



CITY OF CLEAR LAKE

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

Mayor
NELSON P.
CRABB

City
Administrator
SCOTT
FLORY

COUNCIL MEMBERS

DANA
BRANT
Ward 1

TONY J.
NELSON
Ward 2

JIM
BOEHNKE
Ward 3

MIKE
CALLANAN
At Large

TERRY
UNSWORTH
At Large

April 27, 2012

HONORABLE MAYOR & CITY COUNCIL MEMBERS:

The Clear Lake City Council will conduct a **special** City Council meeting on Monday, **April 30, 2012**, at 6:30 p.m., in the Council Chambers, at City Hall. Please refer to the enclosed agenda for the items discussed below.

ITEM #6B. **Surf District (400 Block of North Shore Drive) Streetscape Project**. Both the temporary and permanent easement necessary to construct the project according to plan have now been secured by City staff from the affected adjacent property owners. Furthermore, the Project has now received a National Environmental Policy Act (NEPA) "categorical exclusion", as well as a determination of "no adverse effect" from the State Historic Preservation Office (SHPO).

The updated Project timeline calls for the Council, at its next regular meeting, which is on May 7th, to review the proposed final plans & specifications and set the date for a public hearing & bid letting. The public hearing is proposed for June 4th and the bid letting for July 17th (IDOT - Ames). It is further proposed that construction would not commence until after the Labor Day weekend and would be completed by November 9th.

The Project, of course, entails the removal of the existing PCC sidewalk and brick pavers along the north side of North Shore Drive, between Buddy Holly Place and 7th Avenue N.; construction of a new brick paver sidewalk, with 4" PCC base; roadway islands at the Surf Ballroom's North Shore Drive driveway approaches; decorative street lighting; street furniture and trash receptacles; and placement of sub-drain behind the curb & gutter section.

The estimated cost of construction for the Project is \$202,000. The City was awarded a Transportation Enhancement grant from the Iowa DOT (2011) in the amount of \$87,138 for the project. The balance of the Project will be funded from Tax Increment Financing (TIF) Revenues.



ITEM #6C. Water System Improvements & Street ROW Restoration – Lincoln Village. The City Council previously set the date & time for a public hearing on the Project's proposed plans, specifications, form of contract, & estimate of cost as April 30th, at 6:30 p.m. Notice of hearing and letting was published in the newspaper, as required by law.

The Project bid letting was conducted on April 25th, at 2:00 p.m. There were a total of three (3) sealed bids received from different general contractors. The lowest responsive responsible bid was submitted by Yohn Company, Clear Lake, in the amount of \$113,608 (base bid), which is 15.5% below the engineer's estimate of the probable cost of construction. It is recommended that the Council award the construction contract to Yohn Company for the base bid, as well as the 4th Avenue S. Sidewalk add alternate, which was bid at \$10,300 – 27% less than the engineer's estimate of the cost of construction (\$14,100).

It should be noted, that the City will be responsible for only about \$2,200 of the cost for the sidewalk, which is the estimated cost for oversizing it from 4' in width to 5'. The other add alternate (sanitary sewer service to the remodeled school) will be undertaken separately by the developer.

The total anticipated construction cost to the City will be roughly \$116,000. As part of the amended FY 12 budget, the Council budgeted \$125,000 for the improvements. The majority of the Project, since it entails water system improvements, is being funded from water revenues. The Project substantial completion date is June 29th.

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

Scott Flory
City Administrator

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)
Tim Coffey, Director CL Chamber (with attachments)
Brent Willett, Director, North Iowa Corridor EDC (C/A only)

TENTATIVE AGENDA
CLEAR LAKE CITY COUNCIL
CITY HALL – 15 N. 6TH STREET
MONDAY, APRIL 30, 2012
CITY HALL – COUNCIL CHAMBERS
SPECIAL MEETING
6:30 P.M.

1. Call To Order by Mayor Nelson P. Crabb.
2. Approval of Agenda.
3. Licenses & Permits:
 - Liquor License: Class C Liquor License (LC) (Commercial), MNG Restaurant Corp; Class B Wine Permit (WB) with Sunday Sales, Weathered Elements; Class C Liquor License (LC) (Commercial) with Outdoor Service & Sunday Sales, Rumorz; (renewals).
 - Excavator's License: Brian Nettleton Excavating, Joice, (renewal).
 - Transient Merchant License: Ole's Concessions, (renewal).
 - Street Closing Request: Clear Lake Fishing Club, Walleye Classic, May 19 & 20.
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:
 - **Motion to approve Ordinance #803**, "A summary Ordinance approving an Ordinance amending the Code of Ordinances of the City of Clear Lake, 2003, by repealing Chapter 165 Section 53 'Floodplain Management' in its entirety and adopting new 'Floodplain Management' provisions in lieu thereof to be known as Chapter 165 Section 53 'Floodplain Management' (2nd reading).

6. New Business:

A. North Iowa Corridor EDC – Multi-Community Economic “One Corridor” Agreement:

- Introduction by Scott Flory, City Administrator.
- Review of request, Brent Willett, Director North Iowa Corridor EDC.
- **Motion** to approve **Resolution #12-26**, “A Resolution approving a Multi-Community Economic ‘One Corridor’ Agreement.”
- Discussion and consideration of **Motion** by City Council.

