



# 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

June 14, 2013

City  
Administrator  
SCOTT  
FLORY

HONORABLE MAYOR & CITY COUNCIL MEMBERS:

The next meeting of the Clear Lake City Council is scheduled for Monday, **June 17, 2013**, at 6:30 p.m., in the Council Chambers, at 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

TERRY  
UNSWORTH  
At Large

**ITEM #6B. Employee Wages & Salaries – FY 14.** Prior to the start of each fiscal year (FY 14), the Council is required to set the wages & salaries for appointed officers and employees of the City. The wage and salary adjustments identified in the enclosed Resolution reflect an across-the-board increase, effective July 1, 2013, of 1.75% and a 1.5% increase effective January 1, 2014. This, of course, represents what was previously agreed to in each of the City's collective bargaining agreements and the Council has traditionally granted the same level of pay adjustment to the non-bargaining unit employees as well. In part, the wage and salary adjustments partially off-set an 8% increase in the employee's required monthly contribution towards a family health insurance premium. Effective July 1<sup>st</sup>, the required employee contribution towards the total cost of the monthly family health insurance premium is 15%; as a comparison, Cerro Gordo County requires 17%.

**ITEM #6C. CDBG Sanitary Sewer System Project (Contract #2).** On March 12, 2012, the Council awarded the construction contract for the project to Wicks Construction, Decorah, IA, in the amount of \$1,304,820.75. Contract #2 included all the "above grade" construction improvements. Specifically, the scope of work included: both new and replacement of defective sidewalks; driveway upgrades, and street paving. The location of the improvements was: Buddy Holly Place, from N. Shore Drive to 8<sup>th</sup> Ave N.; 8<sup>th</sup> Ave N., from Buddy Holly Place to 5<sup>th</sup> Place N.; 5<sup>th</sup> Place N., from 8<sup>th</sup> Ave N. to 10<sup>th</sup> Ave N.; 10<sup>th</sup> Ave N. from 5<sup>th</sup> Place N. to N. 8<sup>th</sup> Street.

The Project engineer has filed the "Certificate of Completion" for the Project with the City Clerk indicating that the work has been completed in conformance with the previously approved project plans & specifications. Enclosed in the packet is Pay Estimate #8, which serves as the final pay estimate for the project. Additionally, in accordance with the provisions



of the Code of Iowa, payment of the 5% retainage cannot occur prior to 31 days following the acceptance of the work by the Council.

The original contract amount was revised by a series of change orders to \$1,318,721.60. However, the final value of construction work completed was \$1,269,125.80, which is roughly 2.7% below the "original" contract amount. Total indirect costs (engineering, legal, & administrative) were \$257,724.24. Therefore, the total project cost was \$1,526,850.04. The total amount to be assessed is \$123,916.62 and the total City cost is \$1,402,933.42, which equates to roughly 8% and 92% of the Project cost, respectively.

At this time, the Council will initiate the final special assessment process. In order to do so, the Council will first consider a Resolution to "Accept the Work", followed by a Resolution "Ordering the Final Plat & Schedule of Assessments". Enclosed in your packet is a copy of the proposed Final Plat & Schedule of Assessments submitted by the Project engineer. At its regular meeting on July 1<sup>st</sup>, the Council will then act upon a Resolution "Approving the Final Plat & Schedule of Assessments".

**ITEM #6D. CDBG Sanitary Sewer System Project (Contract #1).**

On May 17, 2013, the Project engineer filed the Certificate of Completion for the Project with the City Clerk. At its regular meeting on June 3<sup>rd</sup>, the Council accepted the work and ordered the engineer to prepare the Final Plat & Schedule of Assessments. The Final Plat & Schedule of Assessments was filed with the City on June 11<sup>th</sup>. The Council may now act on the Resolution to "Adopt the Final Plat & Schedule of Assessments" and instruct the Clerk to file the same with the County Treasurer (June 21<sup>st</sup>). The Clerk is required to publish notice of the filing of the Final Plat & Schedule of Assessments in the newspaper for two consecutive weeks (June 26<sup>th</sup> & July 3<sup>rd</sup>). Notices to affected property owners will be sent between June 26<sup>th</sup> and July 3<sup>rd</sup>. Special assessments will be collected at the Office of the City Clerk until July 26<sup>th</sup>. The Clerk will thereafter certify collection of assessments with the County Treasurer (July 29<sup>th</sup>).

