

## REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, June 7, 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:

The Boathouse Bar & Grill, request for extension of Outdoor Service Area, July 27, 2010.

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

Furleigh moved to approve the consent agenda, for lack of a second the motion failed.

Cooney moved that the requests from The Boathouse Bar & Grill and Rumorz for expansion of outdoor service area on July 27<sup>th</sup> be removed from the consent agenda to allow for further discussion, seconded by Callanan. Passed Unanimously.

Furleigh moved to approve the consent agenda, seconded by Callanan. Passed Unanimously.

- A. Minutes – May 17, 2010.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
  - Sign Erectors License: Atwood Electric, Sigourney, (renewal); Johnson Sign Service, Mason City, (renewal).
  - Cigarette Permit: Econofoods #511; Shell Food Mart; Fareway Stores, Inc. #705, (renewals).
  - Liquor License: Class C Liquor License (LC) (Commercial) with outdoor service, MNG Restaurant Corp, Island Bar & Grill, (new); Class C Beer Permit (BC), Casey's General Store #1896 (renewal)
  - Street Closing Request: Clear Lake Area Chamber of Commerce, Thursday's on Main event.

Roll Call: All Ayes.

After general discussion relating to off-street parking, public safety, and occupancy issues it was a consensus of the Council to table the requests from The Boathouse Bar & Grill and Rumorz for expansion of outdoor service on July 27<sup>th</sup> to enable the Chief of Police and the City Administrator to gather more information regarding the requests. Cooney moved to table the requests, seconded by Furleigh. Roll Call: Passed Unanimously.

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

Furleigh introduced **ORDINANCE #793** "AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF CLEAR LAKE ENTITLED RAGBRAI – MISCELLANEOUS PERMITS", (final reading), seconded by Callanan. Roll Call: Passed Unanimously.

Nelson introduced **ORDINANCE #794** " AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF CLEAR LAKE, IOWA, NOW KNOWN AS 'PARK REGULATIONS' CHAPTER 47 OF THE CLEAR LAKE MUNICIPAL CODE BY AMENDING THE PROVISIONS OF SECTIONS 47.02 AND 47.05 TO CLARIFY RULES RELATING TO VEHICLES IN PARKS AND TO ADD A NEW SECTION (47.08) PROVIDING FOR PARK RULES" (2<sup>nd</sup> reading), seconded by Furleigh. Roll Call: Passed Unanimously.

Scott Flory, City Administrator, reviewed a request from the Landfill of North Iowa for Council approval of a Solid Waste Management Plan and stated that the plan is in accordance with the requirements of the Iowa Department of Natural Resources that the City adopt such a plan addressing waste reduction efforts. Nelson 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. 10-42

A RESOLUTION APPROVING PARTICIPATION IN THE LANDFILL OF NORTH IOWA  
COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN

Greg Peterson, Police Chief, reviewed the street closing requests for the Bicycle, Blues, and Barbeque Event, July 9<sup>th</sup> through 12<sup>th</sup>. Monson introduced the following **Resolution** and moved is adoption, seconded by Furleigh. Roll Call: Ayes: Monson, Furleigh, Callanan. Abstain: On the advise of the City Attorney, Nelson and Cooney due to conflict of interest. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 10-43

A RESOLUTION APPROVING STREET CLOSING REQUEST FOR COMPETITIVE CYCLING CRITERIUM

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

RESOLUTION No. 10-44

A RESOLUTION APPROVING STREET CLOSING REQUEST FOR COMPETITIVE CYCLING ROAD RACE

Flory reviewed a proposed re-write of the current “Public” zoning district classification section of the City’s Zoning Ordinance and stated that the proposed revisions expand the list of “permitted uses” from those that are exclusively property or function of the Federal, State, City, County, or Clear Lake Community School District governments or subdivisions and adds “conditional” uses. He stated that the Council would need to refer the proposal to the City’s Planning & Zoning Commission for review and recommendation by the Commission at its next regular meeting. Callanan moved to refer the proposal to the Planning & Zoning Commission for review and recommendation, seconded by Nelson. Passed Unanimously.

Flory reviewed the proposed Economic Development Incentive Settlement Agreement between the City and Orange Tree Employment (f/k/a Personnel Research Services) and stated that the proposed agreement outlines the terms of repayment for City incentives previously provided to the Company for lack of compliance with job creation requirements of the Development Agreement between the City and the Company. He noted the agreement provides for a 24-month repayment schedule of \$32,256 in principal, at 5.65% interest. Callanan moved to approve the Settlement Agreement, seconded by Cooney. Passed Unanimously.

Flory reviewed a proposed Professional Services Agreement from Yaggy Colby & Associates for the Tourist Park and 4 Winds Drive Improvement Projects. He stated the scope of services for the Tourist Park Project includes design, special assessment, bidding, and construction services and that the project involves the reconstruction of the one-lane roadway that connects South Shore Drive between 15<sup>th</sup> and 16<sup>th</sup> Avenue S.; new aggregate surface parking area; approximately 200 LF of 8” sanitary sewer; and approximately 400 LF of storm sewer piping. He further sated that the scope of services for the 4 Winds Drive Project includes the preparation of two preliminary engineering reports; one detailing potential roadway improvement options and associated cost estimates and the second detailing storm water drainage issues and potential storm water improvements and associated cost estimates. He noted that the total cost of the Professional Services Agreement is a not-to-exceed amount of \$29,000. Callanan moved to approve the Professional Services Agreement, seconded by Nelson. Passed Unanimously.

Flory reviewed the proposed wage and salary increase for City employees for the 2011 fiscal year and sated the proposal is a 3.4% across-the-board increase effective July 1, 2010. He noted that this is the percentage increase that was agreed to in the City’s Collective Bargaining Agreements approved last year with the two different unions. 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. 10-45

A RESOLUTION SETTING THE SALARIES FOR APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF CLEAR LAKE FOR THE 2010-2011 BUDGET YEAR

After general discussion it was a consensus of the Council to reschedule the first regular meeting in July due to City offices being closed on July 5<sup>th</sup>. The meeting will be held on July 6<sup>th</sup> at 6:30 p.m.

Mayor Crabb recommended that the following individuals be appointed to the Library Board of Trustees:

- Daniel Gustafson (316 7<sup>th</sup> Ave N), 6-year term (1<sup>st</sup> term).
- Elizabeth Cherry (4208 S Shore Drive), 6-year term (2<sup>nd</sup> term).

Callanan made a motion to approve the appointments as recommended by the Mayor, seconded by Monson. Roll Call: Passed Unanimously.

Flory updated the Council on the following projects: North Shore Drive Lift Station Improvement Project; N. 4<sup>th</sup> Street Improvement Project; 2010 Water Distribution System Project; and the Surf District Plaza Project.

There being no further business before the Council, Cooney moved to adjourn at 7:41 p.m., seconded by Monson. Passed Unanimously.

NEXT REGULAR MEETING – JUNE 21, 2010

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

ATTEST:

/S/ Jennifer Larsen  
Jennifer Larsen, City Clerk