

The City Council met in regular session, March 10, 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.

## PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for Project B-2014 20<sup>th</sup> Avenue North Pumping Station & Force Main Replacement Project. No comments were received written or oral. M/S, Rowland-Gassman moved that the public hearing concerning accepting bid and awarding contract for Project B-2014 20<sup>th</sup> Avenue North Pumping Station & Force Main Replacement Project be entered into the record. On roll call, carried unanimously.

1. M/S, Rowland-Gassman moved that the Council adopt Resolution No. 2015-081 accepting bid and awarding contract for Project B-2014 20<sup>th</sup> Avenue North Pumping Station & Force Main Replacement Project to Merryman Excavation Inc. for \$4,869,005.30. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning accepting bid and awarding contract for Project F-2015 Iowa Avenue & 16<sup>th</sup> - 22<sup>nd</sup> Place Project. No comments were received written or oral. M/S, Allesee-O'Neill moved that the public hearing concerning accepting bid and awarding contract for Project F-2015 Iowa Avenue & 16<sup>th</sup> - 22<sup>nd</sup> Place Project be entered into the record. On roll call, carried unanimously.

2. M/S, Allesee-O'Neill moved that the Council adopt Resolution No. 2015-082 accepting bid and awarding concerning accepting bid and awarding contract for Project F-2015 Iowa Avenue & 16<sup>th</sup> - 22<sup>nd</sup> Place Project to Clinton Engineering Company for \$818,661.70. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning conveyance of property to the Iowa DOT for the Culvert Replacement Project at Main Avenue and North 10<sup>th</sup> Street. No comments were received written or oral. M/S, Gassman-Rowland moved that the public hearing concerning conveyance of property to the Iowa DOT for the Culvert Replacement Project at Main Avenue and North 10<sup>th</sup> Street be entered into the record. On roll call, carried unanimously.

3. M/S, Gassman-Rowland moved that the Council adopt Resolution No. 2015-083 approving conveyance of property to the Iowa DOT for the Culvert Replacement Project at Main Avenue and North 10<sup>th</sup> Street and authorizing Mayor to sign purchase agreement and Quit Claim Deed. On roll call, carried unanimously.

Mayor Vulich convened a public hearing concerning submission of Public Transit Grant applications. No comments were received written or oral. M/S, O'Neill-Allesee moved that the public hearing concerning submission of Public Transit Grant applications be entered into the record. On roll call, carried unanimously.

4. M/S, O'Neill-Allesee moved that the Council adopt Resolution No. 2015-084 approving the submission of Public Transit Grant applications. On roll call, carried unanimously. Mayor Vulich convened a public hearing concerning the Fiscal Year 2016 City Operating Budget. No comments were received written or oral. M/S, Wilke-O'Neill moved that the public hearing concerning the Fiscal Year 2016 City Operating Budget be entered into the record. On roll call, carried unanimously.

#### AUDIENCE COMMENT

No persons came before the Council to speak.

#### CONSENT AGENDA

M/S, Determann-Wilke moved that the Council approve the Consent Agenda as presented on the attachment. On roll call, McGraw, Rowland, Determann, Wilke, O'Neill, Allesee - Yes; Gassman - Recuse. Motion carried.

1. Claims - receive, approve and place on file.
2. Committee of the Whole - minutes 2/24/2015 - receive, approve and place on file.
3. Committee of the Whole minutes 3/3/2015 - receive, approve and place on file.
4. Budget Workshop #6 - minutes 2/23/2015 - receive, approve and place on file.
5. Historic Preservation Commission - minutes 2/12/2015 - receive, approve and place on file.
6. Human Rights Commission - 1/12/2015 - receive, approve and place on file.
7. Communication from Steve Howes - receive, and place on file.
8. Contract & Bond for Project P-2014, Eagle Point Park Roadway Rehabilitation - Determann Asphalt Paving - \$375,394.30 - receive and place on file.
9. Plans & Specs. - Project E-2015 Asphalt Resurfacing Project - receive and place on file.
10. Plans & Specs. - Project F-2015 Iowa Avenue & 16<sup>th</sup> - 22<sup>nd</sup> Place Project - receive and place on file.
11. Resolution No. 2015-085 amending the Housing Inspection Delinquency Lien List dated February 2015.
12. Resolution No. 2015-086 City-wide Urban Revitalization Applications.
13. Resolution No. 2015-087 approving a budget modification for the Sewer Equipment Replacement Fund.