Scott Flory  
City Administrator

Smart Quote: "Without the freedom to criticize, there is no true praise."  
-- Pierre Beaumarchais, French playwright, inventor, diplomat and revolutionary

TENTATIVE AGENDA  
CLEAR LAKE CITY COUNCIL  
CITY HALL – 15 N. 6<sup>TH</sup> STREET  
MONDAY, JUNE 17, 2013  
CITY HALL – COUNCIL CHAMBERS  
**6:30 P.M.**

1. Call To Order by Mayor Nelson P. Crabb.
2. Approval of Agenda.
3. Consent Agenda:
  - A. Minutes – June 3, 2013.
  - B. Approval of the bills & claims.
  - C. Licenses & Permits:
    - Sign Erector's License: Nagle Signs, Waterloo; Johnson Sign Service, Mason City; Signs & Designs, Cedar Falls; (renewals).
    - Cigarette Permit: Pitstop Convenience Store; Lake Liquors Wine & Spirits; (renewals).
    - Street Closing Request: Clear Lake Yacht Club (sailing regatta), June 26<sup>th</sup> & 29<sup>th</sup>; Clear Lake Area Chamber of Commerce 4<sup>th</sup> of July celebration, July 3<sup>rd</sup> through July 7<sup>th</sup>.
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. US HWY 18 (N. 3<sup>rd</sup> St. W. - N. 9<sup>th</sup> St. W.) Water Main Improvement Project:
    - Update regarding construction and review of Pay Estimate #2, Jason Petersburg, P.E., Veenstra & Kimm.
    - **Motion** to approve Pay Estimate #2 by City Council.
    - Discussion and consideration of **Motion** by City Council.
  - B. Employee Wage & Salary Resolution – FY 14:
    - Review of proposal, Scott Flory, City Administrator.

- **Motion** to approve **Resolution #13-45**, A “Resolution setting salaries for appointed officers and employees of the City of Clear Lake for the 2014 fiscal year by City Council.
- Discussion and consideration of **Motion** by City Council.

C. CDBG Sanitary Sewer Collection System Improvement Project (Contract #2):

- Introduction by Scott Flory, City Administrator.
- Review of Pay Estimate #8 (final) and proposed Final Assessment Plat & Schedule, Jason Petersburg, P.E., Veenstra & Kimm.
- **Motion** to approve Pay Estimate #8 by City Council.
- Discussion and consideration of **Motion** by City Council.
- **Motion** to approve **Resolution #13-46**, A “Resolution Accepting the Work” by City Council.
- Discussion and consideration of **Motion** by City Council.
- **Motion** to approve **Resolution #13-47**, A “Resolution ordering the Final Plat & Schedule of Assessments” by City Council.
- Discussion and consideration of **Motion** by City Council.

D. CDBG Sanitary Sewer Collection System Improvement Project (Contract #1):

- Review of proposal, Scott Flory, City Administrator.
- **Motion** to approve **Resolution #13-48**, A “Resolution adopting and levying final schedule of assessments by City Council.
- Discussion and consideration of **Motion** by City Council.

E. Clear Lake Downtown Retail Incentive Program:

- Review of proposal, Scott Flory, City Administrator.
- Public Hearing.
- **Motion** to approve **Resolution #13-49**, A “Resolution approving an Economic Development Agreement with Lake Theater, including incentive payments.”
- Discussion and consideration of **Motion** by City Council.

F. City Hall/Police Department Facility Assessment Report:

- Introduction by Scott Flory, City Administrator.
- Review of building assessment report, Randy Cram and Doug Foreshoe, Bergland & Cram.
- **Motion** to approve building assessment report and authorization to negotiate architectural services agreement with Bergland & Cram by City Council.
- Discussion and consideration of **Motion** by City Council.

7. Chief of Police's Report:

8. Mayor's Report:

- Appointment of Mr. Tim Raber (400 Pine Brooke Drive) to the Park & Recreation Advisory Board, term ending June 30, 2016.

9. Public Works Director's Report:

- A. Update regarding Future Cemetery Expansion Area Site Grading Project.
- B. Update regarding 12<sup>th</sup> Avenue S. Outdoor Recreation Area Trail Project.
- C. Update regarding Main Ave Water Tower Demo & Site Restoration Project.
- D. Update regarding pre-construction conference for the S. 20<sup>th</sup> Street Intersection(s), Stormwater, & Sidewalk Project.

10. City Administrator's Report:

- Northwest Water Tower Bid Letting: June 26<sup>th</sup> at 11:00 a.m.
- 14<sup>th</sup> Ave S. Public Approach.

