

Committee of the Whole

March 10, 2015

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

1. Update on Railpark Certification – Mike Kirchhoff

Mike Kirchhoff, President and CEO of the Clinton Regional Development Corporation, stated that the CRDC had received a communication from McCallum Sweeney Consulting advising that the deadline for providing written documentation confirming intent to continue participation in the Iowa Site Certification Program is due by March 17, 2015, providing a new Step 2 Evaluation Application is due by April 15, 2015 and providing documentation that the Railpark can meet the certification criteria is due by June 19, 2015.

Councilmember O'Neill called for point of order. He stated that the Council should not be put in the position to make this kind of decision. Councilmember McGraw stated that since the City has dates to meet we need to get going to get it done.

Mr. Kirchhoff stated that the letter was directed to the CRDC since they applied for the certification. He continued in stating that the CRDC has no issue with contacting McCallum Sweeney to let them know to proceed with site certification.

Councilmember Rowland stated that the Council was under the assumption that the City would receive site certification by November, 2014. He continued in stating that it is maddening to see things slow up and then have to jump through hoops to get it done quickly. He further stated that he would place more value on what HDR has to say about getting water to the Railpark than worry about dates. Water is important to heavy industry. He proceeded to state that he cannot get excited about a March 17th deadline. We will find a way to get water there. We have an obligation to the taxpayers and must be good stewards by looking at all options.

Mr. John Eisenman advised the Council that a letter must be written by the March 17th deadline stating that we are still interested in certification. The difficult deadline will be June 19th to supply a plan on how to get water to the Railpark. Certification will enhance the RFP process and the HDR proposal puts us right where we want to be. We can address the first two items and updates to the paperwork are already in progress.

Motion by Councilmember Determann to proceed with the certification process – died for lack of a second.

Councilmember Rowland stated that he had been told that morning that the City would be asked to use the Iowa American Water letter for submission for site certification. He continued in stating that this will look like we are trying to use them. He further stated that he wanted to stand behind a proposal.

Mr. Eisenman stated that nothing about water must be submitted until June 19th. Councilmember Gassman stated that he supported continuing with the first two issues. Councilmember McGraw stated that she agreed with Councilmember Gassman. She inquired regarding what would happen if the process was not followed. Mr. Kirchhoff stated that the process would have to be started all over again.

Councilmember Rowland inquired regarding whether the issue must go up for vote. City Attorney O'Connell stated that if certification of the site is based on a water plan there may be a public hearing required. He continued in stating that he thinks that the CRDC's statement is correct that application for site certification can be made once the Council agrees on a water source and that they can accomplish what was started and can legally get it done. Councilmember Rowland

stated that we tried to get it done by December, 2014 and now we have a short timeframe to come up with a solution we can all agree on. Mr. Eisenman stated that if we make a decision to proceed and then don't come up with a viable plan, we will be kicked out of the cycle. We would at least like to try to keep our place in line. We have no choice but to keep trying.

Councilmember Wilke inquired regarding whether non-potable water is acceptable. Mr. Kirchhoff stated that the water must be potable. He continued in stating that the Iowa American Water Company letter as of December 18, 2014 did not meet the requirements and was not sent on. Councilmember Gassman stated that there are many states taking waste water and making it potable. He suggested moving the first two items on and obtaining more information regarding getting water to the Railpark. Mr. Kirchhoff advised that the letter states that we must adhere to the 2015 schedule.

Councilmember Determann inquired regarding what would happen if a water provider was chosen and someone came in and said they wanted to drill their own well. Mr. Kirchhoff stated that the water provider would want exclusive rights.

Councilmember O'Neill stated that it is dishonest to use the Iowa American Water Company letter and say we are going to use them. He continued in stating that it is very suspicious that something is placed on the agenda relating to providing water to the Railpark. He further stated that the process has been stalled and stopped. He proceeded to state that he would like to get rid of the application and have the City apply by itself. He stated that if we lose our place in the process, we will re-submit. Councilmember Rowland stated that the June timeline is hard to meet. If we knew the timeline sooner we could have been working on this.

