

"Sailing Ahead" With the City of



"Where People Make the Difference"

# 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](http://www.cityofclearlake.com)

Mayor  
NELSON P.  
CRABB

November 28, 2014

City  
Administrator  
SCOTT  
FLORY

HONORABLE MAYOR & CITY COUNCIL MEMBERS:

The next meeting of the Clear Lake City Council is scheduled for Monday, **December 1, 2014**, at 6:30 p.m., in the Council Chambers, at the Clear Lake City Hall. Please refer to the enclosed agenda for the items discussed below.

## COUNCIL MEMBERS

DANA  
BRANT  
Ward 1

TONY J.  
NELSON  
Ward 2

JIM  
BOEHNKE  
Ward 3

MIKE  
CALLANAN  
At Large

GARY  
HUGI  
At Large

ITEM #6A. **FY 2014 Municipal Audit Report**. In accordance with Section 11.19 of the Code of Iowa, the annual audit report has been completed for the City of Clear Lake for the fiscal year ending on June 30, 2014. State law requires that a certified public accounting firm make an annual audit of the financial statements of all the departments of the City.

In May, 2013, the City Council approved a 5-year agreement with Bohnsack & Frommelt LLP, following issuance of an RFP for professional City audit services. The City is now completing the second audit covered by that 5-year agreement.

The City's auditor will present the audit and review the findings, conclusions, and recommendations with the City Council. Following acceptance of the audit report by the Council, a copy will be filed with the State Auditor's office.

**Smart Quote: "Men stumble over pebbles, never over mountains."**  
-- H. Emilie Cady, American author

Scott Flory  
City Administrator



Amended

PUBLIC NOTICE IS HEREBY GIVEN that the following governmental body will meet at the date, time, and place herein set out. The tentative agenda for said meeting is as follows:

TENTATIVE AGENDA  
CLEAR LAKE CITY COUNCIL  
CITY HALL – 15 N. 6<sup>TH</sup> STREET  
MONDAY, DECEMBER 1, 2014  
**6:30 P.M.**

1. Call To Order by Mayor Nelson P. Crabb.
2. Approval of Agenda.
3. Consent Agenda:
  - A. Minutes – November 17, 2014
  - 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, (renewal).
    - Excavator's License: Country Landscapes, Ames, (new).
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:
6. New Business:
  - A. Municipal Audit Report 2014 Fiscal Year:
    - Introduction by Scott Flory, City Administrator.
    - Presentation of the FY 2014 Municipal Audit Report, Sarah, Bohnsack – Bohnsack & Frommelt LLP
    - **Motion** to accept the FY 2014 Municipal Audit Report by City Council.
    - Discussion and consideration of **Motion** by City Council.

B. Northwest Water Tower Project:

- Construction update and review of Change Order #2, Tim Moreau, P.E., Veenstra & Kimm.
- **Motion** to approve Change Order #2 by City Council.
- Discussion and consideration of **Motion** by City Council.

C. Water Treatment Plant High Service Pumps Replacement Project:

- Review of request, Scott Flory, City Administrator.
- **Motion to approve Resolution #14-79**, "A Resolution authorizing the reimbursement of funds expended from the Water Revenue Fund from the proceeds of the Tax Increment Fund for the purposes of the Water Treatment Plant High Service Pump Replacement Project"
- Discussion and consideration of **Motion** by City Council.
- Pre-construction conference: December 9<sup>th</sup>, at 11:00 a.m.

7. Chief of Police's Report:

8. Mayor's Report:

9. Public Works Director's Report:

- Project updates: N. Shore Drive Street Reconstruction project; N. 6<sup>th</sup> Street Project; and update on new 2014 International Snow Plow.

10. City Administrator's Report:

- Library Director search process update.
- City Hall/Police Dept. Building Renovation Project

11. City Attorney's Report:

12. Other Business:

13. Adjournment.

NEXT REGULAR MEETING – DECEMBER 15, 2014

This notice is given pursuant to Chapter 21.4(1) of the Code of Iowa and the local rules of said governmental body.



---

---

**CHANGE ORDER**

Change Order No: 2

This change order amends the existing contract dated July 1, 2013 between the City of Clear Lake (OWNER) and Landmark Structures I, L.P. (CONTRACTOR) to add, revise, or delete work to the project identified below as described herein.