B. Surf District (400 block of North Shore Drive) Streetscape Project:

- Introduction by Scott Flory, City Administrator.
- Review of proposed preliminary plans & specifications, Jason Petersburg, P.E., Veenstra & Kimm.
- Discussion by City Council.

C. Municipal water system & street right-of-way restoration improvements – Lincoln Village:

- Introduction by Scott Flory, City Administrator.
- Review of 4/25 bid letting and recommendation, Joe Weigel, Public Works Director.
- Public Hearing.
- **Motion** to close public hearing.
- Discussion and consideration of **Motion** by City Council.
- **Motion** to approve **Resolution #12-27**, “A Resolution approving plans & specifications, form of contract, and estimate of cost.”
- Discussion and consideration of **Motion** by City Council.
- **Motion** to approve **Resolution #12-28**, “A Resolution Making an Award of Contract.”

7. Mayor’s Report:

8. Chief of Police Report:

- Review of proposed Noise Ordinance.

9. Public Works Director’s Report:

- Pre-construction conference (4/24): Industrial Park 3rd Addition Storm Sewer Improvement Project
- Pre-construction conference (4/25): 7th Ave N. Storm Sewer Outlet (Willow Creek) Improvement Project.

- Update regarding the CDBG Improvement Project (Phase 2).
- Update regarding the 10th Avenue N. Street Reconstruction Project.

10. City Administrator's Report:

- Veterans Memorial Golf Course Clubhouse Bathrooms Renovation Project.
- N. 6th Street Improvement Project (10th Ave N. – HWY 18).

11. City Attorney's Report:

12. Closed Session: Pursuant to *Code of Iowa* Section 21.5 (1c) "to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation".

13. Other Business:

14. Adjournment.

NEXT REGULAR MEETING – MAY 7, 2012

ORDINANCE NO. _____

A SUMMARY ORDINANCE APPROVING AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CLEAR LAKE, IOWA, 2003, BY REPEALING CHAPTER 165 SECTION 53 "FLOODPLAIN MANAGEMENT" IN ITS ENTIRETY AND ADOPTING NEW "FLOODPLAIN MANAGEMENT" PROVISIONS IN LIEU THEREOF TO BE KNOWN AS CHAPTER 165 SECTION 53 "FLOODPLAIN MANAGEMENT"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEAR LAKE, IOWA:

Section 1. Summary. This ordinance repeals the existing "Floodplain Management" Ordinance and adopts a new "Floodplain Management" Ordinance for the City of Clear Lake, Iowa.

Section 2. Section 165.53 of the Code of Ordinances of the City of Clear Lake, Iowa, is hereby repealed and replaced with a new "Floodplain Management" Ordinance attached hereto as Exhibit A.

Section 3. All Ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 4. If any part, article, section, or subsection of this Ordinance shall be held invalid or unconstitutional for any reason, such holding shall not be construed to impair or invalidate the remainder of said Ordinance, notwithstanding such holding.

The foregoing ordinance was introduced before the Clear Lake City Council on the 16th day of April 2012, and was duly adopted and approved by the Mayor and City Council of the City of Clear Lake on the ____ day of _____, 2012, after notice, hearing, and three readings of said Ordinance.

MAYOR

ATTEST: CITY CLERK

RESOLUTION NO. _____

RESOLUTION APPROVING MULTI-COMMUNITY ECONOMIC
ONE CORRIDOR AGREEMENT

WHEREAS, the communities of Mason City, Clear Lake and Greater Cerro Gordo County are facing greater competition for economic development, and

WHEREAS, it is in the best interest of the City of Mason City, the City of Clear Lake and Cerro Gordo County to preserve taxpayer economic development dollars by adopting a policy to prevent the private sector from pitting communities against one another in an attempt to inflate the incentives necessary for the attraction and retention of businesses, and

WHEREAS, the communities who sign on to the One Corridor Agreement have resolved not to directly compete with each other for existing businesses until such time as a business has made and irrevocable decision to relocate from its home community, and

WHEREAS, a task force of elected and administrative leaders from each party to the One Corridor Agreement was assembled, produced and unanimously approved the agreement

WHEREAS, the City Council have reviewed the One Corridor Agreement and were consulted in its development, and

WHEREAS, the Board of Directors of the North Iowa Corridor Economic Development Corporation have reviewed and unanimously approved and adopted the One Corridor Agreement, and

NOW THEREFORE be it resolved by the City Council, we hereby authorize the Mayor to sign the One Corridor Agreement.

PASSED AND APPROVED this ____ day of April, 2012.

Nelson Crabb, Mayor

Attest:

One Corridor Agreement

The parties to this agreement are committed to contributing to a dynamic regional economy and engaging in cooperative regional economic development practices which responsibly steward taxpayer dollars while maintaining a high level of competitiveness for the Corridor in the global economy.

We believe that a program of cooperative competition between communities best positions the Corridor region¹ in the global marketplace and that what is good for one Corridor community is good for another.