M/S, Gassman-Rowland moved to proceed with the March 17th and April 15TH issues. On roll call, McGraw, Rowland, Gassman, Determann, Wilke, Allesee – Yes; O'Neill – No. Motion carried.

2. Proposal to Provide Non-potable Water to the Railpark – Dave Dechant

Mr. Dave Dechant, HDR, advised the Council that he was not at the meeting to propose or promote an alternative to providing water to the Railpark, but rather to determine if HDR can help by performing a study to address the use of the City's effluent. He stated that the process would be completed in four steps: 1) meet with the City to look at options, 2) formulate three alternatives and determine cost and a timeline, 3) compile a report to summarize 1 & 2, 4) sit down with the City to formulate a full report.

Councilmember Rowland stated that he had read through the report and the point that should interest everyone is the amount of water going into the river and going down to Davenport for them to draw out and make drinkable. If there is some way to provide this water to the Railpark it should be looked into. Mr. Dechant stated that he worked for the first company that treated effluent to make potable water. He continued in stating that you mainly see this process being used in arid areas. Councilmember Determann inquired regarding whether the water that is pumped back into the river is cleaner than the river water. Mr. Dechant stated that it is. Councilmember O'Neill stated that in the near future we will be required by the EPA to disinfect the water.

Councilmember O'Neill inquired regarding whether a plan could be submitted before June 19th. Mr. Dechant stated that he anticipated that a plan could be submitted before that date. City Attorney O'Connell stated that if there is a plan it will take legal action to proceed. It is important to be involved and know the technical requirements and what the City will have to own.

Councilmember O'Neill inquired regarding whether companies bring in their own treatment plants. Mr. Dechant stated that a lot of industries provide their own osmosis for their use. Mayor Vulich inquired regarding whether the two existing sewer lines would be useable. Mr. Dechant stated that the lift stations can accommodate larger pumps. Right now they provide .5 million gallon capacity. If they are replace they will provide 4.8 million gallon capacity. The quantity of wastewater would not exceed the capacity.

Councilmember O'Neill stated that the City must be cognizant of the cost to the citizens. Mr. Dechant stated that he anticipated providing the technical requirements, cost and timeline. He further stated that their work would take approximately a month and a half.

M/S, Rowland-Gassman moved to accept the HDR proposal and include a deadline of June 1st for completion. On roll call, carried unanimously.

3. City Hall Copier – Jessica Kinser

City Administrator Kinser stated that the color copier on the second floor of City Hall has been a source of frustration since it was purchased in 2010. She continued in stating that we are paying Ricoh more than \$1,000 each quarter for overage charges on copies. This was due to the contract not containing any guaranteed minimum volume on color copies. She further stated that there is the potential to save \$2,000 per year.

She advised the Council that she put out a Request for Quotes for a three-year lease of either a new or used machine, and received responses from four vendors. Midwest Business Products is the low bidder on both the new and used models, including both the base price and the overage prices. They are also the only local (Clinton) bidder. She stated that she is recommending the City pursue the used Sharp MX-5141. She continued in stating that the used copier has made only 42,000 copies.

Mayor Vulich inquired regarding whether the City would lease the copier. City Administrator Kinser stated that the copier would be leased.

M/S, Rowland-Gassman moved to accept the City Administrator's recommendation. On roll call, carried unanimously.

4. New Liquor License – Valley Oaks – Pat Van Loo

City Clerk Van Loo advised the Council that the owners of Valley Oaks have met all State and City requirements for application of a new liquor license. She stated that with spring coming she did not want to hold up the application. Councilmember O'Neill thanked the individuals taking over ownership of the golf course.

M/S, Gasman-Rowland moved to place a resolution approving a new liquor license for Valley Oaks on the next Council agenda. On roll call, carried unanimously.

5. Mayor & Council Member Updates

Mayor Vulich stated that the Highway 30 Coalition met to discuss getting the eastern portion on schedule.

Councilmember O'Neill stated that Councilmember Determann would be taking over the public forum at the Ericksen Center on Saturday, March 14th.

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

Respectfully Submitted,

Pat Van Loo
City Clerk