

The City Council met in regular session, November 22, 2016 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich; Councilmembers: Gassman, Seeley, McGraw, Determann, O'Neill, and Connell. Councilmember Allesee - absent.

M/S, Determann-O'Neill moved to dispense with the reading of the minutes of the regular City Council meeting and Committee of the Whole minutes of November 8, 2016 and they be approved as published on November 22, 2016. On roll call, carried unanimously.

#### PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning the vacation and conveyance of an alley Right-Of-Way adjacent to 600 South 4<sup>th</sup> Street. No comments were received, written or oral. M/S, Gassman-Seeley moved that the public hearing concerning the vacation and conveyance of an alley Right-Of-Way adjacent to 600 South 4<sup>th</sup> Street be entered into the record. On roll call, carried unanimously.

M/S, Gassman-Seeley moved the Council consider an ordinance for the first time - AN ORDINANCE PROVIDING FOR THE VACATION AND CONVEYANCE OF A 20-FOOT BY 140-FOOT ALLEY RIGHT-OF-WAY ADJACENT TO 600 SOUTH 4<sup>TH</sup> STREET FOR \$1.00. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning the sale of property at 1456 South Bluff Boulevard. No comments were received, written or oral. M/S, McGraw-Gassman moved that the public hearing concerning the sale of property at 1456 South Bluff Boulevard be entered into the record. On roll call, carried unanimously.

1. M/S, McGraw-Gassman moved the Council adopt Resolution No. 2016-490 approving sale of 1456 South Bluff Boulevard. On roll call, carried unanimously.

#### AUDIENCE COMMENT

Dr. Mark Schroeder, 200 Whispering Pines, advised the Council that the Parks and Recreation Advisory Commission had looked over the RFP's the City received and endorse Greenplay. He stated that they are an excellent choice to move to the next step. He continued in stating that Clinton should be a destination for families, a place they want to live. He further stated that the City must create "WOW" things to do so people want to come. He proceeded to state that the Parks Master Plan must be in place to make the City eligible for grants. He advised that this is an important economic tool to secure funding. He stated that the City has gaps in winter activities. Councilmember O'Neill inquired regarding where the funding for the Parks Master Plan would come from. Mayor Vulich stated that \$30,000 is budgeted for the project and there is an additional \$25,000 in the Dock Fund.

#### CONSENT AGENDA

Councilmember Connell 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. Capital Improvement Program Committee - minutes 10/27/2016 - receive, approve and place on file.
3. Capital Improvement Program Committee - amended minutes 10/27/2016 - receive, approve and place on file.
4. Capital Improvement Program Committee - minutes 11/14/2016 - receive, approve and place on file.
5. Committee of the Whole - minutes 11/1/2016 - receive, approve and place on file.
6. Committee of the Whole - minutes 11/8/2016 - receive, approve and place on file.
7. Mayor's Youth Commission - minutes 11/16/2016 - receive, approve and place on file.
8. Neighborhood Improvement Committee - minutes 10/6/2016 - receive, approve and place on file.
9. Tree Commission - minutes 10/11/2016 - receive, approve and place on file.
10. 2016 Annual Financial Report - receive, approve and place on file.
11. Resolution No. 2016-491 authorizing City of Clinton to solicit quotations for electrical attachment on Alliant street light poles.
12. Resolution No. 2016-492 recommending payment request No. 2 to Miller Trucking for the 25<sup>th</sup> Avenue North Grinder Station Project Q-2016 - \$49,894.00.
13. Resolution No. 2016-493 recommending payment No. 3 for the Anamosa Road & 44<sup>th</sup> Avenue South Resurfacing Project, J-2016 - Determann Asphalt Paving, LLC - \$235,811.55.
14. Resolution No. 2016-494 recommending payment request No. 3 to Project S-2016 - 13<sup>th</sup> Avenue North Traffic Safety Improvement Project - Leslie Electric - \$73,962.15.
15. Resolution No. 2016-495 recommending payment request No. 6 for the North 4<sup>th</sup> Street & 13<sup>th</sup> Avenue North Rehabilitation Project, C-2016 - BWC Excavating, LC - \$169,909.87.
16. Resolution No. 2016-496 approving liquor license renewal for Hy-Vee Inc. dba Hy-Vee Gas.
17. Resolution No. 2016-497 approving the renewal of an off premises beer permit/license application for Lyons Filling Station.

