

The City Council met in regular session, February 24, 2015 at 7:00 P.M. in the City Hall Council Chamber. Present on roll call: Mayor Vulich; Councilmembers: McGraw, Rowland, Gassman, Determann, Wilke and O'Neill. Councilmember Allesee – absent.

PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning amending the Code of Ordinances of the City of Clinton, Iowa, Chapter 159 by deleting a section and adding a new section. No comments were received written or oral. M/S, McGraw-Rowland moved that the public hearing concerning amending the Code of Ordinances of the City of Clinton, Iowa, Chapter 159 by deleting a section and adding a new section be entered into the record. On roll call, carried unanimously.

1. M/S, McGraw-Rowland moved that the Council consider an ordinance for the first time - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CLINTON, IOWA, CHAPTER 159 BY DELETING A SECTION AND ADDING A SECTION. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning the Eagle Point Park Roadway Rehabilitation Project P-2014. No comments were received written or oral. M/S, Gassman-Rowland moved that the public hearing concerning the Eagle Point Park Roadway Rehabilitation Project P-2014 be entered into the record. On roll call, carried unanimously.

In discussion before roll call, Councilmember Determann stated that this project has been a long time in coming. He further stated that the public will appreciate the road repairs. Councilmember Wilke inquired regarding where the extra funding would come from and whether the parking lot would be part of the project. City Engineer Jason Craft stated that they thought they could get it done for less; however, it is a good bid and it is a long way to haul asphalt. He continued in stating that there may be a few things that can be cut to keep the project cost down. Councilmember Rowland stated that he thought that there was \$400,000 in the CIP for the project. Engineer Craft stated that the project was supposed to be funded in part by bonding and a grant; however, the City did not receive the grant. He continued in stating that funds from the 13th Avenue North Sidewalk Project have been reallocated to this project.

2. M/S, Gassman-Rowland moved that the Council adopt Resolution No. 2015-059 accepting bid and awarding contract for Project P-2014, Eagle Point Park Roadway Rehabilitation to Determann Asphalt Paving for \$375,394.30. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning the Showboat Roof Membrane and Insulation Improvement Project. No comments were received written or oral. M/S, Rowland-Gassman moved that the public hearing concerning the Showboat Roof Membrane and Insulation Improvement Project be entered into the record. On roll call, carried unanimously.

3. M/S, Rowland-Gassman moved that the Council adopt Resolution No. 2015-060 accepting bid and awarding contract for the Showboat Roof Membrane and Insulation Improvement Project to Beckwith Commercial Roofing for \$33,625.00. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning 110 5th Avenue South Roof Replacement Project. No comments were received written or oral. M/S, McGraw-Rowland moved that the public hearing concerning Roof 110 5th Avenue South Roof Replacement Project be entered into the record. On roll call, carried unanimously.

4. M/S, McGraw-Rowland moved that the Council adopt Resolution No. 2015-061 accepting bid and awarding contract 110 5th Avenue South Roof Replacement Project to Beckwith Commercial Roofing for \$63,785.00. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning the authorization of a loan agreement and the issuance of not to exceed \$7,500,000 General Obligation Capital Loan Notes of the City of Clinton, State of Iowa (for essential corporate purposes). No comments were received written or oral. M/S, Wilke-O'Neill moved that the public hearing concerning on the authorization of a loan agreement and the issuance of not to exceed \$7,500,000 General Obligation Capital Loan Notes of the City of Clinton, State of Iowa (for essential corporate purposes) be entered into the record. On roll call, carried unanimously.

5. M/S, Wilke-O'Neill moved that the Council adopt Resolution No. 2015-062 instituting proceedings to take additional action for the issuance of not to exceed \$7,500,000 General Obligation Capital Loan Notes. On roll call, carried unanimously.

In discussion before roll call, Councilmember Rowland requested an overview of the resolution under consideration. Finance Director Anita Dalton stated that the revenue source for the General Obligation Capital Loan Notes is Local Option Sales Tax. The funds are being used for the 20th Avenue North Sewer Separation Re-application, Main Avenue Green Infrastructure Project, 20th Avenue North Pumping Station and Force Main, Camanche Avenue Sewer & Storm Sewer payment and the Beaver Channel Interceptor repairs.

Mayor Vulich convened a public hearing concerning the authorization of a loan agreement and the issuance of not to exceed \$5,150,000 General Obligation Capital Loan Notes of the City of Clinton, State of Iowa (for essential corporate purposes). No comments were received written or oral. M/S, O'Neill-Gassman moved that the public hearing concerning on authorization of a loan agreement and the issuance of not to exceed \$5,150,000 General Obligation Capital Loan Notes of the City of Clinton, State of Iowa (for essential corporate purposes) be entered into the record. On roll call, carried unanimously.

