

REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, April 18, 2011, at 6:30 p.m., in the Council Chambers, at City Hall, with Mayor Nelson P. Crabb presiding. All Council Members present.

Mayor Crabb requested that the consent agenda be amended by adding the following item:

- Liquor License:
- Class C Liquor License (LC) (Commercial) with Outdoor Service and Sunday Sales, Rumorz, (renewal).
- Excavator's License:
- Mayer's Digging, Osage, (renewal).

Unsworth moved the agenda be approved, seconded by Callanan. Passed Unanimously.

Furleigh moved to approve the consent agenda, seconded by Unsworth:

- Minutes – April 4, 2011.
- Approval of the bills & claims.
- Licenses & Permits:
 - **Liquor License:** Class C Liquor License (Commercial) Lake Front Tap, (renewal); Class E Liquor License with Carryout Beer, Carryout Wine and Sunday Sales, Econo Foods, (renewal); Class B Wine Permit with Sunday Sales, Weathered Elements, (renewal); Class B Native Wine Permit, Tara Shea's Massage Therapy, (new).
 - **Excavator's License:** Lauen-Son Construction, Meservey, (renewal).
 - **Transient Merchant's License:** Krieger's Greenhouse, Mason City, (renewal).
 - **Amusement License:** Lake Front Tap, (renewal).
 - **Application for property tax abatement:** Joshua & Angela Laack, 1009 Pine Brooke Court; Jeanine Anderson & Gerald Marsolet, 602 Pine Brooke Drive; Trinity & Stacy Doughan, 603 Pine Brooke Drive.

Roll Call: All Ayes.

Mayor Crabb announced that it was the time and place for the citizen's forum. There was no citizen comment.

Scott Flory, City Administrator, gave an update on the CDBG Sanitary Sewer Collection System Improvement Project (Phase 1) and stated that at its regular meeting on April 4th, the Council awarded the contract for the Project to R&R Excavating Inc., of Hutchinson, Minnesota. He further stated that the City has now received the contract and bonds and the certificate of insurance from the Contractor and that the documents have been reviewed by City staff and the Project engineer and have been found to be in compliance with the Project specifications. Callanan introduced the following **Resolution** and moved its adoption, seconded by Unsworth. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 11-34

A RESOLUTION APPROVING CONTRACT AND BOND

Flory reviewed a proposal to enter into a Petition and Waiver agreement with Janice Nelson in reference to the CDBG Sanitary Sewer Collection System Improvement Project and stated that the vacant lot she owns is considered a buildable lot and that Mrs. Nelson is requesting that water and sewer services be stubbed to the property as part of the Project. He noted that this was not included as part of the preliminary assessment plat & schedule and that as part of the Petition and Waiver Agreement Mrs. Nelson agrees to be assessed for the work to be done and also allows the City to include the work as part of the Project. Furleigh moved to approve the Petition and Waiver Agreement between the City and Mrs. Nelson, seconded by Callanan. Passed Unanimously.

Jason Petersburg, Veenstra & Kimm, gave an update on the pre-construction conference held with R&R Excavating held April 14th. He reviewed the tentative timeline for the project and stated that the contractor will complete the project in a total of 14 independent stages.

Flory reviewed the 19 S. 3rd Street Building Demolition & Site Grading Project and stated that a quote opening was conducted on April 14th with quotes being received from a total of six (6) different general contractors. He stated that the lowest cost quote was submitted by Charlson Excavating of Clear Lake in the amount of \$39,824.80 which is roughly 41% below the engineer's estimate of the probable cost for the project of \$66,800.

Mike Danburg, Yaggy Colby Associates, stated that a pre-construction meeting will be scheduled for next week and that the completion date is May 27th for Phase 1 of the project. He noted that Phase 2 of the project will be the construction of the parking lot and will be bid sometime in June with a completion date of the end of September. Flory also noted that the asbestos abatement has been completed by Pro Environmental. Unsworth introduced the following **Resolution** and moved its adoption, seconded by Furleigh. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 11-35

A RESOLUTION MAKING AWARD OF CONTRACT

Flory reviewed the 2011 Sanitary Sewer Rehabilitation/Lining Project and stated that a bid letting for the project was held April 15th with one bid received from Municipal Pipe & Tool of Hudson, Iowa. He further stated that the Project included a base bid for priority segments #1-4, with priority segments #5-8 bid as add alternates. He noted that the Project involves the rehabilitation (lining) of approximately 5,500 LF of 8" VCP (vitrified clay pipe) and 700 LF of 10" VCP sanitary sewer collection system piping.

Petersburg reviewed the bid tabulation and stated that his recommendation is to award the base bid in the amount of \$145,455.35 and alternate 1 in the amount of \$44,022.65 for a total of \$189,478. He noted that he has spoken with the contractor and that some changes will be made to the scope of work through change order requests in order to keep the project closer to the budgeted amount of \$150,000.

Mayor Crabb stated it was now the time and place for the public hearing on the proposed 2011 Sanitary Sewer Rehabilitation/Lining Project as previously established by the Council. Hearing no public comment, Callanan moved to close the public hearing, seconded by Cooney. Passed Unanimously.

Nelson introduced the following **Resolution** and moved its adoption, seconded by Callanan. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 11-36

A RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT,
AND ESTIMATE OF COST

Unsworth introduced the following **Resolution** and moved its adoption, seconded by Callanan. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 11-37

A RESOLUTION MAKING AN AWARD OF CONTRACT

Charlie Biebesheimer, City Attorney, stated that in December of 2008 the Council adopted two Resolutions conveying certain pieces of property and that the legal description in those Resolutions were incorrect. He noted that the Council would need to adopt separate Resolutions correcting the legal descriptions. Furleigh introduced the following **Resolution** and moved its adoption, seconded by Callanan. Roll Call: Passed Unanimously. Whereupon the Mayor declared the following duly adopted:

RESOLUTION No. 11-38

A RESOLUTION CORRECTING LEGAL DESCRIPTION AND AMENDING PART OF
RESOLUTION 08-79 AND ORDINANCE NO. 779

Callanan introduced the following **Resolution** and moved its adoption, seconded by Cooney. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 11-39

A RESOLUTION CORRECTING LEGAL DESCRIPTION AND AMENDING PART OF
RESOLUTION 08-78

Greg Peterson, Police Chief, updated the Council regarding the patrol officer vacancy and stated that interviews of selected candidates would be completed by the end of the week and that he hoped to have a selection made sometime next week.

Danburg gave an update on the following projects: pre-construction conference for the Tourist Park Improvement Project; 12th Avenue S. EQ Basin & Grading Project; and the 2nd Avenue North Street Reconstruction Project.

There being no further business before the Council, Callanan moved to adjourn at 7:36 p.m., seconded by Nelson. Passed Unanimously.

NEXT REGULAR MEETING – MONDAY, MAY 2, 2011

/S/ Nelson P. Crabb
Nelson P. Crabb, Mayor

ATTEST:

/S/ Jennifer Larsen
Jennifer Larsen, City Clerk

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