

The City Council met in regular session, December 20, 2016 at 9:30 A.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich; Councilmembers: Gassman, Seeley, McGraw, Determann, O'Neill, Connell and Allesee.

PUBLIC HEARINGS:

Mayor Vulich convened a public hearing concerning the proposed installation of an electronic message center and sign by Clinton Area Showboat Theater at 303 River Drive. No comments were received written or oral. M/S, Allesee-Gassman moved that the public hearing concerning the proposed installation of an electronic message center and sign by Clinton Area Showboat Theater at 303 River Drive be entered into the record. On roll call, carried unanimously.

In discussion before roll call, Les Shields, Zoning Board of Adjustment (ZBA) Chair, advised the Council that the function of the ZBA is to hold hearings when variances are requested. He stated that he had just been informed 30 minutes earlier regarding the reason the ZBA was not involved in the item under consideration.

City Attorney Patrick O'Connell stated that this does not happen often. The City owns all of the property around the Showboat and the sign. The sign has always been at the location and this would just be a replacement. He suggested the Council consider rezoning the property. He further stated that the ZBA should not be circumvented; however, in this case the City meets certain criteria for the variance.

Mr. Shields stated that the City does own all of the property around the sign; however, without the legal opinion he had serious concerns regarding why having a ZBA is necessary. He continued in stating that he enjoys serving on the ZBA.

Judge David Sivright, retired, thanked the City and requested that the Council approve the variance. He stated that C.A.S.T. will work with the sign company regarding the installation and will work with the City on the replacement of the tree. There is no taxpayer money being used. The sign was purchased through a grant and contributions from the CVB and Finally Fridays.

Mr. Jeff Harding, Media Quest Signs, stated that he was a graduate of Clinton High School. He thanked Judge Sivright for the opportunity to come home and work on this project.

Mr. Bob Betsinger stated that the Corps of Engineers do not allow signs and trees on the levee. He suggested that C.A.S.T. check for permits. City Engineer Jason Craft stated that only the sign is being replaced. There will be no digging in the levee. He continued in stating that there may be issues with the new tree.

M/S, Allesee-Gassman moved the Council adopt Resolution No. 2016-529 authorizing installation of an electronic message center and sign by Clinton Area Showboat Theatre at 303 Riverview Drive and first amendment to the lease. On roll call, carried unanimously.

AUDIENCE COMMENT

No persons came before the council to speak.

CONSENT AGENDA

Councilmember Gassman requested item #4 be removed to Unfinished Business.
Councilmember McGraw requested item #1 be removed to Unfinished Business.

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

1. Claims - removed to Unfinished Business - receive, approve and place on file.
2. Committee of the Whole - minutes 12/6/2016 - receive, approve and place on file.
3. Mayor's Youth Commission - minutes 12/7/2016 - receive, approve and place on file.
4. Application for appointment to City Council - removed to Unfinished Business - receive, approve and place on file.
5. Resolution No. 2016-530 certifying the YWCA Clinton Environmental Review Determination.
6. Resolution No. 2016- 531 approving change order #3 Anamosa Road & 44th Avenue South Resurfacing Project J-2016 -Determann Asphalt Paving, LLC - DECREASE \$14,407.39.
7. Resolution No. 2016-532 recommending payment No. 3 to Miller Trucking for the 25th Avenue North Grinder Station Project Q-2016 - \$20,488.50.
8. Resolution No. 2016-533 accepting work and recommending final payment No. 4 to Determann Asphalt Paving for the Anamosa Road & 44th Avenue South Resurfacing Project J-2016 - \$47,378.69.
9. Resolution No. 2016-534 approving issuance of cigarette permit - Paul's Tavern.
10. Resolution No. 2016-535 approving liquor license renewal with Sunday sales, outdoor service, and catering privilege for Vista Grande and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.
11. Resolution No. 2016-536 approving liquor license renewal application with Sunday sales privilege for Humphrey's Midway Lounge and Sports Bar.
12. Resolution No. 2016-537 approving renewal of liquor license and Sunday privilege for Stout's Irish Pub and issuance of a Class II Letter of Exemption for allowing persons under 21 in licensed premises.
13. Resolution No. 2016-538 approving liquor license renewal with Sunday sales privilege for Manning's Whistle Stop.
14. Resolution No. 2016-539 approving liquor license renewal with Sunday sales, outdoor service, and catering privilege for Mezcal 2 Mexican Bar & Grill and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.
15. Resolution No. 2016-540 approving liquor license renewal with Sunday sales for El Tapatio and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.

16. Resolution No. 2016-541 approving the renewal of an off premises beef permit/liquor license application for Flaming Hot Fish and Chicken.

MOTIONS, RESOLUTIONS, AND ORDINANCES

M/S, Gassman-Seeley moved that the Council adopt Resolution No. 2016-542 approving a new liquor license application and Sunday sales privilege for Paul's Tavern. On roll call, carried unanimously.

M/S, Seeley-McGraw moved the Council adopt Resolution No. 2016-543 resolution accepting bids for surplus equipment. On roll call, carried unanimously.

M/S, Connell-O'Neill moved the Council adopt Resolution No. 2016-544 confirming City Council appointment for Mayor Pro Tem for 2017. On roll call, Gassman, Seeley, McGraw, Determann, O'Neill, Connell – Yes; Allesee –abstain. Motion carried.

UNFINISHED BUSINESS

Councilmember Gassman stated that the application for appointment is a good tool to hand out to potential Council Members. He stated that the date should be changed to January, 2018.

M/S, Gassman-Connell moved to amend the date on the application for appointment to City Council. On roll call, carried unanimously.

M/S, Gassman-Connell moved to approve the Application for appointment to City Council as amended. On roll call, carried unanimously.

Councilmember McGraw inquired regarding the claim relating to Extreme Green Electric Vehicles and the Riverboat Excursion Fund. Police Chief Kevin Gyrion advised that this is an electric vehicle to be used for parking enforcement in the Downtown and on Riverfront. He stated that it was paid for through a J.A.G. Grant.

M/S, McGraw-Seeley moved to approve the Claims list. On roll call, Gassman, Seeley, McGraw, Determann, O'Neill, Allesee – Yes; Connell – abstain. Motion carried.

M/S, Determann-O'Neill moved that the Council adjourn to 7:00 PM January 10, 2017. On roll call, carried unanimously.

Mark S. Vulich
Mayor

Pat Van Loo
City Clerk