6. M/S, O'Neill-Gassman moved that the Council adopt Resolution No. 2015-063 instituting proceedings to take additional action for the issuance of not to exceed \$5,150,000 General Obligation Capital Loan Notes. On roll call, carried unanimously.

In discussion before roll call, Councilmember O'Neill read the first paragraph of the resolution "Whereas, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$5,150,000 General Obligation Capital Loan Notes, for the essential corporate purposes, in order to provide funds to pay the costs of street, sidewalk and trail improvements, including 44th Avenue South improvements, annual Pavement Management Program, and the North End Recreation Trail; improvements at the City Airport; equipping the City police, fire, streets and sanitation departments; and abatement of nuisances, including demolition of abandoned, dilapidated or dangerous buildings, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the City and residents thereof."

Mayor Vulich convened a public hearing concerning the authorization of a loan agreement and the issuance of not to exceed \$500,000 General Obligation Capital Loan Notes of the City of Clinton, State of Iowa (for general corporate purposes). No comments were received written or oral. M/S, Gassman-Rowland moved that the public hearing concerning the authorization of a loan agreement and the issuance of not to exceed \$500,000 General Obligation Capital Loan Notes of the City of Clinton, State of Iowa (for general corporate purposes) be entered into the record. On roll call, carried unanimously.

7. M/S, Gassman-Rowland moved that the Council adopt Resolution No. 2015-064 instituting proceedings to take additional action for the issuance of not to exceed \$500,000 General Obligation Capital Loan Notes. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning the authorization of a loan agreement and the issuance of not to exceed \$550,000 General Obligation Capital Loan Notes of the City of Clinton, State of Iowa (for essential corporate urban renewal purposes). No comments were received written or oral. M/S, Determann-Wilke moved that the public hearing concerning the authorization of a loan agreement and the issuance of not to exceed \$550,000 General Obligation Capital Loan Notes of the City of Clinton, State of Iowa (for essential corporate urban renewal purposes) be entered into the record. On roll call, carried unanimously.

8. M/S, Determann-Wilke moved that the Council adopt Resolution No. 2015-065 instituting proceedings to take additional action for the issuance of not to exceed \$550,000 General Obligation Capital Loan Notes. On roll call, carried unanimously.

In discussion before roll call, Councilmember O'Neill inquired regarding whether this is the last land acquisition at the Railpark. Finance Director Dalton stated that it is payment #6, the last payment for the Railpark property purchase.

AUDIENCE COMMENT

No persons came before the Council to speak.

CONSENT AGENDA

Councilmember Rowland requested that item #15 be removed to Unfinished Business.

Councilmember McGraw requested that item #22 be removed to Unfinished Business.

Councilmember O'Neill requested that items #10 & #11 be removed to Unfinished Business.

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

1. Claims - receive, approve and place on file.
2. Airport Commission - minutes 1/19/2015 - receive, approve and place on file.
3. Committee of the Whole - minutes 2/10/2015 - receive, approve and place on file.
4. Budget Workshop #3 - minutes 1/26/2015 - receive, approve and place on file.
5. Budget Workshop #4 - minutes 2/9/2015 - receive, approve and place on file.
6. Budget Workshop #5 - minutes 2/16/2015 - receive, approve and place on file.
7. Historic Preservation Commission - minutes 1/8/2015 - receive, approve and place on file.
8. Tree Commission - minutes 1/8/2015 - receive, approve and place on file.
9. Mayor's Youth Commission - minutes 2/4/2015 - receive, approve and place on file.
10. Springdale Drive (13th Avenue North to Bluff Boulevard) 4 lane to 3 lane conversion feasibility study - Removed to Unfinished Business - (Council received copy on 2/19/2015) receive, approve and place on file.
11. 2nd Avenue South (South 14th Street to Bluff Boulevard) 4 lane to 3 lane conversion feasibility study - Removed to Unfinished Business - (Council received copy on 2/19/2015) receive, approve and place on file.
12. Public Works Department Work Order Report for Last 30 Days - receive, approve and place on file.
13. Resolution No. 2015-066 approving the final plat of Clinton Plaza West Subdivision Fourth Addition.
14. Resolution No. 2015-067 authorizing 28E agreement relative to road maintenance with City of Low Moor, Iowa and Clinton County, Iowa.
15. Resolution - Removed to Unfinished Business - approving a second amendment to option and lease agreement with Crown Castle Towers.