14. Resolution No. 2015-088 amending lien amount at 62 Main Avenue, Clinton, Iowa 52732.
15. Resolution No. 2015-089 approving the final plat of Clinton Plaza West Subdivision Fourth Addition.
16. Resolution No. 2015-090 approving change order #1 - Eagle Point Park Roadway Rehabilitation Project P-2014 - Determann Asphalt Paving, LLC - (\$29,027.45).
17. Resolution No. 2015-091 approving final change order #4 - Mississippi River Trail, Final Connection, Project C-2013 - Eastern Iowa Excavating & Concrete, LLC - \$7,235.42.
18. Resolution No. 2015-092 accepting work and recommending payment No. 6 to Eastern Iowa Excavating & Concrete, LLC for Project C-2013 - Mississippi River Trail, Final Connection - \$28,741.82.
19. Resolution No. 2015-093 approving 6-month Class C Liquor License, Sunday sales and outdoor sales privileges for Clinton Lumber Kings Baseball Club and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.
20. Resolution No. 2015-094 approving a Class C Beer permit/license renewal application for Kwik Star #348.
21. Resolution No. 2015-095 approving liquor license renewal, Sunday sales privilege and outdoor sales privilege for Bonnie's Scenic Tavern.
22. Resolution No. 2015-096 approving liquor license renewal with Sunday sales privilege for Hook's Pub.

#### MOTIONS, RESOLUTIONS, AND ORDINANCES

5. M/S, McGraw-Rowland moved that the Council consider and ordinance for the second 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.

In discussion before roll call, Councilmember O'Neill inquired regarding the purpose of the ordinance under consideration. City Administrator Kinser stated that the ordinance would allow lower level occupancy within the Central Business District.

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

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

6. M/S, O'Neill-Allesee moved the Council adopt Resolution No. 2015-097 supporting Economic Growth Corporation's application for Brownfield tax credits. On roll call, carried unanimously.  
In discussion before roll call a representative from Economic Growth Corporation advised the Council that ten lenders had submitted a response. He stated that the lenders strongly approved the project. He continued in stating that Economic Growth Corporation is very excited to be in Clinton.
7. M/S, Wilke-Gassman moved the Council adopt Resolution No. 2015-098 fixing a date for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$665,000 General Obligation Capital Loan Notes of the City of Clinton, State of Iowa (for essential corporate urban renewal purposes) and providing for publication of notice thereof. On roll call, carried unanimously.  
In discussion before roll call, Councilmember O'Neill requested clarification that this was the last payment on the Dodd farm. Finance Director Anita Dalton stated that this is payment number 5 for the Dodd farm. She stated that payment six had already been made. She confirmed that this is the last public hearing on the committed purchase of the Doss farm.
8. M/S, Rowland-Gassman moved the Council adopt Resolution No. 2015-099 establishing a public hearing for the rezoning of a 6.17 acre parcel of and located in the 700 Block of North 18<sup>th</sup> Street. On roll call, McGraw, Rowland, Gassman, Determann, Allesee - Yes; Wilke, O'Neill - No. Motion carried.
9. M/S, Determann-Allesee moved the Council adopt Resolution No. 2015-100 approving agreement No. 6-15-HBPU-03 with the Iowa Department of Transportation for Bridge Replacement Project No. BROS-1415(628)-8j-23 "West Deer Creek Road Bridge Replacement". On roll call, carried unanimously.
10. M/S, Gassman-Rowland moved the Council adopt Resolution No. 2015-101 waiving rental fees for use of Eagle Point Park Lodge for Clinton Rotary 100 Year Project activities. On roll call, carried unanimously.
11. M/S, Allesee-Gassman moved the Council adopt Resolution No. 2015-102 recommending appointment of Robert Milroy as Water Quality Superintendent of the City of Clinton, Iowa. On roll call, McGraw, Gassman, Determann, Wilke, O'Neill, Allesee - Yes; Rowland - Present. Motion carried.

#### UNFINISHED BUSINESS

No Unfinished Business was brought forth.

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

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Mark S. Vulich  
Mayor

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Pat Van Loo  
City Clerk