

**Committee of the Whole**  
**October 6, 2015**

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

1. Miller Valentine Housing Project Presentation - Pete Schwiegeraht

Mr. Pete Schwiegeraht advised the Council the Miller Valentine Group is a developer out of Cincinnati with experience in office, retail, commercial, industrial and multi-family housing development. He stated that they have been in Iowa for six years and have housing developments in Altoona, Newton, Keokuk, Centerville and Des Moines. He continued in stating that the City of Clinton has an amazing opportunity for future job growth which will result in the need for senior and workforce housing in the community. He further stated that the proposed site is northeast of the downtown area on 4<sup>th</sup> Avenue North and is already zoned for multi-family housing. He proceeded to state that Miller Valentine would like to build 48 units consisting of one, two, three and four bedroom apartments. All would be 100% ADA accessible and would be in a secured environment. He advised that the exterior would look like a row brownstones or townhouses with 50% brick exteriors in conjunction with siding and shake. He stated that there would be a full time manager, a part time service coordinator and a part time maintenance individual. The development would have a banquet room, business center, theater, and fitness center. All apartments would have a full service kitchen, walk-in closets, oversized bathrooms and in-unit washers and dryers. He continued in stating that the development would be an approximately \$8.5 to \$9.5 million investment in the community. He further stated that the Rental Housing Tax Funding application must be into the State of Iowa in December. He proceeded to state that he is requesting a letter or resolution of support and building incentives of 7% of the development cost (\$630,000). He advised that the State would award the funding in late March or early April. The closing would be October 2016 and the facility would open in fall, 2017.

City Administrator Kinser stated that 4<sup>th</sup> Avenue Loft incentives proposal of a 15 year TIF NTE \$600,000 and \$30,000 from TIF-LMI as a one-time payment are based on a frozen base of \$49.310, assumed assessment of \$1,600,00, an increment if \$1,550,690, estimated TIF tax rate of 38 and a maximum annual valuation growth of 2%.

Councilmember O'Neill inquired regarding the number of market rate units. Mr. Schwiegeraht stated that 10% of the units would be market rate. Councilmember O'Neill further inquired regarding whether local contractors would be used. Mr. Schwiegeraht stated "yes", a local bid notice would go out to all contractors.

M/S, Gassman-Rowland moved to forward a resolution of support for the Miller Valentine Housing Project to the next Council meeting agenda. On roll call, carried unanimously.

2. Lyons Business and Tech Park Board Development Agreement – Nathan Sondergroth

Mr. Nathan Sondergroth, Secretary of the Clinton Business Park Board of Development, advised the Council that he wanted to update them on the progress made at the Lyons Business and Tech Park. He stated that there was an Economic Development Agreement with the City to purchase the 109 acres of land which ended in 2013. He continued in stating that there is adequate land and the Clinton Business Park Board of Development would like to develop the lots. He further stated that the Tech Park Board is a 501c4 governed by a board of directors. There is a two year listing agreement with Howes and Jefferies Realtors at a 6% commission. Councilmember O'Neill inquired regarding how the City would get the money back. Mr. Sondergroth stated that there is an agreement between the Development Board and the City to split the proceeds.

Councilmember O'Neill inquired regarding whether the land is listed with the Quad Cities MLS, because if it is not, it is not getting much exposure. Mr. Sondergroth stated that it is listed through Loess of Iowa; however, he was not sure if it was in the Quad Cities MLS.

Mr. Sondergroth stated that according to the Urban Renewal Plan, the process to fund public infrastructure of sidewalks along the 19<sup>th</sup> Avenue North Extension should begin. He continued in stating that this would include lighting, signage and IT ducts to finish off Phase II of the park and to be responsive to the needs of potential users. Mr. Sondergroth stated that the debt must be certified by December 1<sup>st</sup>. City Administrator Kinser stated that the sidewalks must be constructed by the City and discussion must take place regarding whether this will count as a public improvement. Councilmember O'Neill stated that this is a move in the right direction; however, he does have concerns regarding how the land is being marketed. He suggested that the City Attorney be included in the discussions. City Administrator Kinser stated that Ahlers & Cooney, P.C. will be working with this. Mr. Sondergroth stated that the Corporate Records are located at his office and welcomed anyone wishing to look at them.

M/S, O'Neill-Allesee moved that the City Administrator move forward with the Lyons Business and Tech Park Board Development Agreement. On roll call, carried unanimously.

### 3. Calendar Parking – Jessica Kinser

City Administrator Kinser advised the Council that she had made changes to Item 6 which states that calendar parking will not apply to the commercial districts where parking is designated on both sides. She stated that the City will still use a snow event of one inch to trigger calendar parking. The City will communicate this through press releases, Facebook, television and the website. She continued in stating that one other option for communication is to subscribe to a text alert service. This service would allow the City to send out text alerts to anyone who has subscribed to the service. Alerts would not be limited to notification of snow events, but could be used for holiday closures, changes in recycling and garbage pick-up, emergency street closures, etc.

Councilmember McGraw stated that the ordinance does not address the leaves on the streets. If the streets are not swept the leaves will go into the sewers. City Administrator Kinser stated that discussion can be held regarding removing cars from streets for the sweeping of leaves. She continued in stating that the City will try to get street sweepers out prior to snow season.