11. City Attorney's Report:

12. Other Business:

13. Adjournment.

NEXT REGULAR MEETING – JULY 1, 2013



City

# 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)

## PAY ESTIMATE NO. 2

Date: June 7, 2013

Project Title	Highway 18 Watermain Improvement Project Clear Lake, Iowa		Contractor	North Iowa Septic Solutions 2609 South Federal Avenue Mason City, IA 50401
Original Contract Amount & Date	\$278,410.71	February 18, 2013	Pay Period	May 1 - May 31, 2013

### BID ITEMS

Item No.	Specification Section / Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Complete	Value Completed
1	Mobilization	LS	1	XXXX	\$13,000.00	50.0%	\$6,500.00
2	Traffic Control	LS	1	XXXX	\$6,000.00	35.0%	\$2,100.00
3	Silt Fence	LF	40	\$10.00	\$400.00	33	\$330.00
4	Intake Filer	EA	12	\$200.00	\$2,400.00	4	\$800.00
5	Perimeter Sediment Control Device	LF	1,066	\$3.00	\$3,198.00	380	\$1,140.00
6	Pavement Removal	SY	809	\$10.00	\$8,090.00	127	\$1,270.00
7	Fire Hydrant Removal	EA	3	\$500.00	\$1,500.00	0	\$0.00
8	Valve Manhole Removal	EA	2	\$500.00	\$1,000.00	0	\$0.00
9	Water Main Pipe						
	9.1 12" PVC	LF	2,391	\$32.75	\$78,305.25	80	\$2,620.00
	9.2 12" DI with Nitrile Gaskets	LF	175	\$33.00	\$5,775.00	175	\$5,775.00
	9.3 8" PVC	LF	30	\$30.00	\$900.00	0	\$0.00
	9.4 6" PVC	LF	60	\$28.50	\$1,710.00	0	\$0.00
	9.5 4" PVC (assumed quantity)	LF	20	\$28.50	\$570.00	0	\$0.00
10	Gate Valve & Valve Box						
	10.1 12"	EA	5	\$1,600.00	\$8,000.00	0	\$0.00
	10.2 8"	EA	1	\$1,100.00	\$1,100.00	0	\$0.00
	10.3 6"	EA	5	\$1,100.00	\$5,500.00	0	\$0.00
11	Gate Valve Box	EA	2	\$110.00	\$220.00	0	\$0.00
12	Fire Hydrant Assemblies	EA	5	\$2,400.00	\$12,000.00	0	\$0.00
13	Water Main Fittings	LB	2,150	\$3.39	\$7,288.50	231	\$783.09
14	Corporation Stop						
	14.1 3/4"	EA	11	\$500.00	\$5,500.00	0	\$0.00
	14.2 1"	EA	1	\$500.00	\$500.00	0	\$0.00
	14.3 1-1/2"	EA	1	\$500.00	\$500.00	0	\$0.00
	14.4 2" (assumed quantity)	EA	1	\$500.00	\$500.00	0	\$0.00
15	Copper Water Service						
	15.1 3/4"	LF	145	\$25.00	\$3,625.00	0	\$0.00
	15.2 1"	LF	10	\$30.00	\$300.00	0	\$0.00
	15.3 1-1/2"	LF	10	\$35.00	\$350.00	0	\$0.00
	15.4 2" (assumed quantity)	LF	10	\$40.00	\$400.00	0	\$0.00
16	Curb Stop & Box						
	16.1 3/4"	EA	11	\$400.00	\$4,400.00	0	\$0.00
	16.2 1"	EA	1	\$500.00	\$500.00	0	\$0.00
	16.3 1-1/2"	EA	1	\$500.00	\$500.00	0	\$0.00
	16.4 2" (assumed quantity)	EA	1	\$400.00	\$400.00	0	\$0.00
17	Water Main Insulation	LF	35	\$20.00	\$700.00	0	\$0.00
18	Stabilizing Material (assumed quantity)	TON	50	\$10.00	\$500.00	0	\$0.00
19	Granular Backfill Material (assumed quantity)	TON	200	\$10.00	\$2,000.00	0	\$0.00
20	Water System Compaction Testing	LS	1	XXXX	\$5,000.00	10.0%	\$500.00







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

A RESOLUTION SETTING THE SALARIES FOR APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF CLEAR LAKE FOR THE 2013-2014 BUDGET YEAR

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

SECTION 1. THE FOLLOWING PERSONS AND POSITIONS NAMED SHALL BE PAID THE SALARIED OR WAGES INDICATED AND THE CLERK IS AUTHORIZED TO ISSUE WARRANTS/CHECKS, LESS LEGALLY REQUIRED OR AUTHORIZED DEDUCTIONS FROM THE AMOUNTS SET OUT BELOW, ON A BIWEEKLY BASIS, AND TO MAKE SUCH CONTRIBUTION TO THE IPERS AND SOCIAL SECURITY OR OTHER PURPOSE AS REQUIRED BY LAW OR AUTHORIZED BY THE COUNCIL, ALL SUBJECT TO AUDIT AND REVIEW BY THE COUNCIL.

