Whole minutes of April 11, 2017 and they be approved as published on April 25, 2017. On roll call, carried unanimously

PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 316 4th Avenue North. No comments were received, written or oral. M/S, Seeley-Connell moved that the public hearing concerning accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 316 4th Avenue North be entered into the record. On roll call, carried unanimously.

M/S, Seeley-McGraw moved the Council adopt Resolution No. 2017-130 accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 316 4th Avenue North to Wilson Trucking for \$6,300. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 321 27th Avenue North. No comments were received, written or oral. M/S, Connell-O'Neill moved that the public hearing concerning accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 321 27th Avenue North be entered into the record. On roll call, carried unanimously.

M/S, Connell-O'Neill moved the Council adopt Resolution NO. 2017-131 accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 321 27th Avenue North to Wilson Trucking for \$4,000. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 400 North 3rd Street. No comments were received, written or oral. M/S, Allesee-Connell moved that the public hearing concerning accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 400 North 3rd Street be entered into the record. On roll call, carried unanimously.

M/S, Allesee-Connell moved the Council adopt Resolution No. 2017-132 accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 400 North 3rd Street to H & H Construction for \$30,950. On roll call, carried unanimously.

In discussion before roll call, Councilmember O'Neill inquired regarding why the bid for this demolition is so much higher than the rest. Councilmember Seeley stated that the property is the large brick building on Third Street across from what use to be Saint Patrick's School. Battalion Chief Jeff Chapman stated that inspectors cannot enter the building so it must be treated as "hot". He continued in stating that there is a large amount of asbestos in the building.

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 432 8th Avenue South. No comments were received, written or oral. M/S, O'Neill-Seeley moved that the public hearing concerning accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 432 8th Avenue South be entered into the record. On roll call, carried unanimously.

M/S, O'Neill-Seeley moved the Council adopt Resolution No. 2017-133 accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 432 8th Avenue South to Colgan Excavating for \$7,200. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 558 3rd Avenue South. No comments were received, written or oral. M/S, McGraw-Seeley moved that the public hearing concerning accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 558 3rd Avenue South be entered into the record. On roll call, carried unanimously.

M/S, McGraw-Allesee moved the Council adopt Resolution No. 2017-134 accepting bid and awarding contract for 2017 Demolition of Structures Project, Phase I at 558 3rd Avenue South to Colgan Excavating for \$7,900. On roll call, carried unanimously.

AUDIENCE COMMENT

Ms. Kristin Huisenga, Gateway Impact Coalition and Executive Director Clinton Substance Abuse Council advised the Council that National Prescription Drug Take Pack Day would be Saturday, April 29, 2017 from 10:00 AM to 2:00 PM at Ashford University Field. She continued in stating that there would be a statewide listening post to reduce opioid and other drug abuse Thursday, May 4, 2017 from 1:00 PM to 2:30 PM at Clinton Community College Technology Center and from 5:30 PM to 7:00 Pm at the Clinton County Sheriff's Satellite Office in DeWitt.

CONSENT AGENDA

Councilmember Seeley requested items #5 and #11 be removed to Unfinished Business.

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

1. ADA Advisory Commission – minutes 2/9/2017 – receive, approve and place on file.
2. Airport Commission – minutes 3/20/2017 – receive, approve and place on file.
3. Committee of the Whole – minutes 4/11/2017 – receive, approve and place on file.
4. Human Rights Commission – minutes 3/6/2017 – receive, approve and place on file.
5. Tree Commission – Removed to Unfinished Business - minutes 3/9/2017 – receive, approve and place on file.

