



CITY OF CLEAR LAKE

15 North 6th Street • P.O. Box 185 • Clear Lake, IA 50428
Phone (641) 357-5267 • Fax (641) 357-8711

Mayor
NELSON P.
CRABB

May 14, 2010

HONORABLE MAYOR & CITY COUNCIL MEMBERS:

City
Administrator
SCOTT
FLORY

The next meeting of the Clear Lake City Council is scheduled for Monday, May 17, 2010, at 6:30 p.m., in the Council Chambers, at City Hall. Please refer to the enclosed agenda for the items discussed below.

COUNCIL MEMBERS

ITEM #6A. FY 10 Budget Amendment (#2). At its previous meeting, the Council set the date for a public hearing to be held on May 17th to amend the FY 10 municipal budget. The notice of hearing was published in the newspaper as required by law. The amendment is needed primarily due to the recently completed bond refunding, as well as the initiation of some projects for which grant funding has recently been approved (e.g., 10th avenue N., EECBG, and North Shore Drive Enhancement). Budget amendments must be completed and filed with the County Auditor by May 31st.

SHANE W.
COONEY
Ward 1

ITEM #6B. 2nd Avenue N. Street Reconstruction Project. The Council previously set May 17th as the date for a public hearing on the proposed "Resolution of Necessity" for the 2nd Avenue N. Street Improvement Project. Following the hearing, the Council must then act on the proposed "Resolution of Necessity". The Council may: a) vote to defer action to a later date, time and place; b) adopt the "Resolution of Necessity" with amendments; or c) adopt the "Resolution of Necessity" without any amendments.

TONY
NELSON
Ward 2

The adoption of the "Resolution of Necessity" must receive an affirmative vote of not less than 3/4's of the membership of the entire Council. If objections are filed, signed by property owners subject to 75% of the assessments, a unanimous vote of the Council would be necessary.

BEN
FURLEIGH
Ward 3

MIKE
CALLANAN
At Large

The Project entails the reconstruction of 2nd Avenue N., between N. 6th Street and N. 8th Street. Improvements include pavement removal and excavation; upgrade and replacement of the existing water main from a 4" to an 8"; sanitary sewer manhole replacements; new sanitary sewer and water service lateral replacements (where necessary); storm sewer and intake improvements; sub-drain; defective sidewalk replacement; ADA compliant sidewalk ramps; driveway approaches; and either ACC or PCC paving.

JON
MONSON
At Large

The total project cost, including engineering, legal, contingency, and administrative is conservatively estimated at \$564,058. The total "maximum" amount of the project that would be funded by special assessments is \$101,564 or about 18% of the total project cost.



It should be noted, that the amount of the project to be funded by special assessments also includes the “City” property, which is roughly about 50% of the assessment amount.

The tentative project schedules sets a bid letting date for June 16th. The Council would then consider bids and make an award of contract at its meeting on June 21st. A notice to proceed would not be issued until after the 4th of July festivities. Completion of “Division 1” (underground improvements) would be in the fall of 2010. Completion of “Division 2) (grading & paving) would be in June of 2011.

ITEM #6E. 109 N. 8th Street Demolition Project . Nettleton Excavating has now completed work on the demolition and site restoration project for 109 N. 8th Street and 709 2nd Ave N. All work has been completed in compliance with the Project’s plans & specifications. Veenstra & Kimm has filed the “Certificate of Completion” with the City. It is, therefore, recommended that the Council adopt the “Resolution Accepting the Work” and approve pay estimate #1 (final) and give final approval for Change Order #1.

The original contract amount was \$20,800. The final amount of the contract, including Change Order #1 (basement demolition, backfill, and compaction – 709 2nd Ave N) is for \$27,775.

ITEM #6G. 2009 Stormwater Quality Improvement Project. Yohn Company has now completed work on the 2009 Stormwater Quality Improvement Project. All work has been completed in compliance with the Project’s plans & specifications. Veenstra & Kimm has filed the “Certificate of Completion” with the City. It is, therefore, recommended that the Council adopt the “Resolution Accepting the Work” and approve pay estimate #3 (final).

The original contract amount was \$334,687. The final amount of the contract, including Change Orders #1 & #2, is for \$343,777.50.

Please feel free to contact me if you have questions about any of the agenda items.

Scott Flory
City Administrator of Clear Lake

Cc: Jennifer Larsen, City Clerk (with attachments)
Joe Weigel, Public Works Director (with attachments)
Linda Nelson, Finance Officer (with attachments)
Greg Peterson, Chief of Police (with attachments)

Charlie Biebesheimer, City Attorney (with attachments)
Sue Keefe, Parks & Recreation Director (C/A only – via e-mail)
Mike Danburg , P.E., YCA (C/A only – via e-mail)
Gary Bright, Director CL Chamber (C/A only – via e-mail)

TENTATIVE AGENDA
CLEAR LAKE CITY COUNCIL
CITY HALL – 15 N. 6TH STREET
MONDAY, MAY 17, 2010
CITY HALL – COUNCIL CHAMBERS
6:30 P.M.