Project Name: Northwest Water Tower Improvement Project  
Owner Project No.: N/A

Project Location: Clear Lake, Iowa  
Engineer Project No.: 383125

---

Description of changes in work: Contractor to furnish all labor, materials and equipment in connection with the changes in work specified below:

1. CONTRACTOR to demolish the existing 250,000 gallon multi-leg water North Water Tower at no cost to the OWNER. The scope of the demolition to include:
  - Removal and disposal of steel tank and support structure and ancillary items including ladders, catwalks, etc.
  - Removal of tank foundations to three feet below grade
  - Removal of Splash Pad
  - Cut and Plug Existing Water Main to three feet below grade
  - Install 12" Mechanical Joint Plug on the north leg of cross on 12" water main along Hwy 18
  - Install two new 1" water services to the properties located at 3 Four Winds Drive and 10 Four Winds Drive
  - Backfill all areas excavated due to demolition with select fill materials and compact
  - Seed all areas disturbed as necessary

All water tower demolition and related work to be done in accordance with detailed plans and specifications prepared by Veenstra & Kimm, Inc. (ENGINEER) dated November 25, 2014.

2. In addition, CONTRACTOR to coordinate with CL Tel / i-wireless the removal of the cellular antennas from the existing water tower and installation of same on to the new water tower.
3. Further, CONTRACTOR to provide a two (2) year warranty on the interior coating system at no cost to the OWNER.

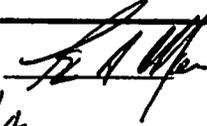
---

**ATTACHMENTS:**

1. Copy of CONTRACTOR's letter dated November 21, 2014.
2. Detailed Plans and Specifications including:
  - a. Specification Section 02062 – Water Tower Demolition
  - b. Drawing W.01 – Demolition Site Plan
  - c. Drawing W.02 – Demolition Details
  - d. Drawing W.03 – Demolition Photos

<b>Change in Contract Price:</b> Contract amount prior to this Change Order: <u>\$2,225,300.00</u> (Lump Sum)	<b>Change in Contract Time:</b> Contract Substantial Completion date prior to this Change Order: <u>November 14, 2014</u>  Contract Final Completion date prior to this Change Order: <u>December 14, 2014</u>
<b>Change in Contract Amount Due to this Change Order:</b> (Decrease) <u>\$0.00</u>	<b>Changes in Contract Substantial Completion Date due to this Change Order:</b> <u>176 Days</u> (Calendar Days)
<b>Contract Amount including this Change Order:</b> <u>\$2,225,300.00</u> (Lump Sum)	<b>Contract Substantial Completion Date including this Change Order:</b> <u>May 9, 2015</u> (New Tower Operational)  <b>Contract Final Completion Date including this Change Order:</b> <u>June 8, 2015</u> (Old Tower Demolished)

Except as specifically amended by this Change Order, all the terms and conditions of the original contract dated July 1, 2013 shall remain in full force and effect.

Approved by: _____  Date: _____  Owner: <u>City of Clear Lake</u>	Recommended By:  Date: <u>11/25/14</u> Consultant: <u>Veenstra &amp; Kimm, Inc.</u>	Approved By: _____  Date: _____  Contractor: <u>Landmark Structures I, L.P.</u>
---	---	---



Landmark Structures

1665 Harmon Road  
Fort Worth, Texas 76177  
817.439.8888 Phone  
817.439.9001 Fax

November 21, 2014

[www.teamlandmark.com](http://www.teamlandmark.com)

Veenstra & Kimm, Inc.  
2800 Fourth Street SW, Suite 9  
Mason City, IA 50401-1596

Attn: Jason A. Petersburg, P.E., Timothy A. Moreau, P.E.

Re: Northwest Water Tower Improvement Project – City of Clear Lake  
Landmark Job No. 1402

Dear Sirs:

Landmark Structures I, L.P. requests modifying the Substantial and Final Completion milestones to May 9, 2015 and June 8, 2015 respectively. This will allow the remaining coatings and other weather dependent work to be completed when temperatures and other ambient conditions are more favorable. In exchange for extending these milestones, Landmark offers to demolish the existing 250,000 gallon multi-leg tank (located on Highway 18), coordinate the relocation of the existing communication antennas from the existing tank to the new tank, and provide a two year warranty on the interior coating system at no cost to the City of Clear Lake.