6. Electronic Payments and Transfers – January 2017 – receive, approve and place on file.
7. Electronic Payments and Transfers – February 2017 – receive, approve and place on file.
8. Summary of Revenues and Receipts – January 2017 – receive, approve and place on file.
9. Summary of Revenues and Receipts – February 2017 – receive, approve and place on file.
10. Resolution No. 2017-135 updating Municipal Transit Administration (MTA) Title VI Policy.
11. Resolution – Removed to Unfinished Business - approving the proposal from Calhoun-Burns & Associates, Inc. for 2017 inspection and rating of City bridges.
12. Resolution No. 2017-136 ordering construction of improvement, setting public hearing and directing advertisement for bids – City of Clinton Downtown Street Light Replacement Project, T-2017.
13. Resolution No. 2017-137 approving change order #1 – Basin 6 Sewer Separation Project P-2016 – BWC Excavating, LC - \$34,216.50.
14. Resolution No. 2017-138 approving change order #3 – North 4th Street & 13th Avenue North Rehabilitation Project C-2016 – BWC Excavating, LC - \$993.12.
15. Resolution No. 2017-139 approving change order #4 – Residential Street Reconstruction Project E-2016 – Eastern Iowa Excavating & Concrete, LLC - \$23,135.60.
16. Resolution No. 2017-140 approving change order #8 to the 19th Avenue North Extension Project Phase III Construction Contract – Langman Construction - \$507.00 DECREASE.
17. Resolution No. 2017-141 recommending payment No. 1 for the Basin 6 Sewer Separation Project P-2016 – BWC Excavating, LC - \$181,901.80.
18. Resolution No. 2017-142 recommending payment No. 1 for the Douglas Street Reconstruction Project T-2016 – Clinton Engineering Company - \$51,841.50.
19. Resolution No. 2017-143 recommending payment No. 3 to Burke Electric for Project G-2016 Joyce’s Slough Flood Wall Pump Station Generator Addition and Electrical Upgrades - \$151,356.00.
20. Resolution No. 2017-144 accepting work and recommending final payment No. 8 to Eastern Iowa Excavating & Concrete for the Residential Street Reconstruction Project E-2016 - \$63,574.47.

21. Resolution No. 2017-145 accepting work and recommending final payment No. 12 to BWC Excavating for the North 4th Street & 13th Avenue North Rehabilitation Project C-2016 - \$74,116.00.
22. Resolution No. 2017-146 approving beer permit/license renewal application for Walgreens #5144.
23. Resolution No. 2017-147 approving beer permit/license renewal application for Walgreens #5119.
24. Resolution No. 2017-148 approving renewal of Class C liquor license and Sunday sales privilege for Wild Rose Casino.
25. Resolution No. 2017-149 approving renewal of a Class B liquor license, Sunday sales privilege, outdoor service privilege (for special events) and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.
26. Resolution No. 2017-150 approving an application for a temporary outdoor service area for Hooks Pub.
27. Resolution No. 2017-151 approving a 5-day liquor license for Rastrelli's/or Rastrelli's Avanti.

MOTIONS, RESOLUTIONS, AND ORDINANCES

M/S, Allesee-Seeley moved that the Claims list be received, approved and placed on file. On roll call, Seeley, McGraw, Allesee, O'Neill – Yes; Connell – abstain. Motion carried.

M/S, Seeley-McGraw moved the Council adopt Resolution No. 2017-152 supporting participating in the Clinton County Keep Iowa Beautiful Home Town Pride Program. On roll call, carried unanimously.

M/S, Allesee-Connell moved the Council adopt Resolution No. 2017-153 approving amendment to GreenPlay Master Parks Plan Study. On roll call, carried unanimously.

In discussion before roll call Councilmember Seeley stated that he thought it is great that the Friends of River View Park have offered to pay the \$15,000 for the survey. Councilmember O'Neill inquired regarding how they would choose which households to send the survey to. City Administrator Brooke stated that GreenPlay would chose the 3,000 households in the hope of receiving at least 10% of the surveys back. The results will be sent to a consortium for discussion.

M/S, Allesee-Connell moved the Council adopt Resolution No. 2017-154 approving memorandum of record to Grain Management for preparation of the easement agreement for cell tower site Extension Grain Tower No. 2055-IA- 021101. On roll call, carried unanimously.

