

REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, January 18, 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:

Liquor License: Class C Beer Permit (BC) with Carryout Wine & Sunday Sales, Back Alley Wine of Clear Lake; Class C Liquor License (LC) (Commercial) with Sunday Sales, Surf Ballroom (renewals).

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

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

- A. Minutes – January 4, 2010.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
 - Tree Trimmer's License:* Jim's Tree Service, Ventura, (renewal).
 - Excavator's License:* Charlson Excavating, Clear Lake; Rognes Brothers, Lake Mills; Groves Contracting, Forest City, (renewals).
 - Tax Abatement Application:* Jasper W. Boyd, Jr., 500 Pine Brooke Drive, Clear Lake.

Roll Call: Passed Unanimously.

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

Scott Flory, City Administrator, reviewed the Community Development Block Grant Infrastructure Improvement Grant and stated that City staff had recently solicited proposals from four different firms for administration services. He noted that responses were received from two of the four firms. He stated that the lowest cost proposal was submitted by Simmering-Cory of Clear Lake, in the amount of \$16,000 and that their firm also assisted the City, at no cost, with the submittal of the grant application for the project. 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. 10-03

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SIMMERING-CORY TO PROVIDE GRANT ADMINISTRATION SERVICES FOR THE CDBG DISASTER RECOVERY GRANT – SANITARY SEWER PROJECT

Joe Weigel, Public Works Director, reviewed Change Order #1 for the North Shore Drive Lift Station Improvement Project in the amount of \$9,749.50. Cooney moved to approve Change Order #1, seconded by Callanan. Passed Unanimously.

Flory reviewed the 2010 Water System Distribution Improvement Project and stated that the Council could now act on the Resolution fixing the date, time, and place for a public hearing and bid letting for the project. He noted that it is proposed that the bid letting be held at 11:00 a.m. on February 24th and that the hearing on the plans, specifications, form of contract, & estimate of cost, as well as the award of contract, will be held at the March 1st council meeting.

Jason Petersburg, Veenstra & Kimm, reviewed the plans and specifications for the project and stated that the purpose of the project is to expand the service area of the City's distribution system as well as improve water pressure and increase fire hydrant flow.

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. 10-04

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 2010 WATER DISTRIBUTION
SYSTEM IMPROVEMENT PROJECT

Flory reviewed the Central Gardens of North Iowa Nature Education Pavilion (NEP) Project and stated that the Council may now act on the Resolution fixing the date, time, and place for the public hearing and bid letting on the Central Gardens of North Iowa NEP Project. He noted that the bid letting for the project is scheduled for February 11th and the Council will consider the bids at the February 15th meeting.

Randy Cram, Bergland & Cram, reviewed the revised plans for the Central Gardens of North Iowa Nature Education Pavilion Project. He stated that the plans call for a two-story building and stated that along with the base bid for the building several alternates are being bid. 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. 10-05

A RESOLUTION SETTING DATES FOR PUBLIC HEARING AND BID LETTING

Flory reviewed the South Shore Drive Street Improvement Project Phase 2 and stated that the project engineer has now filed the Certificate of Completion. He stated the Council may now act upon the final assessment proceedings including the following Resolutions: 1) Accepting the Work; 2) Ordering preparation of the final plat and schedule of assessments; and 3) Adopting and levying final schedule of assessments and providing for payment thereof. He further stated that the notices to property owners who are subject to the assessment will be mailed on January 25th. He noted that the final construction cost was \$1,364,113.07 and that \$538,495.65 will be assessed to the affected property owners. He also noted that the total final assessments are approximately 33% less than the preliminary assessments, which were \$800,363.94.

Council Member Nelson stated that due to the fact he is an affected property owner on the South Shore Drive Street Improvement Project he would abstain from voting on all items pertaining to the project.

Weigel reviewed Pay Estimate #8 (final) for the South Shore Drive Street Improvement Project in the amount of \$66,177.90 to Heartland Asphalt of Mason City. He also reviewed change orders #4 through #7 for the project. Callanan moved to approve Pay Estimate #8 (final) and changes orders #4 through #7, seconded by Cooney. Roll Call: Ayes: Cooney, Monson, Furleigh, Callanan. Abstain: Nelson due to conflict of interest.

Callanan introduced the following **Resolution** and moved its adoption, seconded by Furleigh. Roll Call: Ayes: Cooney, Monson, Furleigh, Callanan. Abstain: Nelson due to conflict of interest. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 10-06

A RESOLUTION ACCEPTING THE WORK

Furleigh introduced the following **Resolution** and moved its adoption, seconded by Cooney. Roll Call: Ayes: Cooney, Monson, Furleigh, Callanan. Abstain: Nelson due to conflict of interest. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 10-07

A RESOLUTION ORDERING PREPARATION OF THE FINAL PLAT
AND SCHEDULE OF ASSESSMENTS

Callanan introduced the following **Resolution** and moved its adoption, seconded by Monson. Roll Call: Ayes: Cooney, Monson, Furleigh, Callanan. Abstain: Nelson due to conflict of interest. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 10-08

A RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS

Gary Bright, Executive Director, Clear Lake Area Chamber of Commerce, gave an overview of the 2009 Hotel/Motel Report. He stated the total income for the year was \$161,630.54 and the total expenses were \$139,015.57. Council Member Cooney asked that since the Council did not receive the report prior to the meeting, this item be placed on the agenda at a future meeting to allow the Council time to review the report and formulate any questions. Flory indicated he would have the item on the agenda at a future meeting.

Mayor Crabb stated that he and Mayor Pro-Tem Callanan would not be available for the next regular meeting on February 1st. After general discussion, it was a consensus of the Council to reschedule the meeting to February 8th at 6:30 p.m.

Flory updated the Council regarding the position announcement for the Water Department Superintendent.

Flory gave an update on the 109 N. 8th Street Demolition Project.

Flory distributed the FY 11 Property Tax Valuations and stated that he would review this with the Council in more detail at a future budget workshop.

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

NEXT REGULAR MEETING – FEBRUARY 8, 2010

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

ATTEST:

/S/ Jennifer Larsen
Jennifer Larsen, City Clerk