

The City Council met in regular session, July 26, 2016 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich; Councilmembers: Gassman, Seeley, McGraw, O'Neill, Connell and Allesee. Councilmember Determann – absent.

M/S, O'Neill-Connell moved to dispense with the reading of the minutes of the regular Council meeting and Committee of the Whole minutes of July 12, 2016 and they be approved as published on July 25, 2016. On roll call, carried unanimously.

Mr. Rollie Ehm read a proclamation declaring August 5th, 6th, and 7th the Annual Tootsie Roll Drive Fundraiser for the Saint Edwards Council # 707 Knights of Columbus in Clinton. He stated that proceeds from the fundraiser go to help people with intellectual disabilities. He continued in stating that the Tootsie Roll Fundraiser brought in \$11,000 last year and of that the Knights of Columbus gave local charities \$9,000, Birdies for Charity \$1,000 and \$800 to \$900 for the purchase of the candy.

PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for T-2016, Douglas Court Reconstruction Project. No comments were received, written oral. M/S, Seeley-Connell moved that that the public hearing concerning accepting bid and awarding contract for T-2016, Douglas Court Reconstruction Project be entered into the record. On roll call, carried unanimously.

In discussion before roll call Councilmember McGraw inquired regarding whether this project was for only one block. City Engineer Jason Craft stated that it is for the 600 Block of Douglas Court next to the park and between Bluff Boulevard and 7th Avenue South.

1. M/S, Seeley-McGraw moved the Council adopt Resolution No. 2016-305 accepting bid and awarding contract to Clinton Engineering Company for T-2016, Douglas Court Reconstruction Project for \$89,776.00. On roll call, carried unanimously.

AUDIENCE COMMENT

Mr. Tom Fullerton, 1012 10th Avenue North, advised the Council that the Clinton County Development Association has decided to fund the painting of the lighthouses at Riverview Park at a cost of \$21,090.00 from a portion of a refund they received. He stated that he has lived in the community for 50 years and has never seen the roads in such great shape. He thanked the Mayor, Council and City Staff.

Mayor Vulich thanked the CCDA for the painting of the lighthouses.

CONSENT AGENDA

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

In discussion before roll call, Councilmember O'Neill requested that items #12 and #15 be removed to Unfinished Business. Councilmember Gassman moved that item # 13 be removed to Unfinished Business.

1. Claims – receive, approve and place on file.
2. Advisory Appointment Committee – minutes 7/14/2016 – receive, approve and place on file.
3. Airport Commission – minutes 7/5/2016 – receive, approve and place on file.
4. Civil Service Commission – minutes 7/20/2016 – receive, approve and place on file.
5. Committee of the Whole – minutes 7/5/2016 – receive, approve and place on file.
6. Committee of the Whole – minutes 7/12/2016 – receive, approve and place on file.
7. Finance Committee – minutes 5/31/2016 – receive, approve and place on file.
8. Finance Committee – minutes 6/30/2016 – receive, approve and place on file.
9. Tree Commission – minutes 6/9/2016 – receive, approve and place on file.
10. Transit Joint Partnership Agreement to implement a State Transit Assistance (STA) Formula Project – receive, approve and place on file.
11. Contract & Bond – 13th Avenue North Traffic Safety Improvement Project S-2016 – Leslie Electric - \$246,709.20.
12. Resolution – Removed to Unfinished Business - authorizing purchase of real property.
13. Resolution – Removed to Unfinished Business - ordering construction of improvement, setting public hearing and directing advertisement for bids – Project W-2016, Large Diameter Sewer Cleaning Project.
14. Resolution No. 2016-306 recommending payment No. 1 for the Anamosa Road & 44th Avenue South Resurfacing Project J-2016 – Determann Asphalt Paving, LLC - \$208,612.40.
15. Resolution – Removed to Unfinished Business - recommending payment No. 2 for the Car Barn Creek Maintenance Project O-2016 – Larry L. “JOE” Detterman, Inc. - \$26,339.87.
16. Resolution No. 2016-307 recommending payment No. 3 for the Asphalt Resurfacing Project F-2016 – Determann Asphalt Paving, LLC. - \$120,029.16.
17. Resolution No. 2016-308 recommending payment No. 3 for the 8th Avenue South & South 4th Street Intersection Improvements Project T-2015 – Clinton Engineering Company - \$2,008.92.
18. Resolution No. 2016-309 recommending payment No. 3 for the North 4th Street & 13th Avenue North Rehabilitation Project C-2016 – BWC Excavating, LC. - \$25,362.15.
19. Resolution No. 2016-310 recommending payment No. 4 for the ADA Curb Ramp Improvements Project H-2015 – Clinton Engineering Company - \$41,058.88.
20. Resolution No. 2016-311 recommending payment request No. 5 to Langman Construction, Inc. for Phase III of the 19th Avenue North Project from Randall Court to North 2nd Street – \$698,231.39.

