

REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, December 17, 2012, at 6:30 p.m., in the Council Chambers, at City Hall, with Mayor Nelson P. Crabb presiding. Council Members present: Brant, Callanan, Unsworth, Nelson. Absent: Boehnke.

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

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

- A. Minutes – December 3, 2012.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
 - **Liquor License:** Class C Liquor License (LC) (Commercial) with Outdoor Service and Sunday Sales, The Other Place; Class B Wine Permit and Class C Beer Permit with Sunday Sales, Back Alley Wine, (renewals).
 - **Amusement License:** The Other Place, (renewal).

Roll Call: All Ayes.

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

Jason Petersburg, P.E., Veenstra & Kimm, gave an update on the North Shore Drive (400 block) Streetscape Improvement Project and reviewed Pay Estimate #3 in the amount of \$65,984.53 to Vieth Construction of Cedar Falls. He noted that liquidated damages totaling \$11,000 (22 days at \$500 per day) have been deducted from the pay estimate and that he is for the moment withholding \$14,000 additional until discussions can occur with the contractor regarding the quality of workmanship for some construction items. Unsworth moved to approve Pay Estimate #3, seconded by Callanan. Passed Unanimously.

Mike Danburg, P.E., Yaggy Colby Associates, gave an update on the 1st Avenue S. & S. 3rd Street Alley Improvement Project and reviewed Pay Estimate #1 in the amount of \$36,606.40 to YohnCo. of Clear Lake. He also reviewed Change Order #2 in the net amount of \$5,000, which included \$500 for a storm sewer lateral connection and a \$5,500 deduct for liquidated damages. He also reminded the Council that Change Order #1 was a deduct of \$5,000 due to a change in the completion date of roughly 3 weeks. Nelson moved to approve Pay Estimate #1, seconded by Brant. Passed Unanimously. Callanan moved to approve Change Order #2, seconded by Unsworth. Passed Unanimously.

Scott Flory, City Administrator, reviewed a proposed ordinance regarding the placement of a three-way stop at the intersection of North Shore Drive and Buddy Holly Place. He stated there is currently a stop sign for southbound traffic on Buddy Holly Place and adoption of the ordinance would require traffic traveling both east and west on North Shore Drive to stop at the intersection. Unsworth introduced **Ordinance #805** "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 65.03 TO ADD CERTAIN THREE-WAY STOP REQUIREMENTS AND 65.01 TO DELETE STOP REQUIREMENTS", Nelson. Roll Call: Passed Unanimously.

Nelson 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 #805** "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 65.03 TO ADD CERTAIN THREE-WAY STOP REQUIREMENTS AND 65.01 TO DELETE STOP REQUIREMENTS", seconded by Unsworth. Roll Call: Passed Unanimously.

Unsworth moved and Callanan seconded that **Ordinance #805** "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 65.03 TO ADD CERTAIN THREE-WAY STOP REQUIREMENTS AND 65.01 TO DELETE STOP REQUIREMENTS" be adopted on the final reading. Roll Call: Passed Unanimously.

Flory reviewed the proposed Main Avenue Water Tower Demolition Project and stated that the proposed project would entail the removal of the 500,000 gallon multi-leg water tower located at Main Avenue and S Shore Drive. He stated that the bid letting for the project is proposed for January 17, 2013 and the public hearing on the Plans & Specifications as well as the Award of Contract is proposed for the January 21, 2013 regular Council meeting. Petersburg reviewed the Plans & Specifications and stated that the estimated cost of construction for the project is \$64,500. Flory noted that the City has budgeted for the project in the FY 13 budget.

Tim Coffey, Executive Director, Clear Lake Area Chamber of Commerce, reviewed the Chamber Annual Report and the annual disbursements of the Hotel/Motel Tax revenues received from the City for the calendar year 2012.

Joe Weigel, Public Works Director, gave an update on the new driveway culvert installed at 907 12th Avenue S. (Outlet Creek).

Flory advised that the City currently has four bond issues on the books that are callable and that after speaking with the City's financial advisor he advised that the refunding could generate an interest savings of approximately \$75,000. He indicated that he would have this issue on the agenda for Council action at its January 7, 2013 meeting.

There being no further business before the Council, Brant moved to adjourn at 7:32 p.m., seconded by Callanan. Passed Unanimously.

NEXT MEETING – MONDAY, JANUARY 7, 2013

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

ATTEST:

/S/ Jennifer Larsen
Jennifer Larsen, City Clerk