Police Department:

G L Peterson	Chief	3,247.20 biweekly
R P McChesney	Lieutenant	28.93 hour
P A Chizek	Lieutenant	28.93 hour
D R Kuhlmeier	Lieutenant	28.70 hour
R R Eskildsen	Detective	24.63 hour
K A Borrill	Patrolman II	24.23 hour
J L Schade	Patrolman II	24.01 hour
D E Anderson	Patrolman II	23.79 hour
Z L Hall	Patrolman II	23.79 hour
T M Reimann	Patrolman II	23.58 hour
C D Gute	Patrolman II	24.08 hour
E B Hythecker	Patrolman II	23.58 hour
J B O'Keefe	Patrolman II	23.58 hour
B J Trapp	Patrolman I	20.97 hour
M A Kappmeyer	Patrolman I	19.82 hour
J L Green	Patrolman I-Part Time	23.58 hour
D W Jenson	Patrolman I-Part Time	19.82 hour
C L Yates	Secretary	20.25 hour
B G Havill	Dispatcher	18.53 hour
L K Collins	Dispatcher	17.87 hour
T M Kappmeyer	Dispatcher	17.63 hour
W M Feldt	Dispatcher	15.29 hour
L W Bartusek	Dispatcher-Part Time	17.63 hour
R K Radechel	Dispatcher-Part Time	15.29 hour

Fire/Ambulance Department:

D D Meyers	Chief	536.18 month
N A Pate	Dispatcher	17.87 hour
D G Phinney	Paramedic	16.96 hour
M E Lewerke	Paramedic	16.96 hour
B A Boyles	Paramedic	16.75 hour
G S Dye Jr	EMT - Part Time	16.75 hour
M T Onofrio	EMT - Part Time	16.75 hour
R J Schoon	EMT - Part Time	16.75 hour
J T Massman	EMT - Part Time	16.75 hour
J R Moore	EMT - Part Time	16.75 hour
T Buhr	EMT - Part Time	16.10 hour
J M Cahoon	EMT - Part Time	16.10 hour
K D Hulling	EMT - Part Time	15.45 hour
T T Kline	EMT - Part Time	15.45 hour
R C Nelson	EMT - Part Time	15.45 hour
D C Hess	EMT - Part Time	15.45 hour

Library:

J M Casey	Director	2,173.60 biweekly
M J Boyes	Children's Librarian	13.97 hour
E A DenHartog	Assistant Director	17.01 hour
C D Hanson	Part Time	12.42 hour
P A Anderson	Part Time	12.06 hour
P A Caron	Part Time	10.43 hour
K A Koopman	Part Time	9.92 hour
D K Tudor	Part Time	9.92 hour
D A Harrenstein	Part Time	9.77 hour
H M Duesenberg	Part Time	9.60 hour
M T Josten	Part Time	9.60 hour
B L Holden	Part Time	9.31 hour
J A Kasper	Part Time	8.98 hour
S E Bergan	Part Time	8.69 hour

Parks & Recreation:

R J Miller	Director	1,785.60 biweekly
S Story	Assistant to the Director	15.00 hour
T L Peterson	Park Maintenance - P/T	14.19 hour

Public Works:

J A Weigel	PWD Director	3,000.00 biweekly
M H Meyers	PWD Secretary - Part Time	11.56 hour
J A Marino	Building Inspector	2,351.20 biweekly
G A Farwell	Water Plant Supt.	24.64 hour
D E Whitehurst	PWD Shift Leader	24.44 hour
P J Fredriksen	Chief Water Plant Operator	23.43 hour
D A Wood	PWD Employee	22.27 hour
S M Bieber	PWD Employee	22.06 hour
R J Haag	PWD Employee	21.83 hour
D M Kelly	PWD Employee	21.83 hour
G G Maas	PWD Employee	21.83 hour
D R Rinnels	PWD Employee	21.83 hour
J M Monson	PWD Employee	20.25 hour
A Theiss	PWD Employee	18.00 hour
M A Hullinger	PWD Employee - Part Time	14.56 hour
J L Hakes	PWD Employee - Part Time	13.55 hour

Policy & Administration:

S L Flory	City Administrator	3,842.40 biweekly
L J Nelson	Finance Officer	2,590.40 biweekly
J L Larsen	City Clerk	21.57 hour
D L Klousia	Accounting Clerk	23.22 hour
E M Teeter	Utility Billing Clerk	16.00 hour
H R Wheatcraft	Office Clerk	15.50 hour
W D Bergman	Custodian - Part Time	8.98 hour

SECTION 2. BE IT FURTHER RESOLVED, THAT THE SALARIES AND WAGES FOR APPOINTED OFFICIALS AND EMPLOYEES IDENTIFIED IN SECTION 1 ABOVE, SHALL BE INCREASED BY 1.5% EFFECTIVE JANUARY 1, 2014.

