

The City Council met in regular session, July 28, 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.

Connie Brashaw, read a proclamation declaring August 1, 2015 as National Night Out. She invited the Council and community members and hoped for a good show of support.

PUBLIC HEARINGS

Mayor Vulich convened a public hearing concerning an ordinance amending Chapter 159, Zoning Regulations of the City of Clinton, Iowa. No comments were received written or oral. M/S, Allesee-O'Neill moved that the public hearing concerning an ordinance amending Chapter 159, Zoning Regulations, of the City of Clinton, Iowa be entered into the record. On roll call, carried unanimously.

M/S, Allesee -Rowland moved that the Council consider and ordinance for the first time - AN ORDINANCE AMENDING CHAPTER 159, ZONING REGULATIONS OF THE CITY OF CLINTON, IOWA. On roll call, carried unanimously.

AUDIENCE COMMENT

No persons came before the Council to speak.

CONSENT AGENDA

Councilmember O'Neill requested that item #9 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 6/15/2015 - receive, approve and place on file.
3. Civil Service Commission - minutes 7/15/2015 - receive, approve and place on file.

4. Committee of the Whole - minutes 7/14/2015 - receive, approve and place on file,
5. Zoning Board of Adjustment - minutes 6/18/2015 - receive, approve and place on file.
6. Work Orders - June, 2015 - receive, approve and place on file.
7. Rezoning request, alley vacation and removal from the CBD Overlay Fringe Zone - receive and refer to Planning Commission.
8. Rezoning Application from Clinton Bluff Road, LLC - receive and refer to Planning Commission.
9. Contract & Bond - Removed to Unfinished Business - 25th Avenue North Boat Ramp Weigh Station & Bathroom Improvements - Clinton Engineering Company - \$88,053.66 - receive, approve and place on file.
10. Cooperative Agreement between Clinton Human Rights Commission & Iowa Civil Rights Commission - receive, approve and place on file.
11. Clinton CDBG Rehabilitation Contract 14-HSG-002project 1 of 10 - receive, approve and place on file.
12. Clinton CDBG Rehabilitation Contract 14-HSG-002project 2 of 10 - receive, approve and place on file.
13. Certified list of Firefighter Candidates - receive, approve and place on f
14. Resolution No. 2015-289 approving Persons with Disabilities Residential Parking Application.
15. Resolution No. 2015-290 declaring surplus property.
16. Resolution No. 2015-291 accepting bid and awarding contract to Illowa Investment Company for the 2015 Clinton Iowa Crack Sealing Project - \$81,587.00.
17. Resolution No. 2015-292 accepting bid and awarding contract to Determann Asphalt Paving LLC for the 2015 Clinton Iowa Chip Sealing Project - \$88,176.00
18. Resolution No. 2015-293 approving change order #2 - 44th Avenue South Resurfacing Project B-2015 - Determann Asphalt Paving - decrease - \$13,494.50.

19. Resolution No. 2015-294 recommending payment No. 3 to Merryman Excavation for the 20th Avenue North Pumping Station & Force Main Project B-2014 - \$813,310.58.
20. Resolution No. 2015-295 recommending payment No. 5 to BWC Excavating LC for the 19th Avenue Northwest Tech Park Extension Project H-2014 - \$129,824.82.
21. Resolution No. 2015-296 approving beer permit/license renewal application for Kwik Star #642.
22. Resolution No. 2015-297 approving liquor license renewal and Sunday sales privilege for El Toro La Cantina and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises.
23. Resolution No. 2015-298 approving liquor license renewal and Sunday sales privilege for Dollar General Store #7592.
24. Resolution No. 2015-299 approving extended outdoor sales privilege for Lyons Tap and Grill for the Ben Jess Memorial Golf Outing & Street Dance.
25. Resolution No. 2015-300 approving renewal of a Class C liquor license, Sunday sales privilege, outdoor service privilege and issuance of a Class I Letter of Exemption for allowing persons under 21 in licensed premises for Legend's Sports Bar.

MOTIONS, RESOLUTIONS, AND ORDINANCES

1. M/S, McGraw-Rowland moved the Council adopt Resolution No 2015-301 approving electronic bidding procedures and the official statement. On roll call, carried unanimously.

In discussion before roll call Council Member O'Neill stated he had concerns with the latitude the City Administrator and Staff had in making decisions without Council approval. City Administrator Jessica Kinser responded this is the normal procedure for the bidding process on bonds and not part of a purchasing policy. She also noted it is the recommended method for accepting bids on bonds.

2. M/S, Wilke-O'Neill moved the Council adopt Resolution No. 2015-302 endorsing a contract allowing Dr. Delos Carrier from Clinton Occupational Health to serve as medical director for the Clinton Fire Department. On roll call, carried unanimously.

In discussion before roll call Council Member O'Neill inquired if all documents were clarified since the last meeting and if legal counsel had checked the documents. City Administrator Jessica Kinser responded that all documents regarding the contract had been checked by Legal Counsel.

3. M/S, Allesee-McGraw moved the Council adopt Resolution No. 2015-303 supporting the Economic Growth Corporation's application for Brownfield tax credits. On roll call, carried unanimously.

In discussion before roll call, Council Member Rowland inquired as to the time line on this project. City Administrator Jessica Kinser responded the Economic Growth Corporation owns the building but it will be some time in December of this year before the historic tax credits will be awarded by the State.

4. M/S, Gassman-Rowland moved the Council adopt Resolution No. 2015-304 approving temporary outdoor sales privilege for Doyle's Tavern for their annual catfish tournament. On roll call, carried unanimously.

UNFINISHED BUSINESS

Council Member O'Neill stated his concern the contract and bond for the 25th Avenue North Boat Ramp Weigh Station and Bathroom Improvements project had not been properly put out for bid. City Engineer Jason Craft addressed the Council and stated the project had been put out for bid back in May and the bids came in way too high and it was re-bid out and phone calls were made to various contractors; however only one bid was received on the project. Craft informed the Council the project was put through the proper bidding process according to State Code just like all of the other projects. Craft also noted the City share of the project is only \$18,000 and the remainder will be paid for from various grants the City has received.

5. M/S, O'Neill-Allesee moved to approve the contract and bond for the 25th Avenue North Boat Ramp Weigh Station and Bathroom Improvements project with Clinton Engineering Company. On roll call, carried unanimously.

M/S, Determann-O'Neill moved to adjourn to 7:00 pm August 11, 2015. On roll call, carried unanimously.

Mark S. Vulich
Mayor

Teresa Lindstrom
Deputy City Clerk