We agree that with respect to existing businesses in the Corridor region, a preponderance of priority should be placed upon their retention and growth within the community in which the business currently resides. As such, we agree not to offer or make available any institutional² or discretionary³ incentives to any company located in another Corridor community or territory until that company has provided written affirmation to the North Iowa Corridor Economic Development Corporation that it has made an irrevocable decision to relocate outside the city or territory in which it is currently located. We further agree not to solicit or entertain businesses from other communities that sign this agreement unless such an affirmation has been signed.

We agree that in competitive business attraction situations, where companies from outside the area have given notice of consideration of more than one Corridor community for a single project location, the North Iowa Corridor Economic Development Corporation shall serve as the single point of project contact for parties to this agreement. We agree that we shall submit all discretionary incentive offers to clients exclusively through the North Iowa Corridor office. We further agree, unless otherwise authorized by the other communit[ies], that all parties shall refrain from secondary incentives proposals⁴ or negotiations until the prospect has irrevocably removed the other Corridor communit[ies] from consideration.

We agree that to directly compete with another Corridor community for economic development projects on the basis of discretionary incentives is harmful to the region and costly to the taxpayer. We therefore shall not let another Corridor community's discretionary incentives package- should it become known- to be used as a lever to adjust or amend our community's discretionary incentives package.

Jointly signed and approved this 30th day of April, 2012.

Eric Bookmeyer, Mayor, City of Mason City

Nelson Crabb, Mayor, City of Clear Lake

Phil Dougherty, Chairman, Cerro Gordo County Board of Supervisors

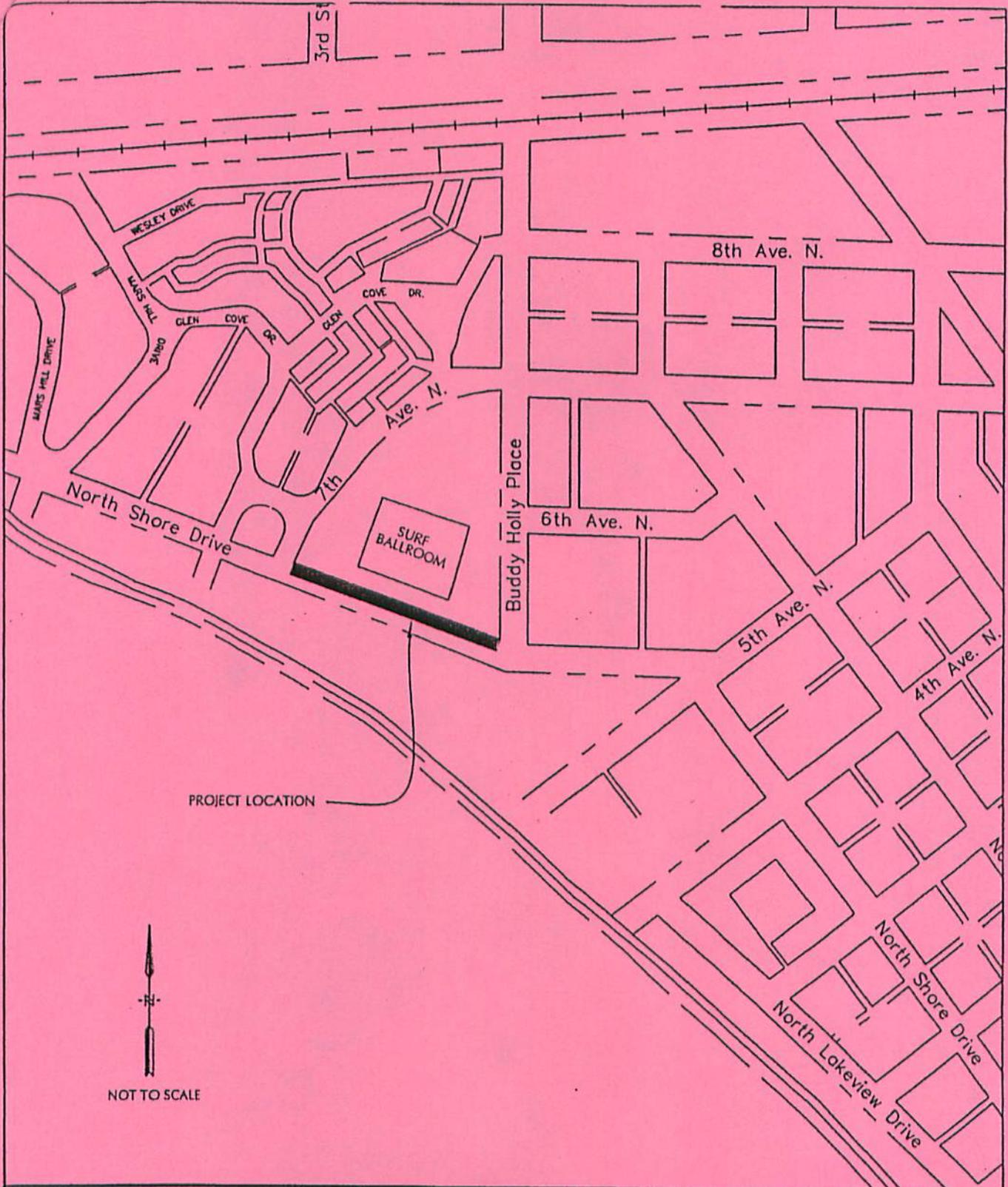
Attest:

¹ City of Mason City, City of Clear Lake and Cerro Gordo County, Iowa

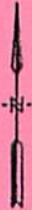
² Economic development incentives available to any applicant which meets certain static qualifications which do not require additional approvals from any body of government.

