

Committee of the Whole
July 28, 2015

Present: Mayor Mark S. Vulich, Council Members McGraw, Rowland, Gassman, Determann, Wilke, O'Neill and Allesee, City Administrator, City Attorney, Deputy City Clerk, Press and interested citizens.

1. Washington Middle School Project Update – Chris Ales

Chris Ales, CPA and real estate developer will be the Manager of the Washington Middle School Project with the Economic Growth Corporation. Mr. Ales advised the Council his Corporation has been working on a similar project in Davenport converting a former nursing home into 50 senior housing units that will be complete in December 2015. Mr. Ales informed the Council it is anticipated the Washington School building will be placed on the National Historic Registry in December. An independent market study has been done that confirms there is a demand for 50 or more senior apartments in this area. The rents for these apartments would be \$595.00 for a one bedroom apartment, \$695.00 for a two bedroom apartment. There would be half of the apartments as one bedroom with 700 square footage and the two bedroom apartments would be 1000 square feet. The project will cost approximately \$10 million; financing would come from Federal and State tax credits, Tax Increment Financing (TIF), Brownfield tax credits, and conventional bank financing. Mr. Ales noted they are requesting of the Council 4 items. The first is to work with the City on the property zoning; to work with Staff on the best use of the existing auditorium and gymnasium in the buildings; to work with Staff on obtaining TIF, and finally to request a resolution of support that can be used in obtaining additional funds.

Council Member O'Neill stated he wasn't in favor of the request to use City Staff in finding the best uses for the auditorium and gymnasium due to the liability issues; the school staff would be a better source for that request. Mr. Ales agreed. Council Member Rowland inquired as to the zoning change that was being requested. City Engineering Staff Member Jacob Coupee stated the zoning would change from R1C to R4. Council Member Rowland inquired if the proposed project would be using local labor and purchasing local supplies. Mr. Ales confirmed they would use as much local labor as possible and purchase the materials locally as well. Mayor Vulich stated the four requests Mr. Ales made to the Council should be broken down individually as separate motions.

M/S, Gassman-Rowland moved to forward the Washington Middle School Project to the Zoning Commission for re-zoning from R1C to R4. On roll call, carried unanimously.

M/S, Allesee-McGraw moved to advise staff to work with Mr. Ales on the best uses of the auditorium and gymnasium in renovating the schools. On roll call, carried unanimously.

In discussion before roll call, Mayor Vulich inquired if the motion was even necessary since the staff would be from the school and not City Staff. City Administrator Jessica Kinser advised the motion was necessary; ECIA had done a study previously regarding the uses of the buildings and would get a copy of that study to Mr. Ales.

M/S, Determann-O'Neill moved to direct City Staff to work with Mr. Ales on a T.I.F. agreement for the Washington Middle School project. On roll call, carried unanimously.

M/S, O'Neill-Wilke moved to develop a resolution of support for the Washington Middle School project. On roll call, carried unanimously.

In discussion before roll call, Council Member O'Neill stated the resolution should include the requirement that local labor is used and materials are purchased locally. Council Member Rowland inquired of Mr. Ales a time line on the project. Mr. Ales advised the Council the project would need to be zoned first, then the financing secured and construction would begin in the spring of 2016.

2. Referral from Traffic Study Commission – Jason Craft

City Engineer Jason Craft addressed the Council regarding the 13th Avenue North Corridor Study. Craft stated the study is a combination of several projects that all impact each other with many facets to each. The Traffic Safety Study listed 3 recommendations for safety and traffic flow improvements from 2nd Street to Mill Creek Parkway. Craft noted the school may be interested in a cost sharing plan to see the signal on 13th Avenue North put in place. He presented data regarding the traffic volume forecast; crash analysis; a 3 lane feasibility study; traffic signal warrant analysis for the intersection of 13th Avenue North and North 14th Street; and a traffic signal warrant analysis for the intersection of 13th Avenue North and Mill Creek Parkway.

The results of the study conclude 13th Avenue North should be converted to a 3 lane road with a two-way center turn land from 16th Street NW to North 2nd Street and should be done during the same time as the signalization of intersection at 13th Avenue North and North 14th Street. It can be included in the FY 2017 Budget cycle.

The recommendation for the traffic signal at the intersection of North 14th Street and 13th Avenue North is to construct a fully signalized intersection with a dedicated left turn lane and a 3 lane road stripping from east to northbound; also a dedicated right turn land from west to northbound is recommended along with the construction of a traffic signal. This should be done as soon as school is out for summer 2016 and included in the FY 2017 Budget cycle.

The recommendation for the 13th Avenue North and Mill Creek Parkway intersection based on the analysis is it just barely meets the warrant criteria; however the option for a traffic signal at this intersection should be revisited once school is in session to obtain an appropriate traffic count during the peak times. Another option for this intersection is to install a roundabout that may be more effective in improving safety at intersections than traffic signals. A further study of this option may be conducted during the fall and winter of 2015. A cost estimate has not been developed for this but may be done for the FY 2018 Budget cycle.

M/S, Wilke-Rowland moved to approve the recommendations of the City Engineer from the Traffic Safety Study. On roll call, Yes – Rowland, Wilke; No – McGraw, Gassman, Determann, O'Neill, Allesee. Motion failed.

