

REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, May 3, 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:

Excavator's License: Navratil Excavating, Mason City, (renewal).
Farmer's Market: Use of the City Hall parking lot, Saturday mornings beginning May 15th and continuing through October.

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

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

- A. Minutes – April 19, 2010.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
 - Liquor License: Class C Liquor License (LC) (Commercial) with Carryout Wine & Sunday Sales, Lake Liquors Wine & Spirits, (new); Class C Liquor License with Outdoor Service & Sunday Sales, Ge-Jo's by the Lake, (renewal).
 - Cigarette Permit: Lake Liquors Wine & Spirits; (new).

Roll Call: All Ayes.

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

Larry Morris, 207 7th Avenue S, addressed the Council regarding the previous meeting on April 19th and the Council being requested to vote during the City Attorney's report on an item that was not on the agenda.

Scott Flory, City Administrator, reviewed the proposed General Obligation Refunding Loan Agreement and stated that at its previous meeting the Council conducted the required public hearing and approved a Resolution to enter into a Loan Agreement, approve a Bond Purchase Agreement, and authorize the call of bonds for early redemption necessary to advance refund certain outstanding maturities of three (3) series of General Obligation bonds/notes. He further stated that the City would realize a savings of approximately \$55,000 in interest costs as a result of the refunding. He noted that closing and delivery of funds to the City is anticipated on or around May 27th. Furliegh 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. 10-33

RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,160,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010A, AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME

Flory reviewed the proposed financing for the 2010 Water Distribution System Improvement Project and stated that at its April 19th meeting the Council approved a Resolution setting the date for a public hearing to enter into a loan agreement, in a principal amount not to exceed \$600,000 in General Obligation loan notes for costs associated with the Project. He stated that the City solicited competitive quotes and the least costly borrowing proposal was submitted by Clear Lake Bank & Trust. He further stated that the proposal is a 7-year debt schedule, which is callable in year four and that the net interest cost is 2.961%, with total interest costs of \$71,673.50. He further noted that closing and receipt of funds is anticipated on or around May 27th.

Mayor Crabb stated it was now the time and place for the previously established public hearing on a proposal to enter into a loan agreement in a principal amount not to exceed \$600,000 in General Obligation loan notes for costs associated with the 2010 Water Distribution System Improvement Project. Hearing no public comment, Callanan moved to close the public hearing, seconded by Nelson. Passed Unanimously.

Callanan 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. 10-34

RESOLUTION APPROVING AND AUTHORIZING A LOAN AGREEMENT AND PROVIDING FOR THE ISSUANCE OF A \$600,000 GENERAL OBLIGATION WATER IMPROVEMENT NOTE

Flory reviewed the proposed Professional Services Agreement with Veenstra & Kimm for the North Shore Drive (400 Block) Streetscape Improvement Project. He stated that V&K assisted the City with a grant application for a "Transportation Enhancement" grant and was awarded funding in the amount of \$87,138 for construction of the Project.

Jason Petersburg, Veenstra & Kimm, stated that the proposed agreement is for a lump sum fee of \$19,500 for design services, which includes preparation of detailed plans & specifications, estimate of cost, and bid services. He noted that fees for construction services will be determined following bid letting and award of contract. He reviewed the project schedule and stated that the final plans & specifications are scheduled to be completed by mid-October, with a bid letting to be held in mid-November of 2010 and construction beginning in April of 2011.

Furleigh moved to approve the Professional Services Agreement with Veenstra & Kimm for the North Shore Drive (400 Block) Streetscape Improvement Project, seconded by Callanan. Passed Unanimously.

Flory reviewed a proposal to amend the FY 10 municipal budget amendment #2 and stated that the Council would need to conduct a public hearing on the proposal at its next regular meeting on May 17th. He stated that the amendment is needed due to the recently completed bond refunding, as well as the initiation of some projects for which grant funding has been awarded. He noted that the budget amendment would need to be certified to the County Auditor by May 30th. 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. 10-35

A RESOLUTION SETTING A PUBLIC HEARING TO AMEND THE 2009 – 2010 BUDGET FOR THE CITY OF CLEAR LAKE

Diane Thompson, Committee Chairperson, Clear Lake RAGBRAI Committee, reviewed a proposed Ordinance pertaining to the overnight stop of RAGBRAI in Clear Lake on July 27th. She stated that the proposed Ordinance is designed to establish rules and regulations for street closings, vendors, beverage garden, outdoor entertainment, golf cart operation, and dogs in City Park on July 26, 27 & 28, 2010. She stated that the purpose of the Ordinance is to ensure a safe environment, safe streets for the bikers and as little inconvenience to our residents as possible.

Charlie Biebesheimer, City Attorney, recommended that the Ordinance include language to allow guide dogs and service dogs in City Park during the event.

Mayor Crabb stated it was now the opportunity for public comment on the proposed Ordinance.

Mark Ebeling, Clear Lake Chamber of Commerce Board Member, stated that the Chamber Board recently voted unanimously to support the activities planned for the RAGBRAI event in Clear Lake including allowing a beverage garden in City Park.

Hearing no further public comment, Callanan introduced **Ordinance #791** and moved that language pertaining to guide dogs and service dogs be inserted as suggested by Biebesheimer, "AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF CLEAR LAKE ENTITLED RAGBRAI – MISCELLANEOUS PERMITS" (1st reading), seconded by Nelson. Roll Call: Passed Unanimously.

Flory reviewed a proposed Professional Services Agreement with Veenstra & Kimm for the 10th Avenue North STP Street Improvement Project and stated that the City will be receiving STP funding of \$343,000 for construction of the Project. He stated that the proposed agreement is for a lump sum fee of \$42,900 for design services, which includes preparation of detailed plans & specifications, estimate of cost, and bid services and \$7,200 for special assessment services. He noted that fees for construction services will be determined following bid letting and award of contract.

Petersburg stated that the project includes the complete reconstruction of 10th Avenue N., between Buddy Holly Place and 5th Place N, including new 8” water main, new 8” sanitary sewer main, driveway approaches, service laterals, ADA compliant sidewalk ramps, sidewalk reconstruction, storm sewer & intakes, sub-drain, and 31’ wide PCC or ACC paving. He noted that the preliminary estimate of probable cost of construction is roughly \$900,000 and that the project schedule calls for the final plans & specifications to be completed by mid-July, with a bid letting to be held in mid-September of 2010.

Cooney moved to approve the Professional Services Agreement with Veenstra & Kimm for the 10th Avenue North STP Street Improvement Project, seconded by Furleigh. Passed Unanimously.

Mayor Crabb advised the Council of the Groundbreaking Ceremony for the Ventura Marsh Restoration Project on Monday, May 10th.

Joe Weigel, Public Works Director, updated the Council on the following projects: “Surf District” Park & Parking Area Improvements; 2010 Water Distribution System Improvement Project; 2009 Stormwater Quality Improvement Project; North Shore Drive Lift Station Project; and the North 4th Street Improvement Project.

Flory updated the Council on the 2010 CDBG Sanitary Sewer Collection System Improvement Project and stated that he along with Weigel and Petersburg will be meeting with the Clear Lake Sanitary District Board on May 4th to discuss the project plans & specifications and request approval of a treatment agreement.

Biebesheimer updated the Council regarding the sale and disposal of the Sunset School property and requests regarding it from the school district.

There being no further business before the Council, Furleigh moved to adjourn at 7:40 p.m., seconded by Callanan. Passed Unanimously.

NEXT REGULAR MEETING – MAY 17, 2010

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

ATTEST:

/S/ Jennifer Larsen
Jennifer Larsen, City Clerk