PASSED and APPROVED this 17th day of June, 2013.

\_\_\_\_\_  
Nelson P. Crabb, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Larsen, City Clerk

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION ACCEPTING WORK" and moved its adoption. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_  
\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon the Mayor declared the following Resolution duly adopted:

RESOLUTION ACCEPTING WORK

WHEREAS, on March 12, 2012, the City of Clear Lake, Iowa, entered into contract with Wicks Construction, Inc. of Decorah, Iowa, for the construction of the Sanitary Sewer Collection System Improvement Project Contract 2 - Street Paving Improvements, within the City, as therein described; and

WHEREAS, the contractor has fully completed the construction of the improvements, known as the Sanitary Sewer Collection System Improvement Project Contract 2 - Street Paving Improvements, in accordance with the terms and conditions of the contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on \_\_\_\_\_, 2013:

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

Section 1. That the report of the Engineer be and the same is hereby approved and adopted and the improvements are hereby accepted as having been fully completed in accordance with the plans, specifications and contract. The total contract cost of the improvements payable under said contract is hereby determined to be \$1,269,125.80.

Section 2. The total project cost including construction, engineering, legal and administrative costs is determined to be \$1,526,850.04.

PASSED AND APPROVED this 17th day of July, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION ORDERING PREPARATION OF FINAL PLAT AND SCHEDULE OF ASSESSMENTS" and moved its adoption. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon the Mayor declared the following Resolution duly adopted:

RESOLUTION ORDERING PREPARATION OF FINAL  
PLAT AND SCHEDULE OF ASSESSMENTS

BE IT RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the Sanitary Sewer Collection System Improvement Project Contract 2 - Street Paving Improvements, together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and \$124,989.40 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED AND APPROVED this 17th day of June, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



**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)

**CERTIFICATE OF COMPLETION**

**CITY OF CLEAR LAKE  
SANITARY SEWER COLLECTION SYSTEM IMPROVEMENT PROJECT  
CONTRACT 2 - STREET PAVING IMPROVEMENTS**

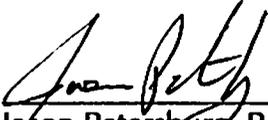
June 5, 2013

Veenstra & Kimm, Inc. hereby certifies that an on-site review of the completed construction of the Sanitary Sewer Collection System Improvement Project - Contract 2, Street Paving Improvements as performed by Wicks Construction, Inc. has been performed.

As engineers for the project, it is Veenstra & Kimm, Inc.'s opinion that the work performed is in substantial accordance with the plans, specifications, and that the final amount of the Contract is One Million Two Hundred Sixty Nine Thousand One Hundred Twenty Five and 80/100 Dollars (\$1,269,125.80).

**VEENSTRA & KIMM, INC.**

**Accepted: CITY OF CLEAR LAKE**

By:   
Jason Petersburg, P.E.

