

REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Tuesday, October 19, 2010, at 6:30 p.m., in the Council Chambers, at City Hall, with Mayor Nelson P. Crabb presiding. All Council Members present.

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

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

- A. Minutes – October 4, 2010.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
 - *Liquor License*: Class E Liquor License (LE) with Carryout Beer & Wine and Sunday Sales, Quick Shop; Class C Beer Permit with Carryout Wine & Sunday Sales, Kum & Go #301; Class B Wine Permit (WBN) with Sunday Sales, Images Photography, (renewals).

Roll Call: All Ayes.

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

Unsworth moved that **Ordinance #797** “AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF CLEAR LAKE, IOWA, NOW KNOWN AS ONE-WAY TRAFFIC, CHAPTER 68 OF CLEAR LAKE MUNICIPAL CODE BY CHANGING THE PROVISIONS OF SECTION 68 TO ADD CERTAIN STREETS TO ONE-WAY TRAFFIC REQUIREMENTS”, be approved on the second reading, seconded by Furleigh. Roll Call: Passed Unanimously.

Cooney moved that the rules requiring an ordinance be considered and voted on for passage at two council meetings prior to this meeting be suspended with respect to **Ordinance #797** “AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF CLEAR LAKE, IOWA, NOW KNOWN AS ONE-WAY TRAFFIC, CHAPTER 68 OF CLEAR LAKE MUNICIPAL CODE BY CHANGING THE PROVISIONS OF SECTION 68 TO ADD CERTAIN STREETS TO ONE-WAY TRAFFIC REQUIREMENTS” and that the Ordinance be approved on final reading, seconded by Unsworth. Roll Call: Passed Unanimously.

Callanan moved that **Ordinance #798** “AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF CLEAR LAKE, IOWA, NOW KNOWN AS STOP OR YIELD REQUIREMENTS, CHAPTER 65 OF CLEAR LAKE MUNICIPAL CODE BY CHANGING THE PROVISIONS OF SECTION 65.04 TO ADD CERTAIN YIELD REQUIREMENTS AND 65.01 TO DELETE CERTAIN STOP REQUIREMENTS”, be approved on the second reading, seconded by Unsworth. Roll Call: Passed Unanimously.

Cooney moved that the rules requiring an ordinance be considered and voted on for passage at two council meetings prior to this meeting be suspended with respect to **Ordinance #798** “AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF CLEAR LAKE, IOWA, NOW KNOWN AS STOP OR YIELD REQUIREMENTS, CHAPTER 65 OF CLEAR LAKE MUNICIPAL CODE BY CHANGING THE PROVISIONS OF SECTION 65.04 TO ADD CERTAIN YIELD REQUIREMENTS AND 65.01 TO DELETE CERTAIN STOP REQUIREMENTS” and that the Ordinance be approved on final reading, seconded by Unsworth. Roll Call: Passed Unanimously.

Scott Flory, City Administrator, stated that at its regular meeting on October 4th the Council awarded the construction contract for the Fire Station Building Project to Henkel Construction of Mason City and that the total contract is for \$1,922,052, which includes the base bid and alternate #2 (PCC driveways & parking area in lieu of ACC). He noted that the City has now received the Contract, bonds, and certificate of liability insurance from the contractor. He further noted that the documents have been reviewed and are in compliance with the Project specifications. Unsworth 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. 10-73

A RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BONDS FOR THE CLEAR LAKE FIRE STATION IMPROVEMENT PROJECT

Flory reviewed the proposed Lakefront Mixed-Use Redevelopment Project for 1525 and 1603 South Shore Drive and stated that at its last regular meeting the Council had denied a request from the Developer for a redevelopment project located at 1525 S Shore Drive. He stated that after discussions with the developer and two Council Members and Mayor Crabb, a revised proposal is being presented by the developer. The developer Joe Minard, will now utilize an integrated approach that conjoins via a memorandum of understanding with the City both parcels 1525 and 1603 S. Shore Drive for purposes of more completely satisfying the City's zoning requirements. He noted that the project involved demolition of the existing building at 1525 S. Shore Drive and building a new 8-unit condominium and the property at 1603 S. Shore Drive would continue to be utilized as a hotel facility. Lastly, Mr. Minard reviewed additional design changes he made to enhance the look of the project at 1525 S. Shore Drive, which is the 8-unit residential condominium portion of the project.

Cooney introduced the following **Resolution** and moved its adoption, seconded by Furleigh. Council Member Nelson stated that he did not believe that the project met the necessary high quality design standards of the ordinance and would be voting against the proposal. Roll Call: Ayes: Cooney, Unsworth, Furleigh, & Callanan. Nays: Nelson. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 10-74

A RESOLUTION APPROVING A LAKEFRONT MIXED-USE REDEVELOPMENT PROJECT & MEMORANDUM OF UNDERSTANDING FOR 1525 & 1603 SOUTH SHORE DRIVE AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY

Flory reviewed a proposed extension to the agreement between the City and the Clear Lake Chamber of Commerce regarding the ownership and operation of the Clear Lake Trolley. He stated that the Agreement was entered into on November 2, 2009 and was approved for a period of 1 year, expiring on November 2, 2010. He noted that as part of the Agreement the City owns the Trolley and the Chamber is responsible for all aspects of operating and maintenance, capital expenses, as well as reimbursing the City for the cost of the insurance. He stated that the Chamber has submitted a request to the Council to extend the Agreement until November 2, 2011. Gary Bright, Executive Director of the Clear Lake Chamber, reviewed the financials and charters for the past year and advised that the Trolley was operating in the black. Unsworth 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. 10-75

A RESOLUTION OF THE CITY OF CLEAR LAKE, IOWA, APPROVING A ONE YEAR EXTENSION TO THE AGREEMENT BETWEEN THE CITY OF CLEAR LAKE AND THE CLEAR LAKE AREA CHAMBER OF COMMERCE FOR THE CLEAR LAKE TROLLEY

Joe Weigel, Public Works Director, gave an update on the 2010 Water Distribution System Improvement Project and reviewed Pay Estimate #6 in the amount of \$72,512.42 to McKiness Excavating of Mason City. He also reviewed Change Order #3 in the amount of \$2,238.00. Callanan moved to approve Pay Estimate #6 and Change Order #3, seconded by Unsworth. Roll Call: Passed Unanimously.

Weigel gave an update on the 2nd Avenue N. Street Reconstruction Improvement Project and reviewed Pay Estimate #1 in the amount of \$123,621.47 to Yohn Co. of Clear Lake. He further reviewed Change Order #1 in the amount of \$800.00. Furleigh moved to approve Pay Estimate #1 and Change Order #1, seconded by Nelson. Roll Call: Passed Unanimously.

Mayor Crabb recommended that James Eilders, 501 N. 4th Street, be appointed to the Zoning Board of Adjustment term ending on December 31, 2011. Unsworth made a motion to approved the appointment as recommended by the Mayor, seconded by Callanan. Passed Unanimously.

Weigel gave an update on the following projects: Tennis Courts Resurfacing Improvement Project and the Fall Large Item Pick-up held October 10th through October 13th.

Flory stated the bi-annual bridge inspection and rating report has been completed by Veenstra & Kimm and that some minor improvements need to be made but for the most part the 4 bridges maintained by the City are in good condition.

There being no further business before the Council, Furleigh moved to adjourn at 7:15 p.m., seconded by Callanan. Passed Unanimously.

NEXT REGULAR MEETING – MONDAY, NOVEMBER 1, 2010

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

ATTEST:

/S/ Jennifer Larsen
Jennifer Larsen, City Clerk