16. Resolution No. 2015-068 approving issuance of cigarette permit.
17. Resolution No. 2015-069 approving a budget modification for the hiring of a summer intern.
18. Resolution No. 2015-070 authorizing contract with Clinton Area Convention and Visitors Bureau for construction of Weigh & Stay building and related labor.
19. Resolution No. 2015-071 denying Persons with Disabilities Residential Parking Space Application.
20. Resolution No. 2015-072 authorizing the collection/certification of grass/weed cutting and nuisance clean up liens.
21. Resolution No. 2015-073 ordering construction of improvement, setting public hearing and directing advertisement for bids -Project E-2015 Asphalt Resurfacing Project.
22. Resolution - Removed to Unfinished Business - approving liquor license renewal and Sunday sales privilege for Happy Joe's Pizza & Ice Cream Parlor and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.
23. Resolution No. 2015-074 approving liquor license renewal and Sunday sales and outdoor sales privilege for Lyons Tap & Grill and issuance of a Class II Letter of Exemption for allowing persons under 21 in licensed premises.

MOTIONS, RESOLUTIONS, AND ORDINANCES

9. M/S, Rowland-Gassman moved that the Council consider an ordinance for the second time - AN ORDINANCE AMENDING AND SUPERSEDING CHAPTER 157, AIRPORT LAND USE AND HEIGHT OVERLAY ZONING REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF CLINTON, IOWA. On roll call, carried unanimously.

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

M/S, Rowland-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. 2517

10. M/S, Wilke-Gassman moved that the Council adopt Resolution No. 2015-075 adopting the Four Lane to Three Lane Conversion Policy. On roll call, McGraw, Rowland, Gassman, Determann, Wilke - Yes; O'Neill - No. Motion carried.

11. M/S, O'Neill-Gassman moved that the Council adopt Resolution No. 2015-076 approving modification of the organization of the Youth Commission. On roll call, carried unanimously.
12. M/S, Gassman-Rowland moved that the Council adopt Resolution No. 2015-077 authorizing the issuance of \$520,000 Taxable General Obligation Capital Loan Notes, Series 2015A and \$5,315,000 General Obligation Capital Loan Notes, Series 2015C, and levying a tax for payment thereof. On roll call, carried unanimously.

In discussion before roll call, Councilmember Rowland inquired regarding the purpose for the issuance of these bonds. Finance Director Dalton stated that this resolution sets the authority to pre-levy for future principal and interest payment on these 2 issuances. Councilmember Rowland inquired regarding whether it is tied to the other bonds. Finance Director Dalton stated that it is.

13. M/S, Rowland-Gassman moved that the Council adopt Resolution No. 2015-078 setting public hearing on the FY 2015-2016 City Operating Budget. On roll call, carried unanimously.

UNFINISHED BUSINESS

14. M/S, Rowland-Gassman moved the Council adopt Resolution No. 2015-079 approving a second amendment to option and lease agreement with Crown Castle Towers. On roll call, carried unanimously.

In discussion before roll call, Councilmember Rowland inquired regarding whether another tower was being built. City Administrator Kinser stated that it is a new tower. She continued in stating that Crown Castle requested a realignment from the original proposal, requiring an amendment to the original lease agreement, which was approved by the City Council on November 11, 2014. This resolution is asking for additional time to complete the project, and for the additional time a payment of \$1,000.

15. M/S, Rowland-Gassman moved that the Council adopt Resolution No. 2015-080 approving liquor license renewal and Sunday sales privilege for Happy Joe's Pizza & Ice Cream Parlor and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises. On roll call, carried unanimously.

In discussion before roll call, Councilmember McGraw advised the Council that she would abstain from the vote.

Councilmember O'Neill stated that the word "approve" should be removed from both items. He continued in stating that it is not appropriate to approve something before having a public hearing to obtain input from residents. He further stated that during his public forum he received negative feedback regarding the proposed 4 to 3 lane conversion.

16. M/S, O'Neill-Determann moved to strike the word "approve" from the Springdale Drive (13th Avenue North to Bluff Boulevard) 4 lane to 3 lane conversion feasibility study item listed on the agenda. On roll call, carried unanimously.

17. M/S, O'Neill-Determann moved to strike the word "approve" from the 2nd Avenue South (South 14th Street to Bluff Boulevard) 4 lane to 3 lane conversion feasibility study item listed on the agenda. On roll call, carried unanimously.

M/S, Determann-Wilke moved to adjourn to 7:00 pm February 24, 2015. On roll call, carried unanimously.

Mark S. Vulich
Mayor

Pat Van Loo
City Clerk