By: \_\_\_\_\_  
Scott Flory

Title: Project Engineer

Title: City Administrator

Date: 6/6/13

Date: \_\_\_\_\_





**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)

**PAY ESTIMATE NO. 8 - FINAL**

Date: June 5, 2014		Contractor: Wicks Construction, Inc. Decorah, IA							
Project Title	Original Contract Amount & Date	Estimated Quantity	Unit Price	Extended Price	CDBG Eligible Quantity Complete	Estimated CDBG Non-Eligible Quantity Complete	CDBG Eligible Value Complete	CDBG Non-Eligible Value Complete	
Sanitary Sewer Collection System Improvement Project Contract 2 - Street Paving Improvements		1,304,820.75	\$						
March 12, 2012									
<b>BID ITEMS</b>									
1.	Specification Section / Description	Unit	Estimated Quantity	Unit Price	Extended Price	CDBG Eligible Quantity Complete	Estimated CDBG Non-Eligible Quantity Complete	CDBG Eligible Value Complete	CDBG Non-Eligible Value Complete
1.1	General								
1.1	Mobilization	LS	1	XXXXX	\$ 32,000.00	100%	0%	\$ 32,000.00	\$ -
1.2	Traffic Control	LS	1	XXXXX	\$ 10,425.00	100%	0%	\$ 10,425.00	\$ -
1.3	Erosion Control	LS	1	XXXXX	\$ 8,000.00	100%	0%	\$ 8,000.00	\$ -
1.4	Stump Removal	EA	3	\$ 400.00	\$ 1,200.00	0	3	\$ -	\$ 3,600.00
2.	Valve								
2.1	Valve Box Replacement (assumed quantity)	EA	1	\$ 400.00	\$ 400.00	0	0	\$ -	\$ -
3.	Sanitary Sewer								
3.1	Adjust Existing Sanitary Sewer Manhole Casting	EA	21	\$ 150.00	\$ 3,150.00	21	0	\$ 3,150.00	\$ -
4.	Storm Sewer								
4.1	Connect to Existing Storm Sewer Structure	EA	1	\$ 500.00	\$ 500.00	0	1	\$ -	\$ 500.00
4.2	Single Grate Intake	EA	1	\$ 3,500.00	\$ 3,500.00	0	1	\$ -	\$ 3,500.00
4.3	Storm Sewer Pipe, 15" RCP	LF	40	\$ 50.00	\$ 2,000.00	0	40	\$ -	\$ 2,000.00
4.4	Subdrain, 6"	LF	560	\$ 11.50	\$ 6,440.00	0	27	\$ -	\$ 310.50
4.5	Subdrain Outlet	EA	2	\$ 200.00	\$ 400.00	0	2	\$ -	\$ 400.00
4.6	Granular Backfill Material (assumed quantity)	TON	50	\$ 15.00	\$ 750.00	0.00	0.00	\$ -	\$ -
4.7	Adjust Existing Intake Casting	EA	47	\$ 150.00	\$ 7,050.00	0	47	\$ -	\$ 7,050.00
4.8	Adjust Existing Storm Sewer Manhole Casting	EA	11	\$ 100.00	\$ 1,100.00	0	11	\$ -	\$ 1,100.00
4.9	Adjust Existing Subdrain Cleanout Casting	EA	19	\$ 100.00	\$ 1,900.00	0	19	\$ -	\$ 1,900.00
4.10	Subdrain, 8" (Charge Order No. 3)	LF	0	\$ 75.25	\$ -	0	555	\$ -	\$ 8,463.75
4.11	Subdrain Outlet, 8" (Charge Order No. 3)	EA	0	\$ 150.00	\$ -	0	4	\$ -	\$ 600.00