M/S, McGraw-Allesee moved the Council adopt Resolution No. 2017-155 setting public hearing on the proposed amendments to the FY 2016-2017 City Operating Budget. On roll call, carried unanimously.

In discussion before roll call, Councilmember O'Neill inquired regarding what is included in the amendment. City Finance Director Anita Dalton advised that all of the information was included in her memo. She stated that \$6,625,000 was discussed in the CIP, and there are borrowings by the Police Department of \$197,950, Fire Department for \$760,000, Parks and Recreation for \$307,500, Nuisance and Building Removal of \$100,000 as well as sewer projects paid with L.O.S.T. backed bonds for \$4,600,000.

M/S, Connell-O'Neill moved the Council adopt Resolution No. 2017-156 fixing a date for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$500,000 General Obligation Capital Loan Notes of the City of Clinton, State of Iowa (for general corporate purposes), and providing for publication of notice thereof. On roll call, carried unanimously.

In discussion before roll call, Councilmember Seeley inquired regarding the 9% interest rate. Director Dalton stated that it means that they would not accept any bid over 9%. Councilmember Seeley further inquired regarding the difference between "general" and "essential". Director Dalton stated that Ahlers splits the borrowings out as they see fit. She continued in stating that if "general" is over a certain limit it must go to referendum. She stated that bond counsel split out what was on the 2018 CIP. Councilmember Seeley inquired regarding whether the Council has the option to modify the list. Director Dalton stated that the Council would have the opportunity to modify the list at the public hearing. Councilmember Seeley stated that he is concerned with the City's borrowing, debt and debt capacity. Councilmember O'Neill stated that once something goes in as essential corporate purpose the citizens lose the safety of a referendum. Mayor Vulich stated that the citizens have the option of a reverse referendum. Director Dalton stated the citizens would have the option to voice their opinions at the public hearing.

M/S, O'Neill-Seeley moved the Council adopt Resolution No. 2017-157 fixing a date for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$10,000,000 General Obligation Capital Loan Notes of the City of Clinton, State of Iowa (for essential corporate purposes), and providing for publication of notice thereof. On roll call, carried unanimously.

UNFINISHED BUSINESS

Councilmember Seeley praised the Tree Commission for their hard work. He stated that they are discussing planting prairie grass and flower seeds on Liberty Square. He continued in stating that the City spends a lot on grass cutting and this would alleviate that as well as look very nice.

M/S, Seeley-McGraw moved that the Tree Commission minutes of March 9, 2017 be received, approved and placed on file. On roll call, carried unanimously.

Councilmember Seeley stated that the report noted that one of the bridges being inspected is a private bridge. He inquired regarding why the City pays for this. City Engineer Jason Craft stated that the City can stop having this bridge inspected; however, since there is a structural firm here to inspect bridges they have always included this one. The bridge belongs to Alliant Energy and we as a City said we would keep inspecting it for safety. If it would need to be replaced Alliant would pay for it. Councilmember Seeley inquired regarding whether the City uses the bridge. Engineer Craft stated only those persons accessing Alliant's property use the bridge. Councilmember Seeley inquired regarding whether there is a perceived ownership by the City. Engineer Craft stated no. Councilmember Seeley stated that the ownership needs to be decided and then Alliant must be called and asked to pay for their inspection. Mayor Vulich inquired regarding whether they are required to have it inspected on a regular basis. Engineer Craft stated yes, it is a federal law.

M/S, Seeley-Allesee moved that the proposal from Calhoun-Burns & Associates, Inc. for 2017 inspection and rating of City bridges be sent back to Engineering to address the ownership of the bridge and request Alliant pay for the inspection. On roll call, carried unanimously.

M/S, Allesee-Connell moved to adjourn to 7:00 May 9, 2017. On roll call, carried unanimously.

Mark S. Vulich
Mayor

Pat Van Loo
City Clerk