

REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, April 2, 2012, 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 Boehnke. Passed Unanimously.

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

- A. Minutes – March 19, 2012.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
 - **Liquor Licenses:** Class “B” Beer Permit, with outdoor service and Sunday sales, Oak Hills Par 30; Class “B” liquor license with outdoor service and Sunday sales, *Best Western Holiday Motor Lodge*; Class “B” native wine permit, *Tara Shea’s Massage Therapy*; and Class “B” wine permit, Class “C” Beer Permit, Class “E” liquor license, with Sunday sales, *Lake Liquor Wine & Spirits* (renewals).
 - **Excavator’s License:** Dean Snyder Construction (Clear Lake); Jennings Excavating (Clear Lake); and JIREH LLC (Clear Lake) (renewals).
 - **Peddler’s License:** Perry’s Sweet Treats (Clear Lake) (renewal).
 - **Farmer’s Market:** Request to utilize City Hall parking lot on Saturday mornings, beginning May 12th and through October 27th

Roll Call: All Ayes.

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

Peter Lagios, 308 4th Avenue S, addressed the Council to follow up on his prior address to the Council regarding concerns he has expressed to the police department in reference to motorcycles and excessive exhaust noise in his neighborhood. Mayor Crabb indicated that Lagios should follow up with the Police Chief and City Administrator regarding his concerns.

Scott Flory, City Administrator, reviewed the proposed Industrial Park 3rd Addition Storm Sewer Improvement Project and stated that a competitive quote opening was held on March 28th and that Charlson Excavating of Clear Lake submitted the lowest overall responsive responsible quote in the amount of \$52,035. He noted that the engineer’s estimate of the probable cost of construction was \$59,390 and that the quote from Charlson is 7% below the engineer’s estimate. Mike Danburg, P.E., Yaggy Colby Associates, reviewed the project schedule and stated that the project substantial completion date is May 28th. 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 #12-19

A RESOLUTION MAKING AN AWARD OF CONTRACT FOR THE INDUSTRIAL PARK 3RD ADDITION STORM SEWER IMPROVEMENT PROJECT

Flory reviewed the proposed 2012 7th Avenue N. Storm Sewer (Willow Creek) Outlet Project and stated that a bid letting was held on March 28th and that five bids were received. He stated that the lowest overall responsive responsible bid was submitted from Nettleton Excavating of Joice, Iowa in the amount of \$127,901.75 which is 7% below the engineer’s opinion of the probable cost of construction, which is \$137,508. Jason Petersburg, P.E., Veenstra & Kimm, reviewed the project schedule and stated that the project is to be substantially complete by May 25th and ready for final acceptance not later than June 22nd.

Mayor Crabb stated it was now the time and place for the public hearing as previously established by the Council on the 2012 7th Avenue N. Storm Sewer Outlet (Willow Creek) Improvement Project. Hearing no public comment, Nelson moved to close the public hearing, seconded by Callanan. Passed Unanimously.

Nelson 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. 12-20

A RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE “2012 7TH AVENUE N. STORM SEWER OUTLET (WILLOW CREEK) IMPROVEMENT PROJECT”

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. 12-21

A RESOLUTION MAKING ANA AWARD OF CONSTRUCTION CONTRACT FOR THE 7TH AVENUE N. STORM SEWER OUTLET TO WILLOW CREEK PROJECT

Flory reviewed the proposed Municipal water system improvements & 3rd Ave S. street right-of-way restoration (Lincoln Village) improvement project and stated that the Council previously authorized and directed City staff to proceed with the preparation of preliminary design plans & specifications for certain construction improvements related, primarily, to the City’s municipal water system and 3rd Avenue S. street right-of-way. Danburg reviewed the proposed final plans & specifications and stated that the proposed construction includes the restoration of 3rd Ave S. to a typical City street cross-section; relocating the City’s existing 10” raw water line, which services Municipal Well #2, and transports water to the treatment plant; and the abandonment of an existing 4” water line and construction of a new 8” water main between 4th Ave S. and 3rd Ave S., with fire hydrants on 3rd Ave S. to improve deficient fire flows in the area. He also stated that the proposed dates and times for the bid letting and public hearing are April 25th at 2:00 p.m. and April 30th at 6:30 p.m., respectively. Callanan introduced the following **Resolution** and moved its adoption, seconded by Unsworth. Roll Call: Ayes: Brant, Callanan, Unsworth, Nelson. Nays: Boehnke. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 12-22

A RESOLUTION FIXING THE DATE FOR A PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT & ESTIMATE OF COST, AND SETTING THE DATE FOR A BID LETTING ON THE PROPOSED MUNICIPAL WATER SYSTEM AND 3RD AVE S. STREET RIGHT-OF-WAY RESTORATION IMPROVEMENT PROJECT

Nelson moved to hold a special council meeting on April 30th at 6:30 p.m., seconded by Unsworth. Passed Unanimously.

Brent Willett, Executive Director, North Iowa Corridor EDC, gave an update regarding the activities of the NICEDC during the 1st Quarter of 2012.

Callanan moved to set the dates for the Annual Spring Large Item Pick-up as April 9, 10, & 11, seconded by Nelson. Passed Unanimously.

Jim Collins, Key Account Manager, Alliant Energy, gave an annual report from Alliant Energy.

Charlie Biebesheimer, City Attorney, reviewed a proposed update to the City’s Ordinance concerning the Flood Plain Management. He stated that the updates are necessary to comply with FEMA regulations. John Marino, Building Official, stated that the Planning & Zoning Commission reviewed the changes at its March 13th meeting and is recommending approval of the changes. Boehnke moved to set the date for a public hearing on the proposed changes for April 16th at 6:30 p.m., seconded by Callanan. Passed Unanimously.

Joe Weigel, Public Works Director, gave an updated on the CDBG Sanitary Sewer Collection System Improvement Project (Phase 2).

There being no further business before the Council, Boehnke moved to adjourn at 7:35 p.m., seconded by Brant. Passed Unanimously.

NEXT REGULAR MEETING – MONDAY, APRIL 16, 2012

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

ATTEST:

/S/ Jennifer Larsen
Jennifer Larsen, City Clerk

H:\Jennifer\City Council\2012\April 2.docx