

Committee of the Whole  
February 14, 2017

Present: Mayor Vulich, Council Members Gassman, Seeley, McGraw, Allesee, Odor, Connell and O'Neill, City Administrator, Deputy City Administrator, City Attorney, City Clerk, Press and interested citizens.

1. Reinstatement of the Animal Control Officer Position – Donna May

Ms. Donna May advised the Council that she was at the meeting on behalf of the Clinton Citizens for Animal Welfare Rights to request the reinstatement of the Animal Control Officer (ACO). She stated that a deceased dog was found in a trash bin and when the Clinton Police Department was called they did not take pictures, no statements were taken, they were told that there was nothing that could be done and no charges were filed. She continued in stating that she has a petition with 800 signatures asking for the reinstatement of the ACO. She further stated that they are requesting that a committee be formed to review Chapter 91. She proceeded to state that if the ACO is reinstated, members of the committee would be involved in the search.

Ms. Jean Regenwether stated that Clinton is large enough for an ACO. The ACO not only picks up strays, but also looks into animal cruelty cases, picks up mean animals and educates the public regarding local, state and national codes. She further stated that the ACO works with families regarding medical information and necessary vaccinations.

Councilmember O'Neill inquired regarding whether the City Clerk had ever received the aforementioned petition. City Clerk Pat Van Loo stated that her office has not received the petition.

Police Chief Kevin Gyrion stated that the statements made are an insult to the Clinton Police Department. He continued in stating that his department responds to all calls; however, does not necessarily inform everyone regarding the outcome.

Councilmember Connell inquired regarding the ACO budget last year. Police Chief Gyrion stated that the funding was needed for an evidence custodian instead of an ACO therefore the ACO position was eliminated. He further stated that when the ACO could not respond to a call, police officers responded. Councilmember Connell inquired regarding the number of animal calls in the last year. Police Chief Gyrion stated that in the last year animal calls decreased from 400 with the ACO to 200.

Councilmember O'Neill inquired regarding whether the incident referred to by Ms. May could have been prevented if the City had an ACO. Chief Gyrion stated that an ACO could not have prevented the death of the animal and it was called in two days after the incident happened. Councilmember O'Neill further inquired regarding the budget amount for an ACO. City Administrator Matt Brooke stated that it would be \$68,000 to \$78,000 plus training. Councilmember Seeley inquired regarding whether the previous ACO got involved with educating the citizens. Ms. Regenwether stated that the ACO went to the schools. Mayor Vulich inquired regarding what the contract requires the Humane Society to do for the \$105,000 payment. Chief Gyrion stated that the Humane Society is contracted to take in the animals. He continued in stating that the PSO is doing the same thing as the ACO. City Administrator Brooke suggested that the ACO position could be part of the Humane Society. Councilmember O'Neill suggested that the City obtain comments and information from the Humane Society and pass the information on to Chief Gyrion. Chief Gyrion stated that the Humane Society cannot assume the ACO duties. Councilmember Seeley stated that this item needs to be brought back to the Committee of the Whole after additional information is obtained.

2. Repair of Waterfall at Eagle Point Park – Randy Pennock

Ms. Margo Hansen, Trees Forever, advised the Council that Trees Forever has received a grant from the Clinton County Development Association for \$29,680 and a grant from Trees Forever and Alliant Energy for \$4,823 and wishes to renovate the waterfall at Eagle Point Park. She stated that Trees Forever is requesting a contribution of \$3,000 from the Parks Donation Fund to complete funding for the project. She continued in stating that the first phase of the tree planting in Eagle Point Park was the planting of 100 trees, the second phase was the trimming of numerous trees and the third phase will be the renovation of the waterfall. The waterfall is a feature people remember and has not been functional for years. Ms. Hansen provided pictures of the old waterfall and pictures of the proposed waterfall.

Councilmember Seeley inquired regarding the maintenance. Ms. Hansen stated that the feature would require simple maintenance since there is no ponding and the water would be drained in the winter. Mr. Randy Pennock advised the Council that the whole idea is simple maintenance and not needing to fill it. He stated that there would be a rubber membrane similar to what is used on roofs which will not tear or puncture.

M/S, Connell-Seeley moved to forward the repair of the waterfall at Eagle Point Park and the contribution of \$3,000 from the Parks Donation Fund to the next City Council agenda. On roll call, carried unanimously.

3. City of Camanche Field Usage – Josh Eggers

Josh Eggers, Recreation Supervisor, advised the Council that he had been approached by the Camanche softball program regarding the continued use of the two youth softball diamonds located at Platt Park for the purpose of youth girl's recreation softball for Camanche players. He stated that Clinton Parks and Recreation Department will organize youth girls softball teams in Camanche under the existing Clinton Parks and Recreation youth girl's softball program guidelines and the City of Camanche will maintain the fields as part of their existing maintenance plan. The Clinton Parks and Recreation Department would perform the daily game day field prep including field drag, chalking and bases.

Councilmember O'Neill inquired regarding the insurance. Supervisor Eggers stated that the Camanche players would be able to join the City's program. Everyone signs off on the insurance liabilities which is no different than our current program. He continued in stating that one change in the language of the Memorandum of Understanding would be that the agreement would be subject to a review by both parties on an annual basis instead of the 3 years currently in the agreement. Councilmember Connell inquired regarding whether the Camanche players would be able to play if the City of Camanche does not enter into the agreement. Eggers stated that they would continue to play with the City of Clinton and not pay out of town fees.

M/S, Allesee-Seeley moved to forward the City of Camanche Field Usage MOU to the next City Council agenda. On roll call, carried unanimously.

4. Agricultural Land Lease With John Thomas – Matt Brooke

City Administrator Matt Brooke advised the Council that the lease is ready for signature; however, the question has arisen regarding what would happen if Rail.One wants the land. He stated that the City does not want to hold up Mr. Thomas.

City Attorney Patrick O'Connell stated that this is a standard lease and does not mention Rail.One. They have mentioned an interest in the land; however, there should be no concern regarding Rail.One.

Councilmember Gassman inquired regarding the three-year term. Attorney O'Connell stated that this type of lease is used all the time. The City would notify Mr. Thomas within 30 days regarding termination. Mr. Thomas knows what the land is for. Councilmember O'Neill inquired regarding what would happen if the City wanted to raise the rent. Attorney O'Connell stated that Mr. Thomas would be advised and if he did not want to rent it at a higher cost we would go with someone else. Councilmember Seeley inquired regarding the provision for paying \$700 per acre if a crop is planted. Attorney O'Connell stated that Mr. Thomas would need to be compensated if his crops are destroyed. This is a standard provision. Mayor Vulich requested that a copy of last year's lease be provided to the Council. Councilmember Connell stated that he would like to see the other lease prices. Councilmember O'Neill stated that the probability of something happening between May and November is slim. He continued in stating that he was concerned when this popped up on the agenda. The Council needs to get important things like this ahead of time to look over.

Councilmember Seeley stated that he is bothered by the termination language. He questioned regarding how is it to our benefit for it to renew. Mayor Vulich stated that this was experienced at the Tech Park. When a lease is terminates there must be a bidding process.

M/S, O'Neill-Gassman moved to forward the Agricultural Land Lease with John Thomas to the next City Council agenda. On roll call, carried unanimously.

#### 5. Mayor & Council Updates

Mayor Vulich advised that the City has received a \$382,500 grant for the Iowa DOT for reconfiguration of two taxiways at the Airport.

M/S, O'Neill-Gassman moved to adjourn. All in favor.

Respectfully Submitted,

Pat Van Loo  
City Clerk