

REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, August 4, 2014, at 6:30 p.m., in the Conference Room, at the Clear Lake Fire Station, with Mayor Nelson P. Crabb presiding. All Council Members present.

Mayor Crabb requested that the consent agenda be amended by adding the following item:

- Liquor License: Class C Liquor License (LC) (Commercial) with Outdoor Service & Sunday Sales, Fiesta Cancun Mexican Restaurant, (renewal).

Mayor Crabb also requested that item 6B. under New Business be moved to the first item under New Business.

Nelson moved the agenda be approved, seconded by Boehnke. Passed Unanimously.

Callanan moved to approve the consent agenda, seconded by Brant:

- A. Minutes – July 21, 2014
- B. Approval of the bills & claims.
- C. Licenses & Permits: Excavator's License: LB & Sons, Ventura, and Barker, Lemar & Associates, West Des Moines, (new).

Roll Call: All Ayes.

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

Mike Eddy, 15 Sunset View Drive, asked the Council to consider enacting an ordinance to prohibit parking signs on one side of 10th Avenue N between Buddy Holly Place and to Village Road and on W 7th Avenue N from N Shore Drive to HWY 18.

Scott Flory, City Administrator, gave an overview of the proposed Clear Lake Veteran's Memorial Project and stated that a concept plan was presented to the City Council at its June 2nd meeting which at that time the Council referred the topic to the Park & Recreation Advisory Board for their review and recommendation. He stated that at the June 25th Park & Recreation Board meeting the Board took public comment and then tabled the request to allow more opportunity for the Board to receive additional comment from the community. He advised that at its July 16th Park & Recreation Board meeting the Board voted in favor 5 to 1 to recommend to the City Council not to utilize the Seawall/N Lakeview Drive location for the Veteran's Memorial and voted unanimously to recommend to the City Council that a task force be formed to research alternative sites for the Veteran's Memorial. Mayor Crabb stated it was now time for citizen comment regarding the proposed Veteran's Memorial.

Jeff Benning, 1305 Main Avenue, stated he is not in favor of the seawall location due to limited access to the area for handicapped individuals.

Sue Ransom, 709 N Shore Drive, speaking on behalf of her father Jim Ransom, stated that her father would like to see the memorial placed at the Seawall location due to the fact it is one of the most visible areas in the community.

Mike Nelson, 14 N 10th Street, stated he is in favor of the Seawall location for the memorial and believes that the community as a whole feels the memorial needs to be front & center and that this placement will accomplish that.

Jon Berhow, 301 ½ Main Avenue, stated he believes the Seawall location is the perfect location for the memorial.

Dave Parks, 2014 Buddy Holly Place, stated that he is in favor of the seawall location.

Julie Angle, 808 1st Ave S, stated that she is in favor of a memorial just not at the seawall location as she feels the memorial should be located in a more serene location that would allow people to reflect and show their respect to the veteran's.

Josh Schulze, 401 18th Street W, stated he doesn't feel the seawall location gives the Veteran's the respect that they deserve because of all the activity in this area during the summer months.

Al Angle, 808 1st Ave S, stated he feels the seawall location is very inaccessible and he favors a memorial but not at that location.

Mike Finnegan, 1421 Main Avenue, presented the Council with a petition signed by over 1,000 residents who are in favor of the seawall location for the memorial and stated that he believes that this is a testament to how important it is to the residents that the memorial be located at the seawall.

Bill Kennedy, 2400 Main Avenue, stated he feels the memorial should be front and center in the community and is in favor of the seawall location.

Richard Nettleton, 1416 S Shore Drive, stated he is in favor of the memorial at the seawall location.

Gene Madsen, 2514 S Lakeview Drive, stated he believes the seawall is the most visible location for the memorial.

Chyrl Bergvig, stated that as a member of the Park & Recreation Advisory Board she voted to not recommend to the City Council placement of the memorial at the seawall location and that since the Park & Recreation Board meeting she has received 50 additional phone calls with all but three favoring a location other than the seawall.

Trinity Benson, 709 S 9th Street, stated that there is currently an Eagle Scout project located at the seawall that was completed by him 20 plus years ago and inquired as to whether that would be removed or relocated if the memorial was placed at the seawall.

Donna Dull, 606 S 9th Street, stated she is not in favor of the seawall location and that she is concerned about whether the proposed memorial would have ample space for additional names in the future.

Charlie Biebesheimer, 214 10th Ave S, stated he is not in favor of the seawall location.

Marilyn Tecklenburg, 102 2nd Avenue N, stated she is not in favor of the seawall location for the memorial due to the limited access to view the lake.

Denny Ouverson, 1514 Main Avenue, stated he is in favor of the seawall location and believes this is the best place for the memorial.

Mike Eddy, 15 Sunset View Drive, stated he supports a memorial but is not in favor of the seawall location.

Anne Unsworth, 2405 S Lakeview Court, stated she does not think the seawall is an appropriate location due to the fact the area is primarily used for recreation and does not feel the location will give the veterans the respect they deserve.

Gail Robinson, stated she is not in favor of the seawall location and believes there needs to be additional information provided regarding the design specifics of the proposed memorial.

Mark Tesar, 705 N Shore Drive, stated he is in favor of the memorial but not at the seawall location.

Cerise Sissel, 2902 N Shore Drive, stated she believes the memorial should be front and center in the community and that the seawall location best accomplishes this.

Hearing no additional public comment Mayor Crabb called for Council discussion.

Council Member Brant stated that he needs additional information pertaining to the design specifics and pros & cons of and other possible locations before he can make a decision on any specific location.

Council Member Callanan stated he is in favor of a memorial but believes the issue at hand is whether or not the seawall location would be good use of such a prominent piece of land.

Council Member Hugi stated he is in favor of the memorial but believes that the Council should take the recommendation of the Park & Recreation Board as they are a volunteer board.

Council Member Nelson stated that the importance of the proposed memorial is not at issue but rather the location is the only decision to be made and stated that he is in favor of appointing a task force to recommend the most appropriate location and give a report back to the City Council.

Council Member Boehnke stated that he agrees with Council Member Nelson regarding the task force and stated it is difficult to go against the Park & Recreation Boards recommendation and believes their decision should be respected.

Callanan moved to accept the recommendation of the Park & Recreation Advisory Board to not place the proposed Veteran's Memorial at the Seawall/N. Lakeview Drive location, seconded by Hugi. Roll Call: Ayes: Callanan, Hugi, Nelson. Nays: Boehnke, Brant. Motion carried 3 to 2.

Nelson moved to form a task force consisting of members of the City Council, City staff, Park & Recreation Advisory Board, and the community to examine all possible locations which may or may not include the seawall location and be brought back for future action by the City Council, seconded by Brant. Roll Call: Passed Unanimously.

Flory reviewed the proposed N. 6th Street Reconstruction Improvement Project and stated that in connection with the CDBG Sanitary Sewer Improvement Project, the City had previously authorized Veenstra & Kimm to prepare design plans & specifications for the future reconstruction of N. 6th Street, between US HWY 18 and 10th Ave N. and that the Council had subsequently decided to defer completion of the design plans and the actual construction work to a later time. He stated that as a result of the proposed new Dollar General Store to be constructed this year at the northeast corner of the intersection of US Hwy 18 & N 6th Street, City staff recommends completing the proposed N. 6th Street reconstruction project at this time. Flory advised that the scope of construction work involves a new 8" diameter PVC sanitary sewer main; a pre-cast concrete manhole; new PVC sanitary sewer services; new 8" diameter PVC or ductile iron watermain; new copper and PVC water services; new 8" and 6" HDPE sub-drain pipe and services; new concrete driveways and sidewalks; grading; modified sub-base; and 31' back-of-curb to back-of-curb concrete or asphalt paving, with concrete curb and gutter. He noted that the concrete and asphalt pavements will be bid as alternate equivalent pavements with award of contract based on low bid and pavement type of the City Council's preference.

Jason Petersburg, P.E., Veenstra & Kimm, reviewed the tentative project schedule and stated the Council will initiate the special assessment process at tonight's meeting and a public hearing on the proposed "Resolution of Necessity" would be conducted at the Tuesday, September 2nd City Council meeting. He stated the project bid letting is proposed to be conducted on September 4th and construction activities are projected to begin on or about September 18th and be completed by November 14th.

Callanan 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. 14-48

A PRELIMINARY RESOLUTION FOR CONSTRUCTION OF STREET, WATER,
SANITARY SEWER AND OTHER PUBLIC IMPROVEMENTS IN
THE CITY OF CLEAR LAKE, IOWA

Hugi introduced the following **Resolution** and moved its adoption, seconded by Brant. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 14-49

A RESOLUTION FIXING VALUE OF LOTS

Callanan introduced the following **Resolution** and moved its adoption, seconded by Boehnke. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 14-50

A RESOLUTION ADOPTING PRELIMINARY PLAT AND SCHEDULE; ESTIMATE OF COST AND PROPOSED PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE N. 6TH STREET RECONSTRUCTION PROJECT

Nelson introduced the following **Resolution** and moved its adoption, seconded by Boehnke.
Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 14-51

A RESOLUTION OF NECESSITY (PROPOSED)

Shaun Arneson, North Iowa Corridor Economic Development Corporation (NICEDC), gave an update on the 2nd quarter activities of the NICEDC.

Flory reviewed a proposal for the purchase of a replacement patrol vehicle for the Police Department and stated that the Council budgeted \$36,000 in FY 15 for the purchase of a replacement vehicle. He advised that quotes were received for five different vehicles and that the low quote was received from Pritchards Ford for a 2015 Ford Explorer in the amount of \$25,710 and a 2015 Ford Taurus in the amount of \$23,877. Police Chief, Rex McChesney, stated that the department preference would be to purchase a 2015 Chevy Tahoe from Lake Chevrolet in the amount of \$29,999. McChesney stated that the department preference is based on the fact that they currently have a Tahoe in their fleet that is used for the K-9 vehicle and that the Tahoe has more room than the Ford Explorer. After general discussion by the Council, Nelson moved to purchase the 2015 Ford Explorer from Pritchard's Ford, seconded by Hugi.
Roll Call: Ayes: Nelson, Hugi, Boehnke. Nays: Callanan, Brant.

McChesney gave an update on the City Hall/Police Department Renovation Project.

Mayor Crabb asked that the appointment of Linda Hopper to the Parks & Recreation Advisory Board for the term ending June 30, 2017 be approved. Boehnke moved to approve the appointment of Linda Hopper to the Parks & Recreation Advisory Board, seconded by Callanan. Passed Unanimously.

Mayor Crabb asked that the regular meeting on September 1st be rescheduled to September 2nd due to the Labor Day Holiday and that a special council meeting be scheduled for September 8th. Nelson moved to approve the meeting dates as requested by Mayor Crabb, seconded by Hugi. Passed Unanimously.

Weigel gave an update on the North Shore Drive Street Reconstruction Project and the Northwest Water Tower Improvement Project.

Flory asked the Council to continue to give him feedback regarding the City-owned decorative street light fixtures and the proposed retro-fit project.

There being no further business before the Council, Callanan moved to adjourn at 8:52 p.m., seconded by Brant. Passed Unanimously.

NEXT REGULAR MEETING – MONDAY, AUGUST 18, 2014

Nelson P. Crabb, Mayor

ATTEST:

Jennifer Larsen, City Clerk