

REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, April 4, 2011, at 6:30 p.m., in the Council Chambers, at City Hall, with Mayor Nelson P. Crabb presiding. Council Members present: Cooney, Unsworth, Callanan, Nelson. Absent: Furleigh.

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

Farmers Market:

- Use of City Hall Parking lot Saturday mornings beginning May 14th through October.

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

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

- A. Minutes – March 21, 2011.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
 - Liquor License: Class B Beer (BB) (Includes Wine Coolers), with Outdoor Service & Sunday Sales, Oak Hills Par 30, (renewal).
 - Amusement License: Rumorz, (renewal).
 - Excavator's License: Jennings Excavating, Clear Lake; Mort's Inc., Latimer, (renewals).
 - Street Closing Request: Clear Lake Area Chamber of Commerce, Earth Day Activities, Saturday, April 16th.

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 Fire Station Building Improvement Project change order requests which were tabled by the Council at the previous meeting to April 4th. He advised that the change order requests are approximately \$11,000 and that after discussions with the Project architect an agreement was reached to share the change order costs 50/50 between the City and SEH, Inc. Callanan moved to approve the change order requests in an amount of \$5,500, seconded by Nelson. Passed Unanimously.

Flory reviewed the 2011 Tourist Park Improvement Project and stated that the City has now received a partially-executed Contract, as well as the bonds and Certificate of Insurance from the Contractor, Wicks Construction of Decorah. He further stated that these documents have been reviewed by City staff and the Project engineer and are in compliance with the Project specifications. 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. 11-28

A RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BONDS FOR THE 2011 TOURIST PARK IMPROVEMENT PROJECT

Flory reviewed the 19 S. 3rd Street Project – Phase 1 and stated that the Environment Site Assessment Phase 1 Report and Asbestos Demolition Report have now been completed by the environmental consultant Zia Environmental. He further stated that City staff solicited competitive quotes from four (4) separate environmental companies for asbestos abatement services to be performed prior to the demolition and that the least costly proposal was submitted by Pro Environmental Abatement Inc. of Ames in the amount of \$11,868 with a completion date of April 20th. He noted that the Council will need to act upon a motion to set the date to receive sealed competitive quotes for the demolition and site grading project for 10:00 a.m. on April 14th.

Mike Danburg, Yaggy Colby Associates, reviewed the plans & specifications for the project and stated that the engineer's estimate of cost is \$66,800 for the project. He noted that the completion date for Phase 1 is May 27th and that the bid letting for Phase 2 would be held the end of June. Unsworth moved to approve and authorize soliciting sealed competitive quote proposals for the "19 S. 3rd Street Building Demolition & Site Grading Project" and setting April 14th, at 10:00 a.m., as the date and time for the opening of said quotes, seconded by Callanan.

Passed Unanimously. Nelson moved to approve and ratify the City Administrator's award of contract to Pro Environmental Abatement Inc. in the amount of \$11,868, seconded by Callanan. Passed Unanimously.

Danburg gave an update on the 2nd Avenue N. Street Reconstruction Project and stated that he has met with Henkel Construction, the contractor for the Fire Station Project, to coordinate the paving of 2nd Avenue N.

Sam Bontrager, SEH, gave an update on the Fire Station Building Improvement Project and reviewed Pay Estimate #5 in the amount of \$303,931.52 to Henkel Construction of Mason City. Unsworth moved to approve Pay Estimate #5, seconded by Nelson. Roll Call: Passed Unanimously.

Flory reviewed the proposed 2011 Sanitary Sewer Rehabilitation/Lining Project and stated that the Council will consider a Resolution to set the date for a public hearing and bid letting on the Project and that the proposed date for the bid letting is April 14th, at 11:00 a.m. and that the hearing on the plans & specifications and an award of contract will occur at the Council's April 18th meeting. He further stated 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 in 8 priority areas of the Community.