³ Economic development incentives developed specific to a project which require additional approvals from a body or bodies of government.

⁴ A presentation of additional or altered incentive[s] by a community subsequent its initial proposal.



PROJECT LOCATION



NOT TO SCALE



LOCATION MAP
 THE SURF DISTRICT – NORTH
 SHORE DRIVE STREETSCAPE IMPROVEMENTS

ATTACHMENT

B

VEENSTRA & KIMM, INC.

2800 Fourth Street SW, Ste 9 • Mason City, IA 50401
 641-421-8008 • 641-380-0313 (FAX) • 877-241-8008 (WATS)

PROJECT 38373



VEENSTRA & KIMM, INC.

2800 Fourth Street SW, Suite 9 • Mason City, Iowa 50401-1596
641-421-8008 • 641-380-0313(FAX) • 877-241-8008(WATS)

Jason Petersburg, P.E.
April 24, 2012

The Surf District – North Shore Drive Streetscape Improvements

<u>Task</u>	<u>Project Timeline</u>	<u>Date</u>	<u>Status</u>
Obtain Easements (City of Clear Lake)		April 17, 2012	Complete
Submit Final Plans to the IDOT (V&K)		April 18, 2012	Complete
Set Date for Public Hearing on Plans, Specifications, Form of Contract, & Estimate of Cost (City of Clear Lake)		May 7, 2012	
Publish Notice of Public Hearing (City of Clear Lake)		May 15 - May 31, 2012	
Public Hearing on Plans, Specifications, Form of Contract, & Estimate of Cost (City of Clear Lake)		June 4, 2012	
Publish Notice of Letting (IDOT)		June 2 - July 13, 2012	
Bid Letting (IDOT)		July 17, 2012	
Contract Award (City of Clear Lake)		August 6, 2012	
Approve Contract & Bond		August 20, 2012	
Early Start Date (Contractor)		September 5, 2012	
Completion Date (Contractor)		November 9, 2012	

RESOLUTION NO. _____

**RESOLUTION ADOPTING PLANS, SPECIFICATIONS,
FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE MUNICIPAL
WATER SYSTEM AND STREET RIGHT-OF-WAY RESTORATION
IMPROVEMENT PROJECT – LINCOLN VILLAGE**

WHEREAS, on the April 9, 2012, plans, specifications, form of contract, and estimate of cost were filed with the office of the City Clerk for the construction of certain public improvements described in general as “Municipal Water System and Street Right-of-Way Restoration Improvement Project – Lincoln Village”; and

WHEREAS, notice of hearing on plans, specifications, form of contract, and estimate of cost for said public improvements was published as required by law:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEAR LAKE, IOWA:

That the plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for said public improvements, as described in the preamble of this Resolution.

PASSED AND APPROVED, this 30th day of April, 2012

Nelson P. Crabb, Mayor

ATTEST:

Jennifer Larsen, City Clerk

RESOLUTION No. _____

**A RESOLUTION MAKING AN AWARD OF CONSTRUCTION CONTRACT FOR
THE MUNICIPAL WATER SYSTEM AND STREET RIGHT-OF-WAY RESTORATION
IMPROVEMENT PROJECT – LINCOLN VILLAGE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEAR LAKE, IOWA:

Section 1. That the following bid for construction of certain public improvements described in general as the Municipal Water System and Street Right-of-Way Restoration Improvement Project – Lincoln Village, and work incidental thereto, described in the plans and specifications heretofore adopted by the Council on April 30, 2012, be and is hereby accepted, the same being the lowest responsible bid received for said work, as follows:

Contractor:	YohnCo., Clear Lake, Iowa
Amount of Bid:	\$123,908.00
Portion of Bid:	Base Bid and Alternate 1.

Section 2. That the Mayor and Clerk are hereby directed to execute a contract with the contractor for the construction of said public improvements, and contingent on the approval of the contract and bonds by the City Administrator, Public Works Director, & project engineer, the contract shall be deemed approved by the Council and binding on the City.

PASSED AND APPROVED this 30th day of April, 2012.

Nelson P. Crabb, Mayor

ATTEST:

Jennifer Larsen, City Clerk

BID TABULATION
PUBLIC IMPROVEMENT PROJECT
LINCOLN SCHOOL SITE
CLEAR LAKE, IOWA
11676-12

DATE OF LETTING: April 25, 2012
 TIME OF LETTING: 2:00 P.M. 4/26/12
 TABULATED BY: [Signature]
 CHECKED BY: [Signature] DATE: 4/26/12



BASE BID

ENGINEER'S ESTIMATE: Yokoso DBA The Excavating Co. Clear Lake, Iowa
 Charlton Excavating Co., Inc. Clear Lake, Iowa
 Larry Etwood Construction Co., Inc. Mason City, Iowa