#### MOTIONS, RESOLUTIONS, AND ORDINANCES

2. M/S, Connell-O'Neill moved the Council consider an ordinance for the second time - AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE WASHINGTON MIDDLE SCHOOL URBAN RENEWAL AREA, IN THE CITY OF CLINTON, COUNTY OF CLINTON, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF CLINTON, COUNTY OF CLINTON, CLINTON COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRICIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE WASHINGTON MIDDLE

SCHOOL URBAN RENEWAL AREA (THE WASHINGTON MIDDLE SCHOOL URBAN RENEWAL PLAN)

M/S, Connell-O'Neill moved the rules be suspended and the Council consider an ordinance for the third time. On roll call, carried unanimously.

M/S, Connell-O'Neill moved the rules be suspended and the ordinance under consideration be placed on its final passage and adopted. On roll call, carried unanimously.

ORDINANCE NO. 2550

3. M/S, Seeley-Gassman moved the Council consider an ordinance for the second time - AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE SADDLE RIDGE URBAN RENEWAL AREA, IN THE CITY OF CLINTON, COUNTY OF CLINTON, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF CLINTON, COUNTY OF CLINTON, CLINTON COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRICIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE SADDLE RIDGE URBAN RENEWAL AREA (THE SADDLE RIDGE URBAN RENEWAL PLAN). On roll call, carried unanimously.

M/S, Seeley-Gassman moved the rules be suspended and the Council consider an ordinance for the third time. On roll call, carried unanimously.

M/S, Seeley-Gassman moved the rules be suspended and the ordinance under consideration be placed on its final passage and adopted. On roll call, carried unanimously.

ORDINANCE NO. 2551

M/S, Gassman-Seeley moved the Council adopt a Resolution accepting bids and awarding contract for CFD Fire Sprinkler and Alarm Project. On roll call, carried unanimously.

In discussion before roll call, Councilmember O'Neill stated that the difference in the alarm bids for Lectronics and Continental is \$65. He continued in stating that there is a 5% preference for local vendors.

Fire Chief Mike Brown advised the Council that the bids were vetted through the City Attorney and he advised to go with one vendor.

City Attorney Patrick O'Connell stated that this is not an issue as long as the City is following protocol. He continued in stating that if the Council thinks it is acceptable to split the bids he was not concerned. It is the Council's judgement call.

4. M/S, O'Neill-Determann moved that the Council adopt Resolution No. 2016-498 accepting the bid from Lectronics for the alarm system for Central Fire Station and Lyons Fire Station in the amount of \$18,884.86 and the bid from Continental Fire Sprinkler Company for the sprinkler system at Central Fire Station and Lyons Fire Station in the amount of \$108,143.00 and if Continental Fire Sprinkler Company does not agree to the bid split then the sprinkler bid will go to Tri State Automatic Sprinkler in the amount of \$109,700.00. On roll call, carried unanimously.

5. M/S, McGraw-Gassman moved the Council adopt Resolution No. 2016-499 setting the public hearing regarding proposed Capital Improvement Program for FY 2018-2023 for the City of Clinton, Iowa. On roll call, carried unanimously.
6. M/S, O'Neill-Connell moved to adopt Resolution No. 2016-500 approving an agreement with Greenplay LLC. For the development of a Parks Master Plan. On roll call, Gassman, McGraw, Determann, O'Neill, Connell - Yes; Seeley - No. Motion carried.

In discussion before roll call, Councilmember Seeley stated that he was for the Parks Master Plan; however, thought that the City should wait and address the other looming issues. He continued in stating that the City will know more in a month or two. Councilmember O'Neill stated that he understood Councilmember Seeley's hesitation; however, the City cannot live under the shadow of the PAAB Appeal. This is the best deal for the parks and it is in the budget. He urged the Council to move this forward and do business as usual.

Councilmember Determann stated that the City has done a good job with Riverfront and Eagle Point Lodge and he understands Councilmember Seeley's point; however, the City should move forward with the Plan.

Councilmember Seeley stated that the Council must remember that the money being spent is not ours. If things do not go as we hope, the plan may not be able to be implemented for 5 years. He continued in stating that he was asking that the Council simply wait a few months.

7. M/S, Gassman-Seeley moved the Council adopt Resolution No. 2016-501 authorizing filing of Declaratory Judgement Action relative to disbursement of retainage for 20<sup>th</sup> Avenue North Pumping Station & Force Main Replacement Project B-2014. On roll call, carried unanimously.

UNFINISHED BUSINESS

8. M/S, Seeley-Gassman moved the Council approve the Claims. On roll call, carried unanimously.

M/S, Determann-O'Neill moved to adjourn to 7:00 P.M., December 13, 2016. On roll call, carried unanimously.

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Mark S. Vulich  
Mayor

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Pat Van Loo  
City Clerk