BID ITEMS									
	Specification Section / Description	Unit	Estimated Quantity	Unit Price	Extended Price	CDBG Eligible Quantity Complete	Estimated CDBG Non-Eligible Quantity Complete	CDBG Eligible Value Complete	CDBG Non-Eligible Value Complete
5.	<b>Street &amp; Related Work</b>								
5.1	Pavement Removal	SY	8,100	\$ 5.00	\$ 40,500.00	0	8,100	\$ -	\$ 40,500.00
5.2	Unstable Subgrade Preparation (Assumed Quantity)	CY	1,000	\$ 8.00	\$ 8,000.00	0	0	\$ -	\$ -
5.3	Subgrade Stabilization Fabric	SY	9,400	\$ 2.00	\$ 18,800.00	5,463	2,987	\$ 10,930.00	\$ 5,974.00
5.4	Subgrade Preparation	SY	20,200	\$ 0.75	\$ 15,150.00	16,780	3,420	\$ 12,585.00	\$ 2,565.00
5.5	PCC Curb & Gutter, 7" Thick	LF	902	\$ 23.50	\$ 21,197.00	725	0	\$ 17,037.50	\$ -
5.6	PCC Pavement Patch, 6" Thick	SY	380	\$ 36.10	\$ 13,718.00	389	0	\$ 14,042.90	\$ -
5.7	PCC Driveway Pavement, 6" Thick	SY	1,687	\$ 35.00	\$ 59,045.00	1735	0	\$ 60,725.00	\$ -
5.8	PCC Driveway Pavement, 7" Thick	SY	886	\$ 37.00	\$ 32,782.00	853	65	\$ 31,561.00	\$ 2,405.00
5.9	PCC Driveway Pavement, Colored & Stamped, 7" Thick	SY	87	\$ 86.00	\$ 7,482.00	0	66	\$ -	\$ 5,676.00
5.10	PCC Sidewalk, 4" Thick	SF	20,685	\$ 3.30	\$ 68,260.50	6920	17,643	\$ 22,836.00	\$ 58,221.90
5.11	PCC Sidewalk, Colored & Stamped, 4" Thick	SF	6,342	\$ 5.00	\$ 31,710.00	0	5,976	\$ -	\$ 29,880.00
5.12	PCC Sidewalk, 6" Thick	SF	1,896	\$ 4.50	\$ 8,532.00	0	1,542	\$ -	\$ 6,939.00
5.13	ADA Detectable Warning	SF	346	\$ 32.00	\$ 11,072.00	0	304	\$ -	\$ 9,728.00
5.14	Aggregate Surface Course	TON	200	\$ 15.00	\$ 3,000.00	0.00	0.00	\$ -	\$ -
5.15	HMA Pavement Patch	TON	165	\$ 190.00	\$ 31,350.00	130.26	0.00	\$ 24,749.40	\$ -
5.16	PCC Median Paving, Colored & Stamped, 4" Thick	SY	471	\$ 43.00	\$ 20,253.00	0	471	\$ -	\$ 20,253.00
5.17	Testing	LS	1	xxxxx	\$ 5,000.00	50%	50%	\$ 2,500.00	\$ 2,500.00
6.	<b>Landscaping</b>								
6.1	Topsoil	CY	1,400	\$ 12.00	\$ 16,800.00	520	0	\$ 6,240.00	\$ -
6.2	Sodding	SQ	800	\$ 48.00	\$ 38,400.00	730	0	\$ 35,040.00	\$ -
7.	<b>Lighting</b>								
7.1	Electrical Circuit (Conduits & Conductors)	LF	860	\$ 19.80	\$ 17,028.00	0	860	\$ -	\$ 17,028.00
7.2	Conduit Only	LF	50	\$ 7.75	\$ 387.50	0	90	\$ -	\$ 697.50
7.3	Light Pole	EA	9	\$ 3,791.00	\$ 34,119.00	0	9	\$ -	\$ 34,119.00
7.4	Handhole / Junction Box	EA	9	\$ 312.00	\$ 2,808.00	0	9	\$ -	\$ 2,808.00
<b>TOTAL BASE BID</b>					<b>\$ 584,209.00</b>			<b>\$ 291,821.80</b>	<b>\$ 268,718.65</b>
Alternate 1 -	<b>PCC Paving</b>								
1.1.1	Excavation	CY	7,300	\$ 6.50	\$ 47,450.00	6445	855	\$ 41,892.50	\$ 5,557.50
1.1.2	Aggregate Base Course, Furnish & Install	TON	7,888	\$ 12.00	\$ 94,656.00	6,047.80	838.00	\$ 72,573.60	\$ 10,056.00
1.1.3	Temporary Aggregate Surfacing, Salvage and Stock Pile	TON	4,000	\$ 4.50	\$ 18,000.00	4,000.00	0.00	\$ 18,000.00	\$ -
1.1.4	Aggregate Base Course, Install Salvaged Material	TON	4,000	\$ 4.50	\$ 18,000.00	4,000.00	0.00	\$ 18,000.00	\$ -
1.1.5	PCC Pavement, 6" Thick	SY	5,727	\$ 24.25	\$ 138,879.75	5727	0	\$ 138,879.75	\$ -
1.1.6	PCC Pavement, 7" Thick	SY	12,040	\$ 33.15	\$ 399,126.00	9,494	2,546	\$ 314,726.10	\$ 84,399.90
1.1.7	PCC Pavement Testing	LS	1	xxxxx	\$ 4,500.00	85%	15%	\$ 3,825.00	\$ 675.00
<b>TOTAL ALTERNATE 1</b>					<b>\$ 720,611.75</b>			<b>\$ 607,896.95</b>	<b>\$ 100,688.40</b>
<b>TOTAL CONSTRUCTION AMOUNT</b>					<b>\$ 1,304,820.75</b>			<b>\$ 899,718.75</b>	<b>\$ 369,407.05</b>