21. Resolution No. 2016-312 recommending payment No. 7 for the Basin 10 Sewer Separation Project F-2014 – BWC Excavating, LC. - \$52,081.28.
22. Resolution No. 2016-313 approving issuance of cigarette permits.
23. Resolution No. 2016-314 approving renewal of a Class C Liquor License, Sunday sales privilege, outdoor service privilege and issuance of a Class I Exemption for allowing persons under 21 in licensed premises for Legend’s Sports Bar.
24. Resolution No. 2016-315 approving liquor license renewal with Sunday sales privilege and issuance of a Class II Letter of Exemption for allowing persons under 21 in licensed premises for River City Brewing Company.
25. Resolution No. 2016-316 approving renewal of a Class C Liquor License and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises for Oak Wood Ballroom and Convention Center.
26. Resolution NO. 2016-317 approving liquor license renewal with Sunday sales privilege, The 8th Street Inn.
27. Resolution No. 2016-318 approving beer permit/license renewal application for Kwik Star #642.
28. Resolution No. 2016-319 approving extended outdoor sales privilege for Lyons Tap.
29. Resolution No. 2016-320 approving extended outdoor sales privilege for Doyle’s Tavern.
30. Resolution No. 2016-321 approving an application for a Temporary Outdoor Service Area for Amvets Post 28.

MOTIONS, RESOLUTIONS, AND ORDINANCES

2. M/S, Gassman-Allesee moved the Council consider an ordinance as amended for the first time - AN ORDINANCE AMENDING CHAPTER 52, WITH MULTIPLE AMENDMENTS TO SANITARY SEWER SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF CLINTON, IOWA. On roll call, carried unanimously.

In discussion before roll call, M/S Gassman-Connell moved to amend the ordinance under consideration by removing the word “building” and the word “property” respectively in the second sentence in Section 52.005. On roll call, carried unanimously.

M/S, Allesee-Gassman moved the Council consider an ordinance for the first time - AN ORDINANCE AMENDING CHAPTER 53, WITH MULTIPLE AMENDMENTS TO STORMWATER MANAGEMENT, OF THE CODE OF ORDINANCES OF THE CITY OF CLINTON, IOWA. Ordinance tabled.

In discussion before roll call, Councilmember O’Neill stated that there seems to still be a lot of ambiguity regarding whether downspouts are going into the storm water or sewer. He continued in stating that he thought that the Council would receive a report on the issue. He further stated that there is still no conclusive accounting. City Administrator Jessica Kinser stated that the

information is in the report from Augustana College. She continued in stating that the City has a list and as soon as it is mail merged will send out letters. She further stated that this would be discussed when the Council discusses the Augustana report.

M/S, O'Neill-Gassman moved to table the ordinance under consideration until the Augustana report is discussed. On roll call, McGraw, O'Neill, Connell, Allesee, Gassman - Yes; Seeley - No. Motion carried.

