

The City Council met in regular session, August 11, 2015 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich; Councilmembers: McGraw, Rowland, Gassman, Determann, Wilke, O'Neill and Allesee.

M/S, Determann -Wilke moved to dispense with the reading of the minutes of the July 14, 2015 regular City Council meeting and Committee of the Whole meeting and they be approved as published on July 27, 2015. On roll call, carried unanimously.

M/S, Determann -Wilke moved to dispense with the reading of the minutes of the July 28, 2015 regular City Council meeting and Committee of the Whole meeting and they be approved as published on August 11, 2015. On roll call, carried unanimously.

PUBLIC HEARINGS

There were no Public Hearings to come before the Council.

AUDIENCE COMMENT

CONSENT AGENDA

Councilmember Rowland requested that item #10 be removed to Unfinished Business.
Councilmember O'Neill requested that item #12 be removed to Unfinished Business.

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

1. Claims - receive, approve and place on file.
2. Civil Service Commission - minutes 7/29/2015 - receive, approve and place on file.
3. Committee of the Whole - minutes 7/28/2015 - receive, approve and place on file.
4. Committee of the Whole - minutes 8/4/2015 - receive, approve and place on file.
5. Finance Committee - minutes 6/17/2015 - receive, approve and place on file.
6. Planning Commission - minutes 8/5/2015 - receive, approve and place on file.
7. Bank Account Balance/Now Account Interest Schedule - June, 2015 - receive, approve and place on file.
8. Clinton Fire & Rescue - July 2015 PCC Ambulance Billing Report - receive, approve and place on file.
9. Clinton CDBG Rehabilitation Contract 14-HSG-002project 3 of 10 - receive, approve and place on file.

10. Contract for a street and park tree inventory – Removed to Unfinished Business - Davey Tree Company - \$28,700 for 7,000 trees and \$4.10 for each additional tree above the 7,000 trees – receive, approve and place on file.
11. Resolution No. 2015-305 approving Persons with Disabilities Residential Parking Application.
12. Resolution – Removed to Unfinished Business - declaring surplus property.
13. Resolution No. 2015-306 approving agreement for professional services with HDR Engineering Inc. for the Margaret Place Pumping Station Combined Sewer Overflow Evaluation.
14. Resolution No. 2015-307 authorizing professional services contract with the Hach Company, for flow metering services within CSO Basin 6 from September 2015 to June, 2016.
15. Resolution No. 2015-308 authorizing professional services contract with RJN Group for consulting services for the Phase III “Basin 6 Sewer System GIS Mapping, Inspection, & Modeling.
16. Resolution No. 2015-309 ordering pay request 2016A16 Demolition Project – Colgan Excavating, LLC - \$7,800.00.
17. Resolution No. 2015-310 recommending payment No. 1 for the 44th Avenue South Resurfacing Project B-2015 – Determann Asphalt Paving, LLC - \$134,317.18.
18. Resolution No. 2015-311 recommending payment No. 3 to Determann Asphalt Paving for the HMA Resurfacing Project E-2015 - \$259,233.90.
19. Resolution No. 2015-312 recommending payment No. 3 for Project F-2015 Iowa Avenue & 16th - 22nd Place Rehabilitation Project – Clinton Engineering Company - \$111,468.09.
20. Resolution No. 2015-313 recommending payment No. 4 to BWC Excavating LC for the 7th Avenue North Sewer Separation Project L-2014 - \$50,712.66.
21. Resolution No. 2015-314 accepting work and recommending final payment No. 4 for the Eagle Point Park Roadway Rehabilitation Project P-2014 – Determann Asphalt Paving, LLC - \$26,359.26.
22. Resolution No. 2015-315 recommending first and final payment to G & R Trucking for the 2015 Demolitions Contract #2 - \$19,300.00.
23. Resolution No. 2015-316 recommending first and final payment to Colgan Excavating for the 2015 Demolitions Contract #1 - \$36,915.00.
24. Resolution No. 2015-317 approving liquor license renewal with Sunday sales privilege for the 8th Street Inn.

25. Resolution No. 2015-318 approving renewal of Class C liquor license and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises for Oakwood Ballroom and Convention Center.

MOTIONS, RESOLUTIONS, AND ORDINANCES

1. M/S, Rowland-Gassman moved the Council consider an ordinance for the first time - AN ORDINANCE AMENDING CHAPTER 52, SEWERS, WITH THE ADDITION OF 52.092A, DISCONNECTION OF WATER SERVICE FOR NONPAYMENT, OF THE CODE OF ORDINANCES OF THE CITY OF CLINTON, IOWA. On roll call, carried unanimously.

In discussion before roll call, Councilmember Rowland advised the Council that the second and third reading and adoption would wait until the next City Council meeting.

2. M/S, Allesee-Gassman moved the Council consider an ordinance for the second time - AN ORDINANCE AMENDING CHAPTER 159, ZONING REGULATIONS OF THE CITY OF CLINTON, IOWA. On roll call, carried unanimously.

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

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

ORDINANCE NO. 2521

3. Resolution - approving an agreement for water shut-off services with Iowa American Water Company - Removed from agenda.
4. Resolution - adopting a water shut-off policy - Removed from agenda.
5. M/S, McGraw-Rowland moved the Council adopt Resolution **No. 2015-319** directing sale of \$5,340,000 (subject to adjustment per terms of offering) General Obligation Capital Loan Notes, Series 2015C. On roll call, McGraw, Rowland, Gassman, Wilke, Determann, Allesee - Yes; O'Neill - No. Motion carried.
6. M/S, Wilke-Allesee moved the Council adopt Resolution **No. 2015-320** approving official endorsement of funding application to Iowa Department of Transportation for the 2015 Traffic Safety Improvement Program for the 13th Avenue North Three-Lane Conversion Project. On roll call, carried unanimously.

