

REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, February 15, 2010, at 6:30 p.m., in the Council Chambers, at City Hall, with Mayor Nelson P. Crabb presiding. All Council Members present.

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

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

- A. Minutes – February 8, 2010.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
 - Amusement License: Rookies, Clear Lake, (renewal).

Roll Call: All Ayes.

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

Callanan introduced **Ordinance #791** “AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF CLEAR LAKE, IOWA, NOW KNOWN AS ZONING REGULATIONS, CHAPTER 165 OF CLEAR LAKE MUNICIPAL CODE BY CHANGING THE PROVISIONS OF SECTIONS 165.32 (E) AND 165.32 (F) TO CHANGE CERTAIN MAXIMUM REAR YARD COVERAGE AND BY CHANGING THE PROVISIONS OF SECTION 165.35 (1) BY CHANGING THE DEFINITION OF ELECTRONIC SIGN” (2nd reading), seconded by Nelson. Roll Call: Passed Unanimously.

Scott Flory, City Administrator, reviewed the 2011 Fiscal Year Budget proposal and the 2010 Fiscal Year Budget amendment. He stated that the tax rate for FY 11 would remain unchanged at \$10.0487 for the 5th consecutive year and that the proposed FY 11 budget was \$14.2 million. He noted the Council would need to set the date for the statutorily required public hearing for it's March 1st council meeting and that notice of public hearing would be published in the newspaper on February 17th. Callanan moved to adopt the preliminary budget and to schedule the public hearing for March 1st at 6:30 p.m., seconded by Furleigh. Roll Call: Passed Unanimously.

Flory reviewed the Central Gardens Nature Education Pavilion Project. He stated the bid letting was held on February 11 with 8 of the 11 general contractors holding plans submitting bids. He further stated that the lowest responsive responsible bid was submitted by Larson Contracting of Lake Mills, Iowa.

Randy Cram, Bergland & Cram, gave an overview of the bid letting and stated that the Central Gardens Board of Director's has reviewed the bids submitted. He stated that their recommendation is to award the base bid along with alternate 1 and alternate 3 to Larson Contracting of Lake Mills, Iowa for a total contract cost of \$228,700. He noted that this is under the estimated project cost of \$235,000. He further noted that construction is scheduled to be completed by December 1, 2010.

Mayor Crabb stated it was now the time and place for the previously established public hearing on the plans, specifications, form of contract, & estimate of cost for the Central Gardens of North Iowa Nature Education Pavilion Project. Hearing no public comment, Cooney moved to close the public hearing, seconded by Nelson. Passed Unanimously. Callanan introduced the following **Resolution** and moved its adoption, seconded by Monson. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 10-12

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

Furleigh 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. 10-13

A RESOLUTION MAKING AN AWARD OF CONSTRUCTION CONTRACT FOR THE CENTRAL GARDENS OF NORTH IOWA – NATURE EDUCATION PAVILION PROJECT

Flory reviewed the CDBG Disaster Recovery Sanitary Sewer Improvement Project and stated that a consultant selection review committee comprised of elected officials and City staff met and conducted interviews with five (5) consulting engineering firms who had submitted a response to the City's solicitation for statement of qualification for professional services for the project. He stated that it is the recommendation of the selection committee that the Council enter into a Professional Services Agreement with Veenstra & Kimm of Mason City, for the Project.

Tim Moreau, Veenstra & Kimm, reviewed the professional services agreement and the scope of the project. He stated that the 1st phase of the agreement provides for preliminary engineering analysis, evaluation, and planning necessary to finalize the design concept, location, and operation parameters. He noted this phase also includes the preparation of the necessary "IDNR Facilities Plan" for the project. He further noted the total cost for this phase is a not-to-exceed \$24,000. 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. 10-14

APPROVING THE SELECTION OF AN ENGINEERING FIRM AND PROFESSIONAL SERVICES AGREEMENT FOR THE CLEAR LAKE CDBG DISASTER RECOVERY GRANT SANITARY SEWER PROJECT

Sam Bontrager, Project Architect with SEH, reviewed the updated project cost estimates for the fire station project. He stated that concept "A" would consist of a pre-engineered building with an estimated cost of \$1,860,000. He further stated that concept "A1" would consist of a pre-engineered building with a complete brick exterior for a total estimated cost of \$1,980,000 and that concept "B" would consist of a full block and brick building with an estimated cost of construction of \$2,240,000. He noted that all three concepts would include a fourth bay door to accommodate a ladder truck if purchased by the City sometime in the future and that the floor plan is identical in all three concepts. After general discussion by the Council, Mayor Crabb stated that the Fire Department would present its recommendation to the Council at its March 1st meeting and that the Council would make their decision on how to proceed with the project at its March 15th meeting.

Flory updated the Council on the iCash electronic payment program through the Iowa League of Cities. He stated as a pre-requisite to participate in the iCash program the Council would need to adopt a Resolution to allow participation in the Iowa Public Agency Investment Trust (IPAIT). He noted that he anticipates the City being able to accept debit and credit cards for Parks & Recreation fees this summer with utility bill payments to follow. Fureleigh 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. 10-15

A RESOLUTION AUTHORIZING THE APPROVAL OF AND PARTICIPATION IN A JOINT POWERS AGREEMENT AND DECLARATION OF TRUST FOR THE IOWA PUBLIC AGENCY INVESTMENT TRUST AUTHORIZING INVESTMENTS THROUGH THE FIXED TERM AUTOMATED INVESTMENT PROGRAM OF IPAIT AND AUTHORIZING IPAIT TO DESIGNATE AND NAME DEPOSITORIES

Charlie Biebesheimer, City Attorney, presented the Council with a proposed amendment to the open burning ordinance. He stated that the revision would allow for the fire chief to approve variances on a case-by-case basis to allow open burning. Cooney introduced **Ordinance #792** “AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF CLEAR LAKE, IOWA, KNOWN AS SOLID WASTE CONTROL, CHAPTER 105 OF THE CODE OF ORDINANCES OF THE CITY OF CLEAR LAKE, BY CHANGING THE PROVISIONS OF SECTION 105.05(9) TO CHANGE CERTAIN REQUIREMENTS FOR OPEN BURNING VARIANCES” (1st reading) and requested that additional language be added to the Ordinance to specify that a variance may only be requested for golf courses and agricultural land, seconded by Nelson. Roll Call: Passed Unanimously.

Moreau gave an update on the 2009 Stormwater Quality Improvement Project and reviewed pay estimate #2 in the amount of \$25,466.67 to YohnCo. of Clear Lake. Callanan moved to approve pay estimate #2, seconded by Monson. Passed Unanimously.

Mr. Dennis Becker, Governor’s Traffic Safety Bureau, presented Police Chief Greg Peterson and Lieutenant Deb Ryg with a “Seat Belt Honor Roll” award. He stated the department received the award as a result of a 97% compliance rate for seatbelt use.

Joe Weigel, Public Works Director, updated the Council on the following: 109 N 8th Street Demolition Project and the 2010 Water Distribution Project.

Flory stated the interviews for the Water Superintendent position will be on Monday, February 22nd.

There being no further business before the Council, Monson moved to adjourn at 7:59 p.m., seconded by Cooney. Passed Unanimously.

NEXT REGULAR MEETING – MARCH 1, 2010

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

ATTEST:

/S/ Jennifer Larsen
Jennifer Larsen, City Clerk