

REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, April 19, 2010, 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 items:

Excavator's License: North Iowa Excavating, Mason City, (renewal).
Amusement License: Rumorz, Clear Lake; Lake Front Tap, Clear Lake (renewals).
Liquor License: Class C Liquor License (Commercial), Lake Front Tap, (renewal).

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

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

- A. Minutes – April 5, 2010.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
 - Liquor License: Class B Wine Permit with Sunday Sales, *Weathered Elements*; Class B Wine Permit with Sunday Sales, *Uncorked, LLC*; Special Class C Liquor License with Sunday Sales, *Clear Lake Arts Council*; Class B Beer Permit (includes wine coolers) with Outdoor Services & Sunday Sales, *Oak Hills Par 30*; Class E Liquor License with Carryout Beer, Carryout Wine & Sunday Sales, *Econo Foods*; Class C Liquor License with Outdoor Service & Sunday Sales, *Rumorz*; (renewals).
 - Tree Trimmer's License: Bitker Tree Service, Mason City, (renewal).
 - Excavator's License: Lauen Son Construction, Meservey, (renewal).
 - Transient Merchant License: Ole's Concession & Catering (Tropical Sno), Clear Lake, (renewal).

Roll Call: All Ayes.

Mayor Crabb announced that it was the time and place for the citizen's forum.

Michael O'Brien, 1308 2nd Avenue N, addressed the Council regarding the RAGBRAI event to be held in Clear Lake on July 27th and the possibility of the Council considering a Beer/Beverage Garden in City Park in the near future for the event. He stated that he would expect that if the Council does authorize a Beer/Beverage Garden for the RAGBRAI event that it will likewise be willing to consider them for future events in City Park.

Deb Tesar, representing the Trees Forever Committee, gave an overview of the activities of the committee over the last year.

Mike Mahaffey, 105 N 12th Street, asked the Council to consider some flexibility in the application of the current rules in place for the placement of Monuments in the City of Clear Lake Cemetery. He indicated that in his specific situation that he would be willing to hold the City harmless if his family's monument would be inadvertently damaged by a lawnmower.

Scott Flory, City Administrator, reviewed the proposed refinancing of the three bond issues the City currently has on the books that are callable and stated that at its April 5th meeting the Council approved a Resolution setting the date for a public hearing necessary in order to advance refund certain outstanding maturities of these General Obligation bonds/notes. He advised that the refunding would generate a total cumulative net savings in interest cost of approximately \$55,000.

Chip Schultz, Senior Vice-President, Ruan Securities, noted that at its May 3rd meeting the Council will consider authorizing the issuance of the Bonds and that the closing and delivery of the funds to the City is anticipated on May 27th. He also noted that he has been in contact with local lenders and has received good response to marketing of the bonds locally.

Mayor Crabb stated it was now the time and place for the public hearing on the proposal to enter into a loan agreement in a principal amount not to exceed \$1,175,000. Hearing no public comment, Callanan moved to close the public hearing, seconded by Nelson. Passed Unanimously.

Monson 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. 10-26

A RESOLUTION TAKING ADDITIONAL ACTION TO ENTER INTO A LOAN AGREEMENT, AWARDED THE SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010A, APPROVING BOND PURCHASE AGREEMENT, AND AUTHORIZING CALL OF BONDS FOR EARLY REDEMPTION

Flory reviewed the Traffic Signal Intersection Street Lighting Retrofit Project and stated that the City was recently notified by the Iowa Office of Energy Independence that its grant request was fully-funded in the amount of \$19,500. He further stated that the total project cost is estimated at \$39,000 and would entail the retro-fitting of fifteen (15) 250-watt high-pressure sodium street lights with energy-efficient LED street lights. He noted that the affected street lights are those that are co-located on the City's traffic control signals, with the exception of the recently installed traffic control signal at S. 12th Street & 4th Avenue S which already has the technology in place.

Mike Danburg, P.E., Yaggy Colby Associates, reviewed the tentative project schedule and stated that the plans & specifications would be completed in July and that competitive sealed quotes will be solicited from contractors in August, with an award of contract later that month. He noted that it is anticipated that construction will begin in early September and be completed by October 31st.

Callanan 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. 10-27

A RESOLUTION ACCEPTING AND APPROVING AN ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT (EECBG) AWARD FROM THE OFFICE OF ENERGY INDEPENDENCE FUNDED BY THE AMERICAN RECOVERY & REINVESTMENT ACT (ARRA); AUTHORIZING THE MAYOR TO EXECUTE THE GRANT AGREEMENT ACCEPTING THE EECBG AWARD; AND PROVING AN EFFECTIVE DATE

Cooney moved to approve the Professional Services Agreement with Yaggy Colby Associates for the Traffic Signal Intersection Street Lighting Retrofit Project, seconded by Nelson. Passed Unanimously.