The attached schedule outlines when the remaining work scope items will be completed. A summary of that schedule is as follows:

- Work to be completed in 2014
  - o Complete internal mechanical piping, leaving a final connection piece on the interior to assist with Spring 2015 coating operations
  - o Demobilize all coatings equipment and personnel
  - o Winterize the site
  
- Work to be completed in 2015
  - o Remobilize all coatings equipment and personnel to complete coating operations
  - o Sterilize and disinfect the tank
  - o Place tank into service for the City
  - o Review the installation plans and drawings from CL Tel / i-wireless to ensure tank structural integrity is maintained
  - o Coordinate with CL Tel / i-wireless on the removal of the cellular antennas from the multi-leg water tower and installation to new tank,
  - o Demolish and legally dispose of the multi-leg water tower
  - o Remove the tank's concrete foundation and splash pad to three feet below finished grade
  - o Cut and plug the existing water line to three feet below finished grade
  - o Install a 12" MJ plug on the cross section of the 12" watermain on Hwy 18, and a 4" plug on the existing tee at 4 Winds Drive

- Install the two new 1" water services to 10 and 3 Four Winds Drive (approximate distances are 200 feet and 90 feet respectively)
- Backfill all areas excavated during demolition with select fill and compact
- Reseed any required areas as necessary

In order to accomplish the demolition work, Landmark will need the City to establish any Right of Ways needed for the tank and accessories removal.

Regarding the communication relocation scope of work duration, Landmark inserted a 14 day duration activity upon speaking with CL Tel / i-wireless for their scope of work. Landmark plans to coordinate these efforts, but shall reserve the ability to extend the duration of this activity as it impacts the critical path of the remaining work and completion dates.

We have based the proposal above on the assumption that weather conditions will be favorable to support coatings activities by April 1, 2015, should this not be the case we will make every effort to begin as immediately thereafter as weather allows, with the understanding that completion dates will need to be adjusted accordingly. It is unfortunate that we are in this position, but we feel this is the best solution to provide the City with the highest possible quality product. Please review this proposal and advise on how the City desires to proceed. In the meantime, Landmark will continue to attempt to achieve acceptable ambient conditions and work when the conditions allow.

Best regards,  
LANDMARK STRUCTURES I, L.P.



Aimee Hanei  
Project Manager



PROJECT: Clear Lake Water Tower Demolition  
 CLIENT: CLEAR LAKE WATER TOWER DEMOLITION PROJECT  
 DATE: 11/15/2011  
 DRAWN BY: J. KIMM  
 CHECKED BY: J. KIMM  
 PROJECT NO.: 11-001

DATE	REVISIONS

NO.	DESCRIPTION	DATE	BY	CHECKED

**V&K**  
**VEENSTRA & KIMM, INC.**  
 2020 Fourth Street SW • Suite 9 • Mason City, Iowa 50401-1796  
 641-421-6008 • 641-340-0130 FAX • 877-341-8008 (TOLL FREE)

