

## REGULAR COUNCIL MEETING

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

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

*Tax Abatement Application:* Curtis Wright, 605 Pine Brooke Drive.

Callanan moved the consent agenda be amended as requested, seconded by Nelson. Passed Unanimously.

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

- A. Minutes – March 1, 2010.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
  - *Liquor License:* Class C Liquor License (LC) (Commercial) with Outdoor Service and Sunday Sales, All Vets Golf Club, (renewal).
  - *Excavator License:* JIREH, LLC, Clear Lake; John Ries Excavating, Rockwell, (renewals).
  - *Peddler's License:* I Scream for Ice Cream, (6-month license) (new).

Roll Call: All Ayes.

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

Larry Morris, 207 7<sup>th</sup> Avenue South, requested that the City seek an audit to determine more exactly how the hotel/motel. Tax proceeds allocated to the Chamber are being used to ensure compliance with State law.

Mary Morris, 207 7<sup>th</sup> Avenue South, stated that she feels the Council could be in violation of the open meetings law because sometimes agenda items are not discussed in detail sufficient to her expectation during the council meeting and that because of that it could be inferred that decisions on agenda items may be made by the Council before a meeting.

Callanan introduced **Ordinance #792** “AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF CLEAR LAKE, IOWA KNOWN AS SOLID WASTE CONTROL, CHAPTER 105 OF CLEAR LAKE MUNICIPAL CODE BY CHANGING THE PROVISIONS OF SECTION 105.05 (9) TO CHANGE CERTAIN REQUIREMENT REQUIREMENTS FOR OPEN BURNING VARIANCES” (Final reading), seconded by Monson. Roll Call: Passed Unanimously.

Scott Flory, City Administrator, reviewed the 2010 Water Distribution System Improvement Project and stated that the Council had previously awarded the Contract to McKiness Excavating of Mason City in the amount of \$949,171.50. He further stated that the City has now received the Contract & Bonds along with the Certificate of Insurance from the contractor and the Council could now act on the Resolution approving the Contract & Bonds. He noted that the documents have been reviewed by City staff and the consulting engineer and are in compliance with the contract specifications. He further noted that a pre-construction conference is scheduled for March 18<sup>th</sup> at 11:00 a.m. Furlough 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. 10-21

#### A RESOLUTION TO APPROVE THE CONTRACT AND BONDS FOR THE 2010 WATER DISTRIBUTION IMPROVEMENT PROJECT

Flory reviewed the proposed Fire Station Improvement Project and stated that at its previous meeting the Council received a request from the Clear Lake Fire Department, through Chief Doug Meyers, to consider an issuance of an amount not exceeding \$2.3 million in debt for a new fire station. He stated that before the City may contract for indebtedness to pay for all or a portion of the project, “it shall call for a ‘special’ election to vote upon the question”. He further

stated that the remaining dates allowable by law to hold the special election are as follows: May 4<sup>th</sup>, August 3<sup>rd</sup> & November 2<sup>nd</sup>. He noted that the cost of the election will be determined by the number of precincts the Council wishes to have open. The estimated cost to hold the election in one precinct is \$3,000 and \$6,700 to have all three precincts open.

Doug Meyers, Fire Chief, stated that the Department preference would be to hold the election on August 4<sup>th</sup>.

Mayor Crabb asked if anyone in the audience wished to offer any public comment.

Mary Morris, 207 7<sup>th</sup> Avenue South, stated that she not opposed to the City building a new fire station, however she believes the Council needs to take the cost of remodeling the current facility for use by the Police Department into consideration. She further stated that she wants the council to consider having all three precincts open not just the precinct at City Hall.

Larry Morris, 207 7<sup>th</sup> Avenue South, stated he is not in favor of building a \$2.3 million fire station and that he would like the council to consider building a facility for the ambulance operation and its vehicles and equipment only.

Council Member Nelson stated that he believes that a new fire station needs to be built however he is not in favor of borrowing \$2.3 million for the project. Nelson moved that the City contribute, if approved by the voters at a special election, an amount not to exceed \$1.7 million and that the remainder of the funds be raised through public and/or private donations, fundraising efforts by the department, and seeking out additional public or private grant opportunities. Motion failed for the lack of a second.

Council Member Callanan stated he plans to vote in favor of the Resolution to hold a special election and that he believes the citizens of Clear Lake should have the opportunity to approve of this investment in the community's future.

Council Member Furliegh stated that since all members of the volunteer fire department are in favor of taking the issue to a public vote the Council should honor their request.

Furliegh moved that **Resolution No. 10-22** be adopted and that the date for the Special Election be established as August 3, 2010 and that the precinct located at City Hall be the only precinct open for the special election, seconded by Callanan. Roll Call: Ayes: Monson, Furliegh, Callanan. Nays: Nelson. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 10-22

A RESOLUTION CALLING FOR AN ELECTION ON THE PROPOSITION OF ISSUING BONDS OR OTHERWISE ENTERING INTO A LOAN AGREEMENT TO BORROW MONEY FOR THE PURPOSE OF CONSTRUCTING, FURNISHING AND EQUIPPING A NEW FIRE STATION

Flory reviewed the proposed TeamQuest Expansion Project and stated that at its previous meeting the Council heard a request from Terry Wisner, CFO & Executive Vice-President of TeamQuest, and Gregg Gillman, Executive Director of the North Iowa Corridor EDC, regarding an application to be made to the Iowa Department of Economic Development on behalf of the Company. He stated that the proposal is a City contribution of \$18,000 towards the TeamQuest Expansion project in the form of a 5-year forgivable loan. He noted the Project is estimated at \$361,000, with \$253,000 being funded by the Company; \$90,000 from the State; and \$18,000 from the City. He further noted that the Project will create 18 new job opportunities.

Mayor Crabb asked if anyone in the audience wished to comment on the proposed agreement.

Terry Wisner, CFO & Executive Vice President, TeamQuest, thanked the Council for their consideration and stated that the company is excited for the expansion project to commence.

Furliegh 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. 10-23

A RESOLUTION OF THE CITY COUNCIL OF THE CLEAR LAKE, IA APPROVING THE APPLICATION OF TEAMQUEST CORPORATION TO THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT'S 130% COMPONENT PROGRAM

Furleigh moved to set April 12<sup>th</sup>, 13<sup>th</sup>, & 14<sup>th</sup> as the Spring Large Item Pickup with appliance pickup on April 14<sup>th</sup>, seconded by Monson. Passed Unanimously.

Flory updated the Council on the 109 North 8<sup>th</sup> Street Demolition Project.

Flory stated that the City would be sending out a request for proposal (RFP) for professional financial advisory services to refinance bond issues the City currently has on the books that are callable. He also reviewed the 2010 Water Distribution System Improvement Project financing and stated that the financing for the project may be included as part of additional professional work associated with the RFP.

There being no further business before the Council, Furleigh moved to adjourn at 7:19 p.m., seconded by Nelson. Passed Unanimously.

NEXT REGULAR MEETING – APRIL 5, 2010

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

ATTEST:

/S/ Jennifer Larsen  
Jennifer Larsen, City Clerk