SUMMARY				CDBG Eligible Value Completed	Non-CDBG Eligible Value Completed	Total Value Completed
		Contract Price		\$ 899,718.75	\$ 369,407.05	\$ 1,269,125.80
Approved Change Orders (list each)	Original Contract Price	\$ 1,304,820.75				
	Change Order 1	\$ -				
	Change Order 2	\$ 11,219.60				
	Change Order 3	\$ 2,681.25				
		Revised Contract Price	\$ 1,318,721.60	\$ 899,718.75	\$ 369,407.05	\$ 1,269,125.80
		Materials Stored	\$ -	\$ -	\$ -	\$ -
		Value of Completed Work and Materials Stored	\$ 899,718.75	\$ 369,407.05	\$ 1,269,125.80	
		Less Retained Percentage (5%)	\$ 44,985.94	\$ 18,470.35	\$ 63,456.29	
		Net Amount Due This Estimate	\$ 854,732.81	\$ 350,936.70	\$ 1,205,669.51	
Less Estimate(s) Previously Approved	No.1		\$ 71,457.15	\$ 11,769.07	\$ 83,226.22	
	No.2		\$ 227,375.37	\$ 92,791.78	\$ 320,167.15	
	No.3		\$ 63,703.29	\$ 91,401.63	\$ 155,104.92	
	No.4		\$ 40,960.96	\$ 41,029.70	\$ 81,990.66	
	No.5		\$ 190,215.17	\$ 24,590.18	\$ 214,805.35	
	No.6		\$ 173,233.37	\$ 26,874.45	\$ 200,107.82	
	No.7		\$ 64,071.42	\$ 42,673.05	\$ 106,744.47	
			Total Previously Approved	\$ 831,016.73	\$ 331,129.86	\$ 1,162,146.59
		96.2% Amount Due This Estimate	\$ 23,716.08	\$ 19,806.84	\$ 43,522.92	
Percent Complete						

The amount \$ 43,522.92 is recommended for approval for payment in accordance with the terms of the contract.

The retainage amount \$ 63,456.29 is recommended for payment 31 days after Owner acceptance of the work in accordance with the terms of the contract, providing all punchlist items are complete.

Quantities Complete Submitted By: Wicks Construction, Inc.	Recommended By: Veenstra & Kimm, Inc.	Approved By: City of Clear Lake
Signature: <i>David Clark</i> David Clark	Signature: <i>Jason Peterburg</i> Jason Peterburg, P.E.	Signature: Nelson Crabb / Scott Flory
Title: Project Manager	Title: Project Engineer	Title: Mayor / City Administrator
Date: 6-7-13	Date: 6/6/13	Date:

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS, AND PROVIDING FOR THE PAYMENT THEREOF" and moved its adoption. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon the Mayor declared the following Resolution duly adopted as follows:

RESOLUTION ADOPTING AND LEVYING FINAL  
SCHEDULE OF ASSESSMENTS, AND PROVIDING  
FOR THE PAYMENT THEREOF

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

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the Clear Lake, Iowa, Sanitary Sewer Collection System Improvement Project - Contract 1, within the City, under contract with R & R Excavating of Hutchinson, Minnesota, which final plat and schedule was filed in the office of the Clerk on the \_\_\_\_\_ day of \_\_\_\_\_, 2013; said assessments are hereby corrected by making the following changes and reductions:

NAME OF PROPERTY	PROPOSED FINAL	PROPOSED CONDITIONAL DEFICIENCY, IF ANY	CORRECTED FINAL ASSESSMENT	CORRECTED CONDITIONAL DEFICIENCY, IF ANY
OWNER AND DESCRIPTION OF PROPERTY	PROPOSED FINAL ASSESSMENT	CONDITIONAL DEFICIENCY, IF ANY	CORRECTED FINAL ASSESSMENT	CONDITIONAL DEFICIENCY, IF ANY

BE IT FURTHER RESOLVED, that the said schedule of assessments and accompanying plat, be and the same are hereby approved and adopted; and that there be, and is hereby assessed and levied, as a special tax against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of said improvements, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of the said improvements. Provided, further, that the amounts shown in said final schedule of assessments as deficiencies are found to be proper and are levied conditionally against the respective properties benefited by the improvements as shown in the schedule, subject to the provisions of Section 384.63, Code of Iowa. Said assessments against said lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements, and not in excess thereof, and not in excess of 25% of the value of the same.

BE IT FURTHER RESOLVED, that said assessments of \$100.00 or more shall be payable in ten (10) equal annual installments and shall bear interest at the rate of nine (9%) percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than \$100.00, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2014; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1st annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the City Clerk, in full or in part and without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Cerro Gordo County, Iowa.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said final plat and schedule to the County Treasurer of Cerro Gordo County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the "Clear Lake Mirror Reporter", a newspaper printed wholly in the English language, published in the City, and of general circulation in the City of Clear Lake, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the Clerk shall also send by ordinary mail to all property owners whose property is subject to assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

BE IT FURTHER RESOLVED, that the Clerk is directed to certify the deficiencies for lots specially benefited by the improvements, as shown in