Flory reviewed the proposed 2nd Avenue North Street Improvement Project (N 6th Street to N. 8th Street) and stated that the project is one of the major public works improvement projects for FY 11. He stated that the project generally consists of pavement removal and excavation; upgrade and replacement of the existing water main to an 8" main, sanitary sewer manhole replacements, sanitary sewer and water service lateral replacements, storm sewer and intake improvements, sub-drain, defective sidewalk replacement, ADA sidewalk ramps, driveway approaches, and either PCC or ACC paving.

Danburg, reviewed the project schedule and stated that if the Council initiates the special assessment proceedings the public hearing on the Resolution of Necessity would be held at the Council's regular meeting on May 17th and that it is anticipated that the bid opening would be held on June 16th and the Council would act on the bids and award the contract at its regular meeting on June 21st. He noted that the opinion of probable cost of construction is approximately \$580,000, including legal, engineering, & administrative costs and that roughly \$137,000 would be funded from special assessments to the affected property owners.

Callanan 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. 10-28

PRELIMINARY RESOLUTION FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS IN THE CITY OF CLEAR LAKE, IOWA

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. 10-29

A RESOLUTION FIXING VALUES OF LOTS

Monson 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. 10-30

A RESOLUTION ADOPTING PRELIMINARY PLAT AND SCHEDULE, ESTIMATE OF COST AND PROPOSED PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE CLEAR LAKE, IOWA, 2ND AVENUE NORTH IMPROVEMENT PROJECT, 2010

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

RESOLUTION No. 10-31

RESOLUTION OF NECESSITY (PROPOSED)

Flory reviewed the financing for the 2010 Water Distribution System Improvement Project and stated that the total project cost is roughly \$1,125,000 and that it is proposed to be funded from TIF Revenues, Water Utility Revenues, and General Obligation Bonds. He further stated that the proposed bond issuance is a not-to-exceed \$600,000. He noted that the date of the public hearing on the proposal to issue \$600,000 in general obligation debt would be May 3rd. Monson 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. 10-32

A RESOLUTION TO FIX A DATE FOR A PUBLIC HEARING ON A LOAN AGREEMENT IN A PRINCIPAL AMOUNT NOT TO EXCEED \$600,000

Flory reviewed the 2010 Sanitary Sewer Collection System Improvement Project and stated that the City was awarded a Community Development Block Grant (CDBG) in the amount of \$2,268,000 for improvements to the City's sanitary sewer collection system. He stated that the grant agreement between the City and the Iowa Department of Economic Development was approved by the Council in December of 2009 and that following an RFP process the Council approved Veenstra & Kimm to provide professional engineering services for the project.

Tim Moreau, P.E., Veenstra & Kimm, reviewed the proposed "Facility Plan" for the project and stated that the City is required to submit to the Iowa DNR an approved "Facility Plan" for technical review to determine compliance with the State design standards. He further stated that it is anticipated that once the plan is submitted to the Iowa DNR, the review process will be completed in roughly 10 weeks. He noted that he anticipates a late summer bid letting for the project, with construction to begin late this fall and be completed in the late summer of 2011. Callanan moved to approve the Facility Plan and to direct Veenstra & Kimm to submit the plan to the Iowa DNR, seconded by Furleigh. Roll Call: Passed Unanimously.

Diane Thompson, Committee Chairperson, Clear Lake RAGBRAI Committee, updated the Council on the plans that are developing for the overnight stop of RAGBRAI in Clear Lake on July 27th. She stated that the Committee has been busy coordinating entertainment, vendors, street closings, beverage garden, camping, etc. to plan for the 20,000 plus riders that will visit Clear Lake. She also noted that she will be reviewing the event planning activities with the Parks & Recreation Advisory Board in April.

Joe Weigel, Public Works Director, gave an update on the following: Utility abandonment and site surface work at 109 & 111 N. 8th Street & 709 2nd Ave N; "Surf District" Park & Parking Area Improvements; 2010 Water Distribution Improvement Project; 2009 Stormwater Quality Improvement Project; and the spring "Large Item Pick-up".

Flory updated the Council regarding the “Transportation Enhancement” grant – North Shore Drive (400 Block) Streetscape Improvement Project and stated that the City received \$87,000 in grant funding for the project.

Flory stated the City received the health insurance renewal rates from Wellmark BC/BS and that the rates will increase 2.5% for FY 11. He noted that the City had budgeted in FY 11 for a 20% increase.

There being no further business before the Council, Furlough moved to adjourn at 8:41 p.m., seconded by Cooney. Passed Unanimously.

NEXT REGULAR MEETING – MAY 3, 2010

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

ATTEST:

/S/ Jennifer Larsen
Jennifer Larsen, City Clerk