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT						
1	Clear & Grub Tree	97	EA	\$45.00	\$4,365.00	\$21.50	\$2,085.50	\$15.00	\$1,455.00	\$12.00	\$1,164.00
2	Remove Sidewalk	310	SY	\$5.00	\$1,590.00	\$4.00	\$1,240.00	\$3.00	\$1,590.00	\$3.00	\$1,590.00
3	Remove Pavement	850	SY	\$8.00	\$6,800.00	\$4.00	\$3,400.00	\$7.00	\$5,950.00	\$8.00	\$6,800.00
4	PCC Sidewalk, 4"	2050	SF	\$4.50	\$9,225.00	\$4.00	\$8,200.00	\$4.50	\$9,225.00	\$4.77	\$9,778.50
5	PCC Sidewalk, 6" (Driveway)	760	SF	\$6.00	\$4,560.00	\$4.50	\$3,420.00	\$5.75	\$4,370.00	\$4.75	\$3,610.00
6	Detectable Warning Panel	40	SF	\$30.00	\$2,000.00	\$35.00	\$1,400.00	\$37.50	\$1,500.00	\$26.00	\$1,040.00
7	PCC Curb and Gutter	450	LF	\$20.00	\$9,000.00	\$22.25	\$10,012.50	\$23.25	\$10,462.50	\$20.00	\$9,000.00
8	Pavement Restoration, POC	50	SY	\$30.00	\$1,500.00	\$44.50	\$2,225.00	\$95.00	\$4,750.00	\$62.55	\$3,127.50
9	Pavement Restoration, RMA	50	SY	\$30.00	\$1,500.00	\$42.50	\$2,125.00	\$50.00	\$2,500.00	\$60.30	\$3,015.00
10	Abandon Water Main	4	EA	\$250.00	\$1,000.00	\$300.00	\$1,200.00	\$350.00	\$1,400.00	\$250.00	\$1,000.00
11	Connect to Existing Water Main	6	EA	\$500.00	\$3,000.00	\$900.00	\$5,400.00	\$1,000.00	\$6,000.00	\$920.00	\$5,520.00
12	Remove and Salvage Existing Flushing Hydrant	1	EA	\$300.00	\$300.00	\$250.00	\$250.00	\$450.00	\$450.00	\$300.00	\$300.00
13	Remove and Salvage Existing Valve	2	EA	\$250.00	\$500.00	\$35.00	\$70.00	\$40.00	\$80.00	\$30.00	\$60.00
14	6" Water Main	60	LF	\$40.00	\$2,400.00	\$35.00	\$2,100.00	\$40.00	\$2,400.00	\$30.00	\$1,800.00
15	8" Water Main	325	LF	\$38.00	\$12,350.00	\$40.00	\$13,000.00	\$35.00	\$11,375.00	\$45.00	\$14,625.00
16	10" Raw Water Main	240	LF	\$35.00	\$8,400.00	\$35.00	\$8,400.00	\$30.00	\$7,200.00	\$80.00	\$19,200.00
17	16" Raw Water Main	155	LF	\$75.00	\$11,625.00	\$40.00	\$6,200.00	\$62.50	\$9,687.50	\$80.00	\$12,400.00
18	6" Gate Valve & Box	2	EA	\$750.00	\$1,500.00	\$750.00	\$1,500.00	\$1,100.00	\$2,200.00	\$1,100.00	\$2,200.00
19	8" Gate Valve & Box	4	EA	\$1,000.00	\$4,000.00	\$1,100.00	\$4,400.00	\$1,500.00	\$6,000.00	\$2,000.00	\$8,000.00
20	10" Gate Valve & Box	2	EA	\$1,500.00	\$3,000.00	\$1,600.00	\$3,200.00	\$2,150.00	\$4,300.00	\$2,600.00	\$5,200.00
21	16" Gate Valve & Box	1	EA	\$2,000.00	\$2,000.00	\$5,600.00	\$5,600.00	\$7,250.00	\$7,250.00	\$6,800.00	\$6,800.00
22	Hydrant	3	EA	\$2,500.00	\$7,500.00	\$2,200.00	\$6,600.00	\$2,500.00	\$7,500.00	\$2,800.00	\$8,400.00
23	Flushing Hydrant	1	EA	\$2,000.00	\$2,000.00	\$2,200.00	\$2,200.00	\$2,500.00	\$2,500.00	\$2,800.00	\$2,800.00
24	Water Main Fittings	1500	LBS	\$6.00	\$9,000.00	\$9.50	\$14,250.00	\$8.50	\$12,750.00	\$9.00	\$13,500.00
25	Remove Storm Inlets	1	EA	\$750.00	\$750.00	\$500.00	\$500.00	\$350.00	\$350.00	\$500.00	\$500.00
26	Storm Sewer Inlets	1	EA	\$2,500.00	\$2,500.00	\$1,200.00	\$1,200.00	\$2,250.00	\$2,250.00	\$2,800.00	\$2,800.00
27	Turf Restoration (Seeding)	60	SQ	\$25.00	\$1,500.00	\$15.00	\$900.00	\$27.50	\$1,650.00	\$50.00	\$3,000.00
28	General Excavation and Backfill	1	LS	\$4,500.00	\$4,500.00	\$250.00	\$250.00	\$2,500.00	\$2,500.00	\$4,200.00	\$4,200.00
29	Special Backfill Material, Trench	100	TON	\$16.00	\$1,600.00	\$5.00	\$500.00	\$15.00	\$1,500.00	\$18.00	\$1,800.00
30	Traffic Control	1	LS	\$2,500.00	\$2,500.00	\$1,250.00	\$1,250.00	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00
31	Mobilization	1	LS	\$5,000.00	\$5,000.00	\$1,500.00	\$1,500.00	\$4,500.00	\$4,500.00	\$5,000.00	\$5,000.00
TOTAL BASE BID					\$134,425.00		\$113,608.00		\$144,425.00		\$149,005.00