In discussion before roll call, Councilmember Determann stated that the 13th Avenue North Three-Lane Conversion Project would only take place between North Second Street and North Fourth Street.

Councilmember O'Neill stated that the amount on the resolution had changed from \$60,000 to \$200,000 and he found it disturbing that the change was made without a 24 hour notice. He continued in stating that this is not a good procedure and the public does not receive the inside

information. City Engineer Jason Craft advised that in the beginning the project would have consisted of doing the bare minimum; striping and replacement of two traffic signals. He stated that the Iowa DOT will cover the complete installation of the signals. He continued in stating that this would allow the City to use Iowa DOT money instead of Road Use Tax Funds. He further stated that it would be a mistake not to apply for the full funding. Mayor Vulich inquired regarding whether there would be a cost to the City. Engineer Craft stated that there would be no cost to the City except for the overlay and curb and gutter.

7. M/S, Allesee-McGraw moved the Council adopt Resolution No. 2015-321 approving a Memorandum of Agreement with Augustana College. On roll call, carried unanimously.

In discussion before roll call, Councilmember Wilke inquired regarding the number of projects the Augustana students would be performing. City Administrator Kinser stated that they would be undertaking ten to fifteen projects. She continued in stating that she would be getting all of the Scope of Work documents out to the Council soon. Councilmember O'Neill inquired regarding the number of students coming into Clinton. Administrator Kinser stated that there could be over 100 students coming into the City during the fall, winter and spring curriculums. Councilmember O'Neill inquired regarding whether there would be input from the professors. City Administrator Kinser stated the faculty would shepherd the students.

8. M/S, McGraw-Rowland moved the Council adopt Resolution No. 2015-322 fixing date for a public hearing on the proposal to enter into a development agreement with Rock Island Economic Growth Corporation D/B/A Economic Growth Corporation and Wilson Lofts, LP, and providing for publication of notice thereof. On roll call, carried unanimously.
9. M/S, Rowland-Gassman moved the Council adopt Resolution No. 2015-323 recommending appointment of Kevin Gyrion as Police Chief of the City of Clinton, Iowa. On roll call, Rowland, Gassman, Wilke, O'Neill, Allesee - Yes; McGraw, Determann - No. Motion carried.

Councilmember Rowland read the Resolution in its entirety.

Councilmember McGraw stated that the City has an interim Police Chief who has the respect of the officer s and is very capable of performing the job.

Councilmember Rowland recounted Mr. Gyrion's accomplishments while at the Chicago Police Department. He advised regarding the process the City had undergone to come up with the best candidate.

Councilmember Wilke thanked Captain Bohle for serving as Interim Police Chief for the last four months. Councilmember O'Neill thanked all of the candidates for participating in the process.

Councilmember Determann stated that he had voted against hiring a headhunter. He continued n stating that he thought the process was flawed and would vote against the resolution under consideration.

10. M/S, Gassman-Allesee moved the Council adopt Resolution No. 2015-324 accepting a three year collective bargaining agreement with the Clinton Police Bargaining Unit for July 1, 2015 through June 30, 2018. On roll call, McGraw, Rowland, Gassman, Wilke, O'Neill, Allesee - Yes; Determann - No. Motion carried.

In discussion before roll call, Councilmember O'Neill thanked City Attorney O'Connell, Bill Stone and the Bargaining Unit for their participation. He stated that this is the first time the City has three three -year contracts. He further stated that now we have a system that works very well. He proceeded to state that the City will save money by not going into collective bargaining each year.

UNFINISHED BUSINESS

11. M/S, Rowland-Gassman moved the Council approve the contract for a street and park tree inventory submitted by Davey Tree Company for \$28,700 for 7,000 trees and \$4.10 for each additional tree above the 7,000 trees. On roll call, carried unanimously.

Councilmember Rowland requested that the City Administrator provide an overview of the process for choosing this company. City Administrator Kinser stated that an RFP had gone out in June and the contract was awarded to Davey Tree Company; however, the City Attorney requested changes be made to the contract and it was now coming before the Council for approval. The plan is to identify all trees in the Right-Of-Way and then move on to park trees. Councilmember Determann inquired regarding what information would come out of the inventory. City Administrator Kinser stated that the inventory would provide the location, species, size and age of the tree. Councilmember Wilke inquired regarding the involvement of the Tree Commission. City Administrator Kinser stated that the Tree Commission would be a stakeholder group.

12. M/S, O'Neill-Allesee moved the Council adopt Resolution No. 2015-325 declaring surplus property. On roll call, carried unanimously.

Councilmember O'Neill requested clarification regarding whether surplus property was only brought to the Council by Transit and Street Superintendent Dennis Hart and if the City was no longer using the government website for selling the surplus property. Fire Chief Mike Brown advised the Council that the ambulance was declared surplus in order to get direction from the Council regarding what to do with it. He stated that he did not like "Guv Deals" internet auction and could use government web sites to market the piece of equipment for a higher sale or use it for a trade in. Councilmember O'Neill stated that the City could be opened up to liability by selling it to an individual or company.

M/S, Determann-Wilke moved to adjourn to 7:00 pm August 25, 2015. On roll call, carried unanimously.

Mark S. Vulich
Mayor

Pat Van Loo
City Clerk