1. Call To Order by Mayor Nelson P. Crabb.
2. Approval of Agenda.
3. Consent Agenda:
 - A. Minutes – May 3, 2010.
 - B. Approval of the bills & claims.
 - C. Licenses & Permits:
 - *Sign Erector's License*: Nagle Signs, Waterloo, (renewal).
 - *Amusement License*: Clear Lake Area Chamber of Commerce, 4th of July Carnival, Wednesday, June 30th through Monday, July 5th.
 - *Fireworks Permit*: Clear Lake Area Chamber of Commerce, 4th of July Celebration, Clear Lake Area Chamber of Commerce, RAGBRAI, July 27th.
 - *Cigarette Permit*: Casey's General Store #1427, Casey's General Store #1896, Pilot Travel Center, Kum & Go #302, Kum & Go #301, South Shore Pit Stop, (renewals).
 - *Street Closing Requests*: Twin City F-100 Club, June 11th & 12th; Clear Lake Area Chamber of Commerce, 4th of July Celebration; Clear Lake Antique Boat Show, July 17th; Clear Lake Noon Lions Chicken BBQ, July 18th.
4. Citizen's opportunity to address the Council on items not on the agenda:
 - In conformance with the City Council's Rules of Procedure, no action can occur on items presented during the Citizens Forum.
 - Please walk to the lectern, state your name (spell last name), address, and subject of your discussion.
 - Speakers are limited to a maximum of five (5) minutes per person.

5. Unfinished Business:

- **Ordinance #793**, “An Ordinance amending an Ordinance(s) of the City of Clear Lake entitled RAGBRAI – Miscellaneous Permits” (2nd reading).

6. New Business:

A. FY 2010 Budget Amendment (#2):

- Review of proposal, Scott Flory, City Administrator.
- Public Hearing.
- Discussion and consideration by City Council.
- **Resolution #10-36**, “A Resolution approving the FY 2010 Budget Amendment (#2) for the City of Clear Lake.”

B. 2nd Avenue N. (N. 6th to N. 8th Street) Street Reconstruction Project:

- Introduction by Scott Flory, City Administrator.
- Review of proposed project plans & specifications, form of contract, and estimate of cost, Mike Danburg, P.E., Yaggy Colby Associates.
- Public Hearing.
- Discussion and consideration by City Council.
- **Resolution #10-37**, “A Resolution with respect to the adoption of the Resolution of Necessity proposed for the Clear Lake, Iowa, 2nd Avenue N. Improvement Project.”
- **Resolution #10-38**, “A Resolution directing preparation of detailed plans & specifications, form of contract, and notice to bidders on the Clear Lake, Iowa, 2nd Avenue N. Improvement Project.”
- **Resolution #10-39**, “A Resolution ordering bids, approving plans, specifications, form of contract, and notice to bidders; fixing amount of bid security; ordering Clerk to publish notice; fixing a date for receiving the same and for a public hearing on plans, specifications, form of contract, and estimate of cost.”

C. N. 4th Street Improvement Project:

- Update regarding construction of the improvements and review of Pay Estimate #2 by Mike Danburg, P.E., Yaggy Colby Associates.
- Discussion and consideration by City Council.
- **Motion** to approve Pay Estimate #1.

D. Surf District Park & Parking Area Improvement Project:

- Update regarding construction of the improvements and review of Pay Estimate #1 by Joe Weigel, Public Works Director.

- Discussion and consideration by City Council.
- **Motion** to approve Pay Estimate #1.

E. 109 N. 8th Street Building Demolition & Site Restoration Project:

- Update regarding status of the project and review of Pay Estimate #1 (final), Joe Weigel, Public Works Director.
- Discussion and consideration by City Council.
- **Motion** to approve Pay Estimate #1 (final) and Change Order #1 (709 2nd Avenue North basement removal & backfill)
- **Resolution #10-40**, “A Resolution accepting the Work.”

F. 2010 Water Distribution System Improvement Project:

- Update regarding construction of the improvements and review of Pay Estimate #1 by Joe Weigel, Public Works Director.
- Discussion and consideration by City Council.
- **Motion** to approve Pay Estimate #1.

G. 2009 Clear Lake Stormwater Quality Improvement Project:

- Update regarding construction of the improvements and review of Pay Estimate #3 (final) by Joe Weigel, Public Works Director.
- Discussion and consideration by City Council.
- **Motion** to approve Pay Estimate #3 (final).
- **Resolution #10-41**, “A Resolution accepting the Work.”

H. Parks & Recreation Department – Vehicles in Parks and Park Rules:

- Review of request, Sue Keefe, Parks & Recreation Director.
- Recommendation from Parks & Recreation Advisory Board.
- Opportunity for Public Comment.
- Discussion and consideration by City Council.
- **Ordinance #794**, “An Ordinance amending an Ordinance of the City of Clear Lake, IA, now know 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.” (1st reading)

7. Chief of Police's Report:

8. Mayor's Report:

- Ventura Marsh Restoration Groundbreaking Ceremony (3/10).

9. Public Works Director's Report:

- Update regarding the North Shore Drive Lift Station Improvement Project.

10. City Administrator's Report:

- CDBG Sanitary Sewer Collection System Project Treatment Agreement.
- Update regarding Sump Pump Inspection Program.
- 408 Mars Hill Drive (former Sunset School) zoning matter.

11. City Attorney's Report:

12. Other Business:

- Swearing-in ceremony for CLDP Patrol Officers Cory Gute and Troy Wilson.
- North Iowa Landfill meeting report (5/13) – Council Member Nelson.

13. Adjournment.

NEXT REGULAR MEETING – JUNE 7, 2010