

Committee of the Whole

June 14, 2016

Present: Mayor Pro Tem Determann, Council Members Seeley, McGraw, O'Neill, Connell, Allesee, City Administrator, City Attorney, City Clerk, Press and interested citizens. Mayor Vulich and Councilmember Gassman – absent.

1. Presentation of Keys to the Eagle Point Park Lodge – Dee Willoughby

Mr. Jim Dobbins, President of the Clinton Rotary Club advised the Council that the Eagle Point Lodge project is complete. He thanked the City for their involvement in the project.

Mr. Dee Willoughby thanked the Mayor and Council for the City's involvement in the project. He stated that it is a big project for the City but an insignificant one for Rotary around the world. He continued in stating that they spent \$1.35 Million with 87% of that in the bank. He assured the Council that Rotary will find the remaining funds. He thanked City Administrator Jessica Kinser, Parks and Recreation Director Gregg Obren, City Engineer Jason Craft, Battalion Chief Jeff Chapman and Gary McDermott with the ADA Commission. He also thanked Russell Construction and their sub-contractors. He advised that there will be a grand opening at the Lodge on June 28th from 5:00 to 7:00 PM. He stated that the Lodge was in bad disrepair and hoped that it would become a line item during budget discussions. He continued in stating that the Lodge could be a revenue generator and the revenues should be set aside for yearly maintenance. Mayor Pro Tem Determann thanked the Rotary Club on behalf of the City.

2. Referral from the Finance Committee:

a. Sewer and Solid Waste Charges - Deceased Customer's Accounts – Anita Dalton

Finance Director Anita Dalton advised the Council that this item is being brought forward as a referral from the Finance Committee. She stated that occasionally she comes across deceased account holders. Collection has tried to take place and there is no additional course of action. Mayor Pro Tem Determann stated that the City could lien the estate. City Attorney O'Connell stated that if a property does not go through probate the City cannot collect. The estate may not be opened and there may not be anything.

Director Dalton stated now that the City has the ability to turn off the water, this may not be a problem in the future. Councilmember O'Neill stated that there has been a lot of due diligence from the City Administrator, City Attorney and the Finance Director. He suggested Director Dalton provide the Council with a report in July so that the Council knows where the City is at with collections.

M/S, Connell-Allesee moved to forward the sewer and solid waste charges for deceased customer's accounts to the next City Council meeting agenda. On roll call, carried unanimously.

3. 28E Agreement for Purchase and Maintenance of a Computer Aided Dispatch and Records Management Software System – Chief Gyrion

Police Chief Kevin Gyrion advised the Council that he was looking for approval to enter into a 28E Agreement with Clinton County Sheriff's Department, DeWitt Police Department, Camanche Police Department and Clinton County Communications to replace the current records management software. He stated that Zurcher Technologies has been identified as the software vendor by all of the entities. He continued in stating that with this software everyone will be on the same system.

M/S, O'Neill-Seeley moved to forward the 28E Agreement for the purchase and maintenance of a computer aided dispatch and records management software system to the next City Council meeting. On roll call, carried unanimously.

4. Amendments to Chapter 52 – Sewer Use Ordinance – Bob Milroy

Water Quality Superintendent Bob Milroy advised the Council that in the current ordinance there is language naming the Water Quality Superintendent as the person responsible for sewer connection inspections, permitting, and installation of new sewers, this is being changed to the City Engineer as the responsible party. He continued in stating that there is similar language concerning the installation of grease interceptors, which will be the responsibility of the BNS Director again, which is already being done out of that office. He further stated that there are changes that we are required to update the current loading for our treatment plant. This is something that has not been done since the plant went into service. He proceeded to state that there are updates to the list of Toxic and Objectionable Waste. He advised that these 3 items are subject to EPA inspection. He stated that the other recommended change is in 52.150. This is part of the Industrial Pre-Treatment program. The changes being requested is for the Water Quality Superintendent to handle all of the compliance violations from the industries. The change would give the Industrial User the right to appeal to the Council if they feel it is necessary.

Councilmember Seeley inquired regarding why there is a proposal to change the number of acres for septic tanks. City Engineer Jason Craft advised that two acres is the state minimum; however, we looked at what other communities are doing and we can be more restrictive. He stated that this is only for new construction. Councilmember Seeley stated that there are many people around town with septic tanks. He inquired regarding where the ordinance states that properties with septic tanks are grandfathered. City Administrator Kinser stated that the entire ordinance was not included in the packet, only the changes. Councilmember Seeley stated that when there is a new subdivision the City requires that they connect to the sewer. He inquired regarding why the ordinance is so restrictive. Engineer Craft stated that it is better for the subdivision and people's quality of life.