BID TABULATION
PUBLIC IMPROVEMENT PROJECT
LINCOLN SCHOOL SITE
CLEAR LAKE, IOWA
11/6/12



ADD ALTERNATE BID 1 - PCC SIDEWALK (4TH AVENUE S.)

ENGINEER'S ESTIMATE

Yohnco DBA The Excavating Co.
 Clear Lake, Iowa

Carlson Excavating Co., Inc.
 Clear Lake, Iowa

Larry Elwood Construction Co., Inc.
 Mason City, Iowa

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT						
1	Remove Sidewalk	150	SY	\$3.00	\$750.00	\$4.00	\$600.00	\$7.50	\$1,125.00	\$3.00	\$750.00
2	PCC Sidewalk, 4"	2300	SF	\$4.50	\$10,350.00	\$4.00	\$9,200.00	\$4.50	\$10,350.00	\$4.77	\$10,971.00
3	Turf Restoration (Seeding)	20	SQ	\$23.00	\$500.00	\$15.00	\$300.00	\$27.50	\$550.00	\$50.00	\$1,000.00
4	General Excavation and Backfill	1	LS	\$2,500.00	\$2,500.00	\$200.00	\$200.00	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00
TOTAL ADD ALTERNATE BID 1					\$14,100.00		\$10,300.00		\$13,525.00		\$14,721.00

ADD ALTERNATE BID 2 - SANITARY SEWER SERVICE (NEW ADDITION REMODEL)

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT						
1	Remove Pavement	10	SY	\$10.00	\$100.00	\$5.00	\$50.00	\$50.00	\$500.00	\$9.00	\$90.00
2	Pavement Restoration, HMA	10	SY	\$75.00	\$750.00	\$42.50	\$425.00	\$50.00	\$500.00	\$110.30	\$1,103.00
3	Abandon Sanitary Sewer Service in Manhole	1	EA	\$1,000.00	\$1,000.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00
4	Sanitary Sewer Service Wye, 8" X 6" or 6" X 6"	2	EA	\$500.00	\$1,000.00	\$1,000.00	\$2,000.00	\$325.00	\$650.00	\$400.00	\$800.00
5	Sanitary Sewer Service Pipe, 6"	70	LF	\$30.00	\$2,100.00	\$75.00	\$5,250.00	\$27.50	\$1,925.00	\$28.00	\$1,960.00
6	Sanitary Sewer Cleanout	2	EA	\$350.00	\$700.00	\$120.00	\$240.00	\$300.00	\$600.00	\$175.00	\$350.00
7	Special Backfill Material, Trench	15	TON	\$16.00	\$240.00	\$5.00	\$75.00	\$16.75	\$251.25	\$18.00	\$270.00
TOTAL ADD ALTERNATE BID 2					\$5,890.00		\$8,290.00		\$4,676.25		\$4,823.00
TOTAL PROJECT					\$154,415.00		\$132,198.00		\$162,626.25		\$168,549.00

Comments

A total of 3 bids were received. The lowest Base Bid was submitted by Yohnco DBA The Excavating Co. Their bid of \$113,608.00 is \$20,817.00 or 15.5% below the Engineer's Opinion of Cost of \$134,425.00.

Yohnco also had the lowest total of Base Bid plus Add Alternate Bids 1 and 2. Their total of \$132,198.00 is \$22,217 or 14.4% below the Engineer's Opinion of cost of \$154,415.00.

An addition error was found in the total for the Base Bid submitted by Larry Elwood Construction. That error lowered their Base Bid total by \$5,000.00 from \$154,005.00 to \$149,005.00. The calculation error did not effect the outcome of the bid results.

The City can award the Base Bid and either or both Alternate bids as they wish. The apparent low bidder is every case is Yohnco.

Remarks

Vaggy Colby Associates recommends awarding the Base Bid and desired Alternate Bids to Yohnco DBA the Excavating Company. The contract documents require the bids to remain valid for 30 days following the bid opening.

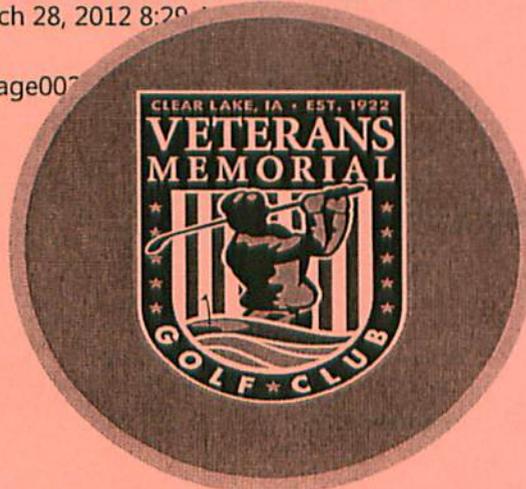
To the best of Vaggy Colby Associates' knowledge, the above is a true and correct tabulation of the bids opened at 2:00 p.m. on April 25, 2012.