Jason Petersburg, Veenstra & Kimm, reviewed the project plans & specifications and stated that the City has budgeted \$150,000 for the project. He noted that the project will be bid with a base bid, segments 1 through 4, and with add alternates, segments 5 through 8. He further noted that the completion date for the project is September 23, 2011. 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. 11-29

A RESOLUTION FIXING THE DATE FOR A PUBLIC HEARING ON PLANS,
SPECIFICATIONS, FORM OF CONTRACT & ESTIMATE OF COST,
AND SETTING THE DATE FOR A BID LETTING ON THE PROPOSED
2011 SANITARY SEWER LINING PROJECT

Flory reviewed a proposal to enter into a loan agreement through the City's Economic Development Revolving Loan Fund with Veteran's Memorial Golf Club Foundation, Inc. to provide assistance with potential start-up costs. He noted that the terms of the loan agreement would provide for a loan of \$25,000, payable within 4 years, at an interest rate of 1%.

Mayor Crabb stated it was now the time and place for the public hearing as previously established by the Council on the proposal to enter into a loan agreement with Veteran's Memorial Golf Club Foundation, Inc.

David McClellan, 3508 N Shore Drive, stated that he does not support the City loaning the golf course any money because the current operator's have not proven that they can run the course successfully and with a profit.

Jay Barragy, representing the Board of the Veteran's Memorial Golf Club Foundation, Inc, thanked the Council and City staff for its assistance through this process and for their consideration of the loan agreement.

Dennis Silkebaken, 2007 N Shore Drive, stated that he feels the golf course is an asset to the community and urged the Council to approve the loan agreement.

Hearing no further public comment, Callanan moved to close the public hearing, seconded by Cooney. Passed Unanimously. 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. 11-30

A RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT REVOLVING LOAN FUND LOAN AGREEMENT BETWEEN THE CITY OF CLEAR LAKE, IOWA, AND THE VETERAN'S MEMORIAL GOLF CLUB FOUNDATION, INC.

Flory reviewed the CDBG Sanitary Sewer Collection System Project (Phase 1) and stated that the Project bid letting was held on March 31st and that five (5) bids were received and that the lowest responsive responsible bidder was R & R Excavating of Hutchinson, Minnesota. He noted the Council had previously established the time and date for the public hearing on the proposed plans & specifications.

Petersburg stated the engineer's estimate of the probable cost of construction was \$2,397,453 and the bid from R & R Excavating was \$2,197,983.46, which is 8.3% below the engineer's estimate. He noted it is anticipated that the Contractor will begin work the week of April 18th and the project completion date is November 18th.

Mayor Crabb stated it was now the time and place for the public hearing as previously established by the Council on the proposed plans, specifications, form of contract, & estimate of cost for the CDBG Sanitary Sewer Collection System Improvement Project (Phase 1). Hearing no public comment, Unsworth moved to close the public hearing, seconded by Callanan. Passed Unanimously.

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. 11-31

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

Callanan 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. 11-32

A RESOLUTION MAKING AWARD OF CONTRACT

Flory reviewed the 2011/12 Street Resurfacing Project and stated that responses to the Request for Proposals (RFP) for professional services were opened on March 31st. He advised that a total of two proposals were received with the least costly proposal submitted by Veenstra & Kimm, in an amount of \$22,340. He noted that this translates to roughly 5.25% of the total Project budget, which is \$425,000. He further noted that the Project consists of approximately 25 blocks (2.14 miles) of HMA (hot mix asphalt) resurfacing on various City streets and that a substantial portion of the proposed street segments selected for this Project is a "carryover" from an earlier, larger, list from FY 2009, which was scaled back as a result of budget constraints. Callanan 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. 11-33

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT FOR THE 2011/2012 STREET RESURFACING PROJECT

There being no further business before the Council, Cooney moved to adjourn at 8:10 p.m., seconded by Nelson. Passed Unanimously.

NEXT REGULAR MEETING – MONDAY, APRIL 18, 2011

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

ATTEST:

/S/ Jennifer Larsen
Jennifer Larsen, City Clerk

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