**NORTH WATER TOWER DEMOLITION**  
**CLEAR LAKE, IOWA**  
**WATER DISTRIBUTION NETWORK**

**WATER DISTRIBUTION NETWORK**  
**W.01**

PROJECT: 11-001  
 DRAWN BY: J. KIMM  
 CHECKED BY: J. KIMM  
 DATE: 11/15/2011



# Construction Schedule Northwest Water Tower Improvements

ID	Task Name	Duration	% Complete	Start	Finish	Qtr 4, 2014	Oct	Nov	Dec	Qtr 1, 2015	Jan	Feb	Mar	Qtr 2, 2015	Apr	May	Jun	Qtr 3, 2015	Jul	Aug	
75	Slab on Grade	2 days	100%	Wed 10/29/14	Thu 10/30/14	Oct 29 '14	Oct 30 '14														
76	Mechanical Room	7 days	100%	Sun 11/2/14	Sat 11/8/14	Nov 2 '14	Nov 8 '14														
77	Interior Piping	7 days	100%	Thu 11/6/14	Wed 11/12/14	Nov 6 '14	Nov 12 '14														
78	Watermain and Storm Sewer	23 days	100%	Mon 10/20/14	Tue 11/11/14	10/20 '14	Nov 11 '14														
79	Overhead Door Installation	1 day	100%	Sat 11/8/14	Sat 11/8/14	Nov 8 '14	Nov 8 '14														
80	Grading and Detention Pond on South end of Site	10 days	100%	Mon 11/3/14	Wed 11/12/14	Nov 3 '14	Nov 12 '14														
81	Winterize Site	7 days	0%	Wed 12/3/14	Tue 12/9/14			Dec 3 '14	Dec 9 '14												
82	CL Tel / i-wireless prelim antenna work	7 days	0%	Mon 3/16/15	Sun 3/22/15								Mar 16 '15	May 22 '15							
83	Finish Out Spring 2015	74 days	0%	Wed 3/25/15	Sat 6/6/15								Mar 25 '15	Jun 6 '15							
84	Finishout Crew Mob	0 days	0%	Wed 4/1/15	Wed 4/1/15								Apr 1 '15								
85	Electrical (Post-SOG) and Instrumentation	14 days	0%	Wed 4/1/15	Tue 4/14/15								Apr 1 '15	Apr 14 '15							
86	Remaining Site Grade & Access Driveway	21 days	0%	Wed 3/25/15	Tue 4/14/15								Mar 25 '15	Apr 14 '15							
87	Fence and Gate	10 days	0%	Mon 4/13/15	Wed 4/22/15								Apr 13 '15	Apr 22 '15							
88	Disinfect & Fill Tank	2 days	0%	Mon 5/4/15	Tue 5/5/15								May 4 '15	May 5 '15							
89	Instrumentation Complete	3 days	0%	Mon 5/4/15	Wed 5/6/15								May 4 '15	May 6 '15							
90	Bac-T Testing / Tank on Line	4 days	0%	Wed 5/6/15	Sat 5/9/15								May 6 '15	May 9 '15							
91	CL Tel / i-wireless relocation coordination (BY OTHERS)	7 days	0%	Fri 5/1/15	Thu 5/7/15								May 1 '15	May 7 '15							
92	250,000 Gallon Tank - Demolition, Removal, Water Service Revisions and Site Restore	30 days	0%	Fri 5/8/15	Sat 6/6/15								May 8 '15	Jun 6 '15							

<b>Task</b>	Summary	Rolled Up Progress	Group By Summary	Inactive Summary	Manual Summary
<b>Critical Task</b>	Rolled Up Task	Split	Deadline	Manual Task	Start-only
<b>Progress</b>	Rolled Up Critical Task	External Tasks	Inactive Task	Duration-only	Finish-only
<b>Milestone</b>	Rolled Up Milestone	Project Summary	Inactive Milestone	Manual Summary Rollup	

RESOLUTION # \_\_\_\_\_

**AUTHORIZING THE REIMBURSEMENT OF FUNDS EXPENDED FROM THE WATER REVENUE FUND FROM THE PROCEEDS OF THE TAX INCREMENT FUND FOR PURPOSES OF THE WATER TREATMENT PLANT HIGH SERVICE PUMP REPLACEMENT PROJECT AND RELATED TO THIS RESOLUTION**

WHEREAS, the City Council of the City of Clear Lake has heretofore entered into contracts pertaining to the expenditure of lawfully available funds to finance costs associated with construction, professional services, and administrative costs related to the Water Treatment Plant High Service Pump Replacement Project; and

WHEREAS, the City wishes to use proceeds from the Tax Increment Fund to finance the costs of the aforementioned project and reimburse the Water Revenue Fund for costs attributable to said project; and

WHEREAS, the City Council hereby finds and determines that the reimbursement for expenditure of funds from the Water Revenue Fund of the City is not inconsistent with the City's budgetary and financial conditions; and

WHEREAS, the City Council hereby finds and determines that the adoption of this Resolution is in the best interests of the Citizens of the City of Clear Lake; now, therefore,

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

SECTION 1: This Resolution is a declaration of intent to reimburse the Water Revenue Fund from the proceeds of the Tax Increment Fund for any capital expenditures and other costs incurred with respect to the Project herein referenced.

SECTION 2: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 3: All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 4: If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City

Council hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 5: This Resolution shall be in force and shall take effect upon its passage and approval by the City Council and Mayor.

Passed and approved December 1, 2014.

---

Nelson, P. Crabb, Mayor

Attest:

---

Jennifer Larsen, City Clerk