3. M/S, O'Neill-Connell moved the Council adopt Resolution No. 2016-322 approving removal of parking zones on North 14th Street between 11th Avenue North & 12th Avenue North. On roll call, carried unanimously.
4. M/S, McGraw-O'Neill moved the Council adopt Resolution No. 2016-323 approving the final plat of Jordan Hills Subdivision. On roll call, Gassman, Seeley, McGraw, O'Neill, Allesee - Yes; Connell - Abstain. Motion carried.
5. M/S, Gassman-Seeley move the Council adopt Resolution No. 2016-324 approving special speed limit along West Deer Creek Road, within the City of Clinton, Iowa. On roll call, carried unanimously.
6. M/S, Connell-Allesee moved the Council adopt Resolution No. 2016-325 approving implementation of no parking zone on 23rd Avenue North between North 2nd Street and Cleveland Street. On roll call, carried unanimously.
7. M/S, Seeley-Connell moved the Council adopt Resolution No. 2016-326 approving implementation of no parking zone on Cleveland Street between 23rd Avenue North and Buell Avenue. On roll call, carried unanimously.
8. M/S, O'Neill-Connell move the Council adopt Resolution No. 2016-327 establishing a public hearing for the vacation of the east/west alley in Block 3, Weston & Lambertson's Sunnyside Addition. On roll call, carried unanimously.
9. M/S, Allesee-Gassman moved the Council adopt Resolution No. 2016-328 approving a budget modification for the purchase of an additional vehicle for the Police Department's fleet. On roll call, carried unanimously.
10. M/S, Connell-Allesee moved the Council adopt Resolution No. 2016-329 requesting assignment of County-held Tax Certificate for 529 7th Avenue South. On roll call, carried unanimously.
11. M/S, Gassman-Seeley moved the Council adopt Resolution No. 2016-330 cancelling the August 2, 2016 Committee of the Whole meeting. On roll call, carried unanimously.

In discussion before roll call, Councilmember O'Neill requested the City Administrator let the public know why the Committee of the Whole meeting was being canceled. City Administrator Kinser stated that the Main Avenue Green Infrastructure Project won the Governor's Environmental Excellence Award. She stated that many City leaders would be attending the ceremony in Des Moines and would not return in time for the meeting on August 2nd.

12. M/S, McGraw-Seeley moved the Council approve Mayor's recommendation to boards and commissions. On roll call, carried unanimously.

In discussion before roll call, Councilmember McGraw thanked everyone who serves on City Boards and Commissions. She continued in reading the names of the new appointees and the names of those re-appointed.

Mayor Vulich advised that there are still vacancies on several commissions and urged interested parties to fill out applications to serve.

UNFINISHED BUSINESS

Councilmember O'Neill inquired regarding the location of the property being purchased. City Administrator Kinser stated that the judgement was waived at the property located at 655 6th Avenue South and the owner of the Property, Edwin H. Schaefer, has agreed to sell the Property to the City of Clinton.

13. M/S, O'Neill-Allesee moved the Council adopt Resolution No. 2016-331 authorizing purchase of real property.

Councilmember O'Neill stated that he has received calls from business owners regarding the Car Barn Creek Maintenance Project. He stated that after receiving clarification by the City Engineer, the project has not been abandoned; however, there are questions regarding conflicts with the project.

City Engineer Jason Craft stated that the contractor cleaned the culverts; however, had to pull off the project when the river came up. They still need to place rip rap on the banks. He further stated that everything bid on will be completed as soon as the river and weather cooperate. He proceeded to state that Car Barn Creek should be put on a maintenance schedule.

14. M/S, O'Neill-Connell moved the Council adopt Resolution No. 2016-332 recommending payment No. 2 for the Car Barn Creek Maintenance Project O-2016 - Larry L. "JOE" Detterman, Inc. - \$26,339.87. On roll call, carried unanimously.

Councilmember Gassman stated that there are a lot of tubes underground in the Horace Mann neighborhood and the City should start a maintenance program for that area. City Engineer Craft stated that there are access hatches on the Horace Mann property that will need to be cleaned each year.

15. M/S, Gassman-Seeley moved to adopt Resolution No. 2016-333 ordering construction of improvement, setting public hearing and directing advertisement for bids - Project W-2016, Large Diameter Sewer Cleaning Project. On roll call, carried unanimously.

M/S, O'Neill-Connell moved to adjourn to 7:00 P.M., August 9, 2016. On roll call, carried unanimously.

Mark S. Vulich
Mayor

Pat Van Loo
City Clerk