Council Member O'Neill stated he is not in favor of converting to a 3 lane road on 13th Avenue North; and noted that Springdale Drive would be a nice test area for this.

M/S, O'Neill-Allesee move to approve the recommendations of the City Engineer excluding the 3 lane improvements and including a cost sharing plan with the Clinton Community Schools for the signal improvements at the intersection of 13th Avenue North and North 14th Street. On roll call, carried unanimously.

3. Water Shut Off Agreement – Jessica Kinser

City Administrator Jessica Kinser advised the Council of the draft agreement from Iowa American Water for disconnecting water for the delinquent sewer bills. The agreement includes rules from the Iowa Utility Board and has been reviewed by legal counsel. She also presented the recommendations from the Water Shut-off Taskforce and the internal procedures for the staff in the Finance Department. Kinser noted there will be a \$46.00 fee to have the water turned off and back on; not \$46.00 for each. There will also be a \$10.00 administrative fee the City cannot pass along to the customer for every disconnection done. There is also a requirement to have a public meeting held every 6 months. The features of their agreement include the shut offs can only be done on Tuesdays and only 10 per week will be allowed; a City employee would be required to be on site when the shut off is being done by Iowa American Water. The restoration of service can only be done prior to 3:00 pm, if required after that time a \$125.00 fee would be added. There would be no way to re-connect service on the weekends since the City Staff would not be working during that time to accompany Iowa American Water.

Council Member Determann inquired as to the limit of 10 shut offs per week. Kinser responded the reason for that is this is a cost to Iowa American Water and they are not making any money doing this and this is what their staff can handle. Mayor Vulich noted that if word gets out the water is being shut off, people may start to pay their bills. Council Member Determann inquired as to the number of days a residence may be occupied without water. Kinser stated it is 15 days.

City Administrator Jessica Kinser stated the Water Shut off Committee Members noted the City needs to consider communication to the public; traditional media of radio and newspaper are not getting to those with the higher balances; another item is the setting of a formal threshold for shut off of \$500.00 past due or 120 days past due. This is for a long term policy. Once water is shut off payment must be received in full to have the water turned back on. Medical hardship policy was also addressed, not meaning medical bills, but the customer must have a medical condition that customer can provide proof of through a licensed physician, this could allow for a reprieve from having the water shut off however the customer would have to be active in bringing the account current. Another issue is the seasonality of the water shut offs; Iowa American Water shuts off all months of the year with winter being more difficult due to the snow. Landlords would also be notified of water shut offs being targeted for their property in case of a water based heat situation in the winter to prevent frozen pipes.

Finance Director Anita Dalton addressed Council regarding the procedures her staff would follow. The customer would have a certified letter referencing the past due balance and it will break down the sewer and solid waste charges separately; the letter will also include the notice if charges are not paid the solid waste charges will be sent to collection and the service will be suspended. It would also offer a payment plan to avoid disconnection. Council Member O'Neill stated he is not in favor of offering the customer a payment plan once we send them a disconnection notice. He noted that the customer has been given every opportunity to pay up until the point of the disconnection notice. The City has offered several options for them to pay and does not want to offer the payment plan option once the notice has been issued. City Administrator Jessica Kinser inquired of the Council if that were a consensus of all of them.

M/S, O'Neill-Allesee move to strike the payment arrangement option from the notification letter being sent to delinquent customers. On roll call, carried unanimously.

M/S, O'Neill-Allesee moved to forward the agreement with Iowa American Water to the next Committee of the Whole meeting on August 4, 2015. On roll call, carried unanimously.

4. Review of Purchasing Policy – Ed O’Neill

Council Member O’Neill requested the Council review the Purchasing Policy, which was approved on October 28, 2014. Council Member O’Neill referred to the dredging that had been done recently and questioned why no bid had been done; noting there are thirteen dredgers available from Dubuque to Davenport and the report stated the City had always used this same dredger. O’Neill stated he would like to see the paragraphs relating to sole source purchases and emergency purchases provisions removed from the Purchasing Policy. Mayor Vulich responded other than times when an emergency does exist, such as a tornado, to take the provision away could cause detriment to the City. City Administrator Jessica Kinser stated the dredging was done using Bodine because it was an emergency and they were needed to clear sewage before it entered the river and the City would be fined by the Department of Natural Resources.

Council Member O’Neill stated he doesn’t agree with the sole source provision because it doesn’t exist in this day and age and it should be removed. He also stated he would agree to the emergency provision if at least 2 people were called to address the situation. Council Member Gassman stated the emergency situation is for that time only and not for the 30 days following the incident. Council Member Rowland inquired as to what other cities have for a sole source policy or an emergency services policy. City Attorney Patrick O’Connell advised the Council that other cities do have a sole source purchasing policy and referred to a city needing a pool repair. Council Member O’Neill stated the dredging report should have used emergency instead of sole source purchase. Mayor Vulich stated this issue is in the past and ask City Attorney O’Connell to look at the other cities Purchasing Policies.

5. Mayor and Council Updates

There were no updates.

M/S, Determann-Wilke moved to adjourn. All in favor.

Respectfully Submitted,

Teresa Lindstrom
Deputy City Clerk