

The City Council met in regular session, May 12, 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 May 12, 2015 regular City Council meeting and Committee of the Whole meeting and they be approved as published on May 26, 2015. On roll call, carried unanimously.

#### PUBLIC HEARINGS

There were no public hearings scheduled before this meeting.

#### AUDIENCE COMMENT

No persons came before the Council to speak.

#### CONSENT AGENDA

Councilmember Wilke requested that items #13 and #15 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 4/20/2015 - receive, approve and place on file.
3. Committee of the Whole - minutes 5/5/2015 - receive, approve and place on file.
4. Committee of the Whole - minutes 5/12/2015 - receive, approve and place on file.
5. Historic Preservation Commission - minutes 4/9/2015 - receive, approve and place on file.
6. Human Rights Commission - minutes 3/2/2015 - receive, approve and place on file.
7. Human Rights Commission - minutes 4/27/2015 - receive, approve and place on file.
8. Tree Commission - minutes - 4/9/2015 - receive, approve and place on file.
9. Clinton Fire & Rescue - April 2015 PCC Ambulance Billing Report - receive, approve and place on file.

10. Civil Service Certified List for Police Officer – receive, approve and place on file.
11. Resolution No. 2015-197 refunding sewer and solid waste lien for 1815 9<sup>th</sup> Avenue South, Clinton, Iowa.
12. Resolution No. 2015-198 recommending payment request No. 1 to Merryman Excavation for the 20<sup>th</sup> Avenue North Pumping Station & Force Main Replacement Project B-2014 - \$282,842.84.
13. Resolution – Removed to Unfinished Business - recommending payment No. 1 for the Eagle Point Park Roadway Rehabilitation Project, P-2014 – Determann Asphalt Paving, LLC - \$56,305.24.
14. Resolution No. 2015-199 recommending payment No. 1 to BWC Excavating, LC for the 7<sup>th</sup> Avenue North Sewer Separation Project L-2014 - \$35,268.75.
15. Resolution – Removed to Unfinished Business - authorizing final pay request #2 to Environmental Management Services of Iowa for Project U-2014, Demolition of the Odeon - \$4,388.00.
16. Resolution No. 2015-200 recommending payment No. 3 to BWC Excavating, LC for the 19<sup>th</sup> Avenue Northwest Tech Park Extension Project H-2014 - \$208,714.30.
17. Resolution No. 2015-201 accepting work and recommending final payment No. 3 to Determann Asphalt Paving, LLC for the McKinley Street Reconstruction Project Q-2014 - \$7,716.38.
18. Resolution No. 2015-202 authorizing final pay request #4 to Larry “JOE” Determan, Inc. for the 2014 demolition of structures project - \$2,684.90.
19. Resolution No. 2015-203 recommending payment No. 7 to BWC Excavating, LC for the Main Avenue Green Infrastructure Project M-2014 - \$138,085.75.
20. Resolution No. 2015-204 approving transfer of liquor license for the Clinton Jaycees.
21. Resolution No. 2015-205 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 Hy-Vee Market Café.

#### MOTIONS, RESOLUTIONS, AND ORDINANCES

1. M/S, Wilke-O’Neill moved the Council adopt a resolution accepting bid and awarding contract for Digester Cleaning and Land Application Project to Nutri-Ject Systems Inc. for \$189,750.00. On roll call, McGraw, Allesee – Yes; Rowland, Gassman, Determann, Wilke, O’Neill – No. Motion failed.

In discussion before roll call, Councilmember O'Neill stated that he did not see anything in the bid relating to getting rid of the solids. Water Pollution Control Superintendent Bob Milroy stated that the bid includes disposal of the bio-solids. Councilmember Gassman inquired regarding tearing down of the old facility. Superintendent Milroy stated that after the digesters are cleaned he would be requesting bids for the demolition. City Administrator Kinser stated that there is \$760,000 in an EPA Equipment Fund to cover overruns for the treatment plant. The funding is there for both steps. She continued in stating that there is a timing issue.

Councilmember Gassman inquired regarding whether the project would begin immediately. Superintendent Milroy stated that it would begin in about a month. Councilmember O'Neill inquired regarding where the bio-solids would be taken. Superintendent Milroy stated that it is the responsibility of the contractor to find a farmer to take the bio-solids. Mayor Vulich inquired regarding the amount of bio-solids. Superintendent Milroy stated that there is one million gallons of bio-solids.

Councilmember O'Neill stated that he was inclined to reject this bid and re-bid for the whole package. It is not logical to spend money for cleaning and teardown.

Councilmember Gassman inquired regarding whether this is a cradle to grave problem. Superintendent Milroy stated that the City is responsible for the bio-solids forever. The contractor will do all of the ground and sludge testing. He continued in stating that the contractor would not haul the sludge very far. He further stated that the farmer would disc the sludge into the ground.

Councilmember Determann inquired regarding whether the City would receive a better bid in the fall when the land is available. Superintendent Milroy stated that the land is available in the spring.

2. M/S, Allesee-Gassman moved that the Council adopt Resolution No. 2015-206 approving temporary modification to driving lane configuration on Springdale Drive, from Bluff Boulevard to 13<sup>th</sup> Avenue North, within the City of Clinton, Iowa. On roll call, carried unanimously.

In discussion before roll call, Councilmember Gassman inquired regarding whether there would be bike lanes. City Engineer Jason Craft stated that there would be a bike lane. He continued in stating that two public meetings would be held regarding the project. Mayor Vulich inquired regarding the timeline. Engineer Craft stated that the project would begin after July 4<sup>th</sup>.

Councilmember O'Neill inquired regarding whether sidewalks would be constructed. Engineer Craft stated that the sidewalks are included in the next fiscal year's budget and will be constructed next year. Mayor Vulich inquired regarding the cost of construction of sidewalks. Engineer Craft stated that sidewalks would probably cost approximately \$200,000. He continued in stating that he could get that information for the Council.

3. M/S, Rowland-Gassman moved the Council adopt Resolution No. 2015-207 recommending Washington Middle School be placed on the National Register of Historic Places. On roll call, carried unanimously.

In discussion before roll call, Councilmember Rowland requested an overview of the item up for vote. City Administrator Kinser stated that the application was written by a historian out of Iowa City. A developer wants to turn the building into senior housing. In order to apply for a federal historical grant the building must be on the National Register of Historic Places. She continued in stating that the developer has received an 18 month option from the School and if this step is not completed the project is not eligible for historic tax credit.

Councilmember Rowland inquired regarding whether this includes Jefferson School. City Administrator Kinser stated that she believed it included Jefferson School; however, there are some parts of the building the developer will not want.

4. M/S, McGraw-Rowland moved that the Council approve Mayor's recommendation to boards and commissions. On roll call, carried unanimously.

#### UNFINISHED BUSINESS

Councilmember Wilke requested an update on the Eagle Pont Park Roadway Rehabilitation Project. City Engineer Craft advised that there have been delays due to weather and soft subgrade. He stated that after the rain has stopped the contractor will rock and then asphalt the road. He continued in stating that the project should be completed by June 15<sup>th</sup>.

5. M/S, Wilke-Determann moved that the Council adopt Resolution No. 2015-208 recommending payment No. 1 for the Eagle Point Park Roadway Rehabilitation Project, P-2014 - Determann Asphalt Paving, LLC - \$56,305.24. On roll call, carried unanimously.

Councilmember Wilke advised that this resolution relates to the Odeon. He stated that this has gone on for three years. He inquired regarding whether the property is fenced in. City Administrator Kinser stated that the area is not fenced. She continued in stating that there are some ownership issues to settle and once that is completed the City may want to acquire the property.

Councilmember O'Neill inquired regarding the cost of demolition. City Administrator Kinser stated that the contractor's price was \$87,000. The City received \$27,000 in insurance and has a lien for the remainder.

6. M/S, Wilke-Determann moved that the Council adopt Resolution No. 2015-208 authorizing final pay request #2 to Environmental Management Services of Iowa for Project U-2014, Demolition of the Odeon - \$4,388.00. On roll call, carried unanimously.

M/S, Determann-Wilke moved to adjourn to 7:00 pm June 9, 2015. On roll call, carried unanimously.

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Mark S. Vulich  
Mayor

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Pat Van Loo  
City Clerk