Michael L. Dandur, PE

Michael L. Dandur
 April 25, 2012

Scott Flory

From: Shane Cooney <Shane.Cooney@RaymondJames.com>
Sent: Wednesday, March 28, 2012 8:20 AM
To: Scott Flory
Attachments: image001.gif; image007



March 27,
2012

City of Clear Lake
15 N. 5th Street
Clear Lake, IA 50428

Re: Golf Course Renovation

Dear Mayor and Council,

The Golf Course restroom remodel project has been completed. As you will recall, the project included, new carpet; finished walls; new handicap accessible toilets and sinks. Additionally, as a result of an energy audit by Alliant Energy, we finished and insulated all outside, basement walls and added a ceiling to the project. These additions added some expense to the project but were necessary to ensure that the building is as energy efficient as possible. In addition to these upgrades, we will be filling the second story walls with insulation this fall, which was also recommended by Alliant. The outstanding materials bills are attached and are summarized as follows:

Woodford-Wheeler Lumber Co.	\$7,170
Burtness-Lundgren Plumbing	\$1,668
Menards	\$1,490
Carrier Electric	\$2,000
Master's Flooring	\$550

The total amount due for the materials associated with this project is \$12,878. Please make payment to Veterans Memorial Golf Club Foundation. We will pay the vendors directly.

In addition to the materials listed above, The VMGC Foundation fund- raised to assist in offsetting the increased cost of the materials and to accommodate a minor remodel of the kitchen, which included new cabinets, counter tops, plumbing, and shelving. Those making contributions include Woodford Wheeler Lumber(\$500); Masters Flooding(\$1335 trade); Members Tom Alexander, Dennis Silkebaken, VMGC Women's Assoc., and numerous other members also made cash contributions toward materials purchased. These donations totaled more than \$2,800.

As you will recall all labor for the project was donated. Over 900 hours of labor went into this project. Dozens of volunteers showed up several days per week starting February 16th. The crew had to kick it in high gear to finish the restrooms to accommodate an early opening at the Course due to the nice weather. The project was complete on March 22nd and the Clubhouse was opened for business the next day!

We appreciate the partnership with the City of Clear Lake and truly believe that working together we can take the course to the next level and sustain it for many years to come.

We invite you for a walk through of the Club House next Monday at 6:00 P.M., prior to your council meeting, so that you can see first-hand what a difference this project has made.

Sincerely,

VMGC Foundation Board of Directors

Shane W. Cooney
Senior Vice President, Investments
Raymond James and Associates
641-423-0801

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NOISE ORDINANCE

PURPOSE

The purpose of this chapter is to establish standards for the control of excessive noise in the City thereby protecting the public's health, safety and general welfare.

SCOPE OF REGULATIONS

This chapter applies to the control of all noise originating within the City, except in the following cases:

- A State or Federal Agency has adopted a different standard or rule than prescribed within this chapter which preempts the regulation of noise from a particular source so as to render this chapter inapplicable.
- The Council has determined that, by reason of public acceptance of the activity producing a particular noise or noises, such noise is deemed acceptable to the residents of the City.

DEFINITIONS:

The following words and phrases, when used in this ordinance, shall, for the purpose of this ordinance, have the meanings respectively ascribed to them in this section, unless otherwise defined in the text of the section.

Commercial Area – property zoned commercial, as identified on the Official Zoning Map of the City of Clear Lake, Iowa, as amended.

Residential Area – property zoned residential, as identified on the Official Zoning Map of the City of Clear Lake, Iowa, as amended.

Industrial Area - property zoned industrial, as identified on the Official Zoning Map of the City of Clear Lake, Iowa, as amended.

Motor Vehicle - means any motor-powered vehicle designed to carry at least one passenger or driver and of the type typically licensed for use on a public highways. This includes trucks cars and motorcycles.

Recreational Vehicles - recreational vehicle include those that are motor-powered but not of the type typically licensed for use on the public highways, although their use on a public highway may be permitted under limited conditions. They are vehicles used primarily for recreation, not basic transportation and include ATV's, snowmobiles and dirt bikes.

Decibel (dB) - means a logarithmic and dimensionless unit of measure often used in describing the amplitude of sound equal to twenty (20) times the logarithm to the base 10 of the ratio of the RMS sound pressure to the reference pressure of twenty (20) micropascals. The sound pressure level is denoted as SPL and is expressed in decibels.

Sound Level Meter - means an instrument which includes a microphone, amplifier, RMS detector, integrator or time averaging device, output or display meter and weighting networks used to measure sound pressure levels.

Powered Model Vehicles - means any self propelled, airborne, water borne or land borne vessel or vehicle which is not designed to carry people, including but not limited to model airplanes, rockets, boats and cars.

MAXIMUM PERMISSIBLE SOUND LEVELS BY RECEIVING LAND USE:

The following are the maximum permissible sound levels allowed at or within the real property boundary of a receiving land use as measured by a sound level meter (decibel meter):

Residential-	7:00 am to 10:00 pm	60 dB
	10:00 pm to 7:00 am	50 dB
Commercial-	At All Times	65 dB
Industrial-	At All Times	75 dB

NOISE DISTURBANCE PROHIBITED:

It is unlawful for any person to willfully make, continue, cause, or allow any Noise Disturbance within the City of Clear Lake. The Property Owner, Tenant, or other such person with control, occupancy, or possession of property, shall be responsible for abatement of the Noise Disturbances occurring on that property and failure to do so shall be a violation of this section.

A Noise Disturbance shall include any or all of the following:

1. **Alarm Testing** - The sound emitted by the intentional sounding of any privately owned fire alarm, burglar alarm, siren, whistle or similar stationary emergency signaling device that can be heard outdoors when sounded for the essential purpose of testing such device, when conducted between the hours of 5:00 pm and 8:00 am.

- 2. Noisy Exhaust System - The sound made by a motor vehicle or recreational vehicle whose exhaust system is defective or has been modified to produce noise that does not blend the exhaust noise into the overall vehicle noise. The exhaust shall not produce a sharp popping or crackling sound that disturbs a reasonable person of normal sensitivities at all times.**
- 3. Motor Vehicle Sound / Entertainment Equipment - The sound emitted, produced or amplified by a motor vehicle entertainment system, including but not limited to radio, tape deck, compact disc player, MP3 player, video player, CD player, amplifiers and any and all such equipment used and intended for the use and enjoyment of such vehicles occupant, if the sound emitted therefrom is audible at a distance of 50 feet or greater, at all times.**
- 4. Screeching Tires - The sound made by the intentional screeching or squealing of the tires of a motor vehicle, at all times.**
- 5. Racing - The sound made by a motor vehicle or recreational vehicle on private property or public right of way during any racing event or time trial, whether organized or unorganized, at all times when such sound disturbs a reasonable person of normal sensitivities.**
- 6. Chain Saw, Lawn Mowers, Weed Whips - The sound emitted by chain saws, tree trimming equipment, lawn mowers, weed whips, and other motor powered equipment used to maintains lawns and other outdoor property operated between the hours of 10:00 pm and 7:00 am. Between the hours of 7:00 a.m. and 10:00 p.m., this activity shall not be subject to the time, area and dB limits set forth herein.**
- 7. Construction Noise - The sound resulting from the erecting, constructing, excavating, demolishing, altering, or repairing of any structure, or operating, or permitting the operation of any tools or equipment used in construction, drilling, or demolition work in such a manner as to cause a sound in excess of that herein defined across any property boundary line between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and between the hours of 9:00 pm and 8:00 am on weekends.**
- 8. Engine Brake Noise - The sound made by an engine brake devise of a diesel engine truck, at all times.**
- 9. Engine Repairs and Testing - The sound made by repairing, rebuilding, modifying or testing a motor vehicle, boat, motorcycle, or recreational vehicle between the hours of 10:00 pm and 7:00 am.**
- 10. Power Snow Removal Equipment - The sound of powered snow-removal equipment (excluding snow plows/blades) in residential areas, between the hours of 12:00 midnight and 5:30 am., when less than four (4) inches of snow has fallen.**

11. **Powered Model Vehicles** - The sound made by a powered model vehicle between the hours of 9:00 pm and 7:00 am.
12. **Sound Equipment and Sound Amplifying Equipment** - The sound made by the playing or operation of any radio, television, record player, tape deck, CD or DVD player, computer or other sound amplifying equipment that; creates a Noise Disturbance to a reasonable person of normal sensibilities across a residential boundary between the hours of 12:00 a.m. (Midnight) and 8:00 a.m.
13. **Animal Sounds** – To include but not limited to; howls, barks or other audible sounds, emitted by an animal without provocation by the complainant, that are unreasonably loud or disturbing, which are of such character, intensity, and duration as to disturb the peace and quiet of a reasonable person in the neighborhood, or to be detrimental to the life and health of any individual. The owning, keeping, or harboring of any animal is prohibited.

EXCEPTIONS TO THIS CHAPTER:

1. The emission of sound for the purpose of alerting people to an emergency, including but not limited to; outdoor warning sirens, police and fire vehicle sirens, snow clearing equipment, and public address systems.
2. Rail, air and public mass transportation vehicles.
3. The sound from church bells, carillons or chimes or electronic reproductions of these sounds by a church or the emission of sounds in conjunction with a religious celebration.
4. The sound made by students, employees or the general public while in attendance at any school sponsored event.
5. The sound at any event with an approved license or permit, which specifically allows sound levels in excess of those set forth in this ordinance, from any department, board, or commission of the City authorized to issue such license or permit.
6. The sound made by any federal, state, county, city, or school district equipment used to conduct official business, including equipment rented or hired.

PENALTIES:

Any violation of this Ordinance shall be a simple misdemeanor and shall be subject to the penalties for simple misdemeanors as provided in the Iowa Code.