Councilmember Seeley inquired regarding the number of homes with septic tanks which are within the 200 foot to 400 foot rule. Engineer Craft stated that he did not have the number; however, if a home is 400 feet away from the sewer the City has the right to require them to hook up to sewer. He continued in stating that the ordinance is in place for water and groundwater safety. Councilmember Seeley stated that there needs to be additional language regarding properties with septic tanks being grandfathered and the feasibility of hooking into sewer. Superintendent Milroy stated that he could find out how many homes have septic tanks. Councilmember Connell stated that he would like to see a map of all the properties with septic tanks.

Superintendent Milroy stated that there are also proposed changes to in penalties. The notable change is changing the fine for falsifying information from \$100 TO \$2500 per violation.

Councilmember Seeley requested that data be gathered and brought back to the next Committee of the Whole meeting.

5. Amendments to Chapter 53 – Stormwater Management – Jason Craft

City Engineer Jason Craft advised the Council that the Stormwater Management ordinance needed to be updated to be consistent with the changes made in Chapter 52. He continued in stating that there also was not an adequate surcharge for roof drains. The surcharge rates have been changed to represent more closely the contribution of storm water volume to the sanitary sewer system and treatment plant, based on the current sanitary sewer rate ordinance. Councilmember Seeley inquired regarding how the size of a house roof is determined. He stated that this is a big jump. There are 65 cross connects and it is only about collecting additional fees. Engineer Craft stated that it is not about collecting additional fees, but rather about how the roof drains impact the river. The City cannot legally allow new connections and should encourage people to disconnect.

Councilmember O'Neill stated that this is still a rain tax. This is putting fresh water into the river and diluting water coming off of agricultural land. Engineer Craft stated that it pollutes the stormwater system. City Administrator Kinser stated in order to keep something which is outlawed the City requires people to pay. We will have to build a pump station on Bluff and this is a preliminary step regarding what the City will not allow. She continued in stating that the City is paying millions on water which does not need to be treated. The surcharge is for putting clean water into the stormwater system where it does not need to be. Engineer Craft stated that the City is encouraging people to use rain barrels. He continued in stating that there may only be 65 cross connects but the impact on the City would be 5 million gallons of water which would not make it into the sewer system. Councilmember Seeley suggested that the City contact residents to disconnect in order to keep their sewer bills lower. A fee is just a slap in the face. City Administrator Kinser stated that there must be direction from the Council for staff to contact people. This must be approved by ordinance giving the residents one year to disconnect.

City Administrator Kinser stated that there will be proposals outlined in a report from Augustana to incentivize or disincentive cross connects. She continued in stating that Chapter 52 and Chapter 53 must move along together.

Councilmember Seeley inquired regarding where the Engineer found the information in Chapter 53.02. Engineer Craft stated that it is information related to rainfall over the past years.

City Administrator Kinser stated that this would be on the June 28th Committee of the Whole; however, there may not be discussion if the City does not receive the report from Augustana. Mayor Pro Tem Determann stated that all taxpayers are paying for the stormwater that is going through the system.

6. Amendments to Chapter 156 – Floodplain Regulations – Jason Craft

City Engineer Jason Craft advised the Council that the Floodplain Map must be updated per FEMA and the DNR. Mayor Pro Tem Determann inquired regarding what changes were made. Engineer Craft stated that flood zones were added in South Clinton and around the Stadium. He continued in stating that the City must approve the floodplain maps for floodplain insurance. Councilmember Connell inquired regarding whether letters are sent to property owners. Engineer Craft stated that if an amendment is done the property owner would receive a letter. Mayor Pro Tem Determann inquired regarding whether the jail is in a floodplain. Engineer Craft stated no, only if the levee fails.

M/S, Connell-Allesee moved to forward the Amendments to Chapter 156 – Floodplain Regulations to the next City Council meeting agenda. On roll call, carried unanimously.

7. Mayor & Council Member Updates

Councilmember O'Neill stated that there will be no public forum in June.

Mayor Pro Tem Determann stated that he attended an event celebrating the 25th anniversary of gaming in Clinton, Iowa. He continued in stating that Dale Kettelsen worked with art Ollie to get gambling in Iowa.

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

Respectfully Submitted,

Pat Van Loo
City Clerk