City Administrator Kinser stated that if the Council desires to move the Calendar Parking Ordinance forward, she would request that all three readings take place on October 13<sup>th</sup> due to timeliness.

Councilmember Rowland stated that he would like to be surprised if this does work. The ordinance has been amended many times; however, he is optimistic. He suggested that if the ordinance comes back, the Council may want to look into the way Iowa City handles parking in the winter. Cars are only allowed to park on one side of the street during the winter.

M/S, Gassman-Rowland moved to forward the Calendar Parking Ordinance to the next City Council agenda. On roll call, McGraw, Gassman, Determann, Wilke, O'Neill, Allesee – Yes; Rowland – No. Motion carried.

### 4. Water Shut-Off Policy – Anita Dalton

Finance Director Anita Dalton advised the Council that on September 22<sup>nd</sup> there was much discussion at the Committee of the Whole about the City's adopted water shut-off procedure. A motion was made by Council member O'Neill recommending a payment plan with the terms of the plan being 5% down if the account balance exceeds \$2,000 with 40 months to pay or 10%

down if the account balance is less than \$2,000 with 30 months to pay. She stated that she would like to modify the motion to propose one payment plan that requires \$150 down and up to 36 months to pay back. This would take the guesswork out of the payment plan, there would be more cash up front, and this would also prohibit people from waiting to sign up. Councilmember O'Neill stated that the City has limited staff and simplicity will make this plan workable. Some will make it and some will not; however, the outcry was because a payment plan was not being offered.

Councilmember Rowland inquired regarding whether there was something in the policy for hardship. Director Dalton stated that a doctor's note is required in the Water Shut-Off Policy to claim hardship. City Administrator Kinser stated that if hardship is proven the water shut off can be delayed 30 days; however, the customer is still responsible for paying the bill. Councilmember Rowland inquired regarding whether there is an appeal process. City Administrator Kinser stated that a licensed physician must certify that a person is seriously ill within 14 days of receipt of the letter. If there is an appeal, the Finance Director has 5 days to set a hearing to discuss whether there is an error on the bill. An appeal can also be made if the home is heated by boiler or hot water heat. If a customer can provide evidence that there is an error in the billing, the Finance Director can make changes.

Councilmember Determann stated that Senator Rita Hart was concerned regarding whether customers would be able to pay the \$150. Councilmember O'Neill stated that because the bills were so huge people were contacting churches and other agencies for large amounts of money which they were unable to provide; however, these agencies are able to help with smaller amounts like \$150.

Finance Director Dalton stated that she hopes people will come in and sign a payment plan.

M.S, O'Neill-Gassman moved to forward the Water Shut-Off Policy with the amendment to the payment plan to the next City Council agenda. On roll call, carried unanimously.

#### 5. New Liquor License @ 2719 South 19<sup>th</sup> Street (Back Shop Pizza) – Pat Van Loo

City Clerk Pat Van Loo advised the Council that back Shop Pizza, located at the old Rotti Motors site had made application for a liquor license. She stated that the application is pending dram and if it is the desire of the Council to move this forward, they should do so with it being contingent upon the dram insurance being in place.

Councilmember McGraw inquired regarding whether the building had to be sprinkled since there was a change in use. Fire Chief Mike Brown stated for a building to be required to be sprinkled it takes not only a change in use, but also an occupancy level over 100 people. He continued in stating that this started out to be a carry-out pizza place with an occupancy level of 30 people; however, the plan was changed to having seating for customers and selling liquor. He further stated that occupancy will not reach 100.

Councilmember McGraw stated that in the sketch of the premises it shows only one bathroom. She inquired regarding whether one was enough. Chief Brown stated that they are now going to construct two separate bathrooms. He continued in stating that if they are not compliant they will not receive a Certificate of Occupancy (CO). He further stated that they can receive a liquor license; however, without a CO they will have nowhere to sell it.

M/S, O'Neill-Allesee moved to forward the new liquor license application, contingent upon dram insurance being in place, to the next City Council meeting agenda. On roll call, carried unanimously.

6. New Liquor License @ 243 5<sup>th</sup> Avenue South (Gifts Galore) – Pat Van Loo

City Clerk Van Loo advised the Council that the applicants had experienced difficulties with sending and receiving back their background check forms from the Department of Criminal Investigations which caused an unnecessary delay in bringing this application to the Council. She recommended it be moved forward to the Council agenda.

M/S, O'Neill-Allesee moved that the liquor license application for Gifts Galore be moved forward to the next City Council meeting agenda. On roll call, carried unanimously.

7. Mayor & Council Member Updates

Councilmember Allesee thanked the Trees Forever group for planting over 100 trees in Eagle Point Park.

Councilmember Rowland advised that five Council Members had attended the Iowa League of Cities Conference in Cedar Rapids where City Administrator Jessica Kinser was awarded the City Manager of the Year award. He stated that this speaks highly of her skills. He continued in stating that all Council Members should attend this conference every year.

Councilmember McGraw stated that she was proud of Whittier School for receiving the National Blue Ribbon School award.

Councilmember Determann advised that the American Queen Steamboat wrapped up its fourth and final visit for the year. He stated that Clinton ranks 9 out of 10 in the rating for best stops by the passengers and crew. He further stated that the City needs to look at making improvements to the dock, but overall things went great.

M//S, Gassman-Rowland moved to adjourn. All in favor.

Respectfully Submitted,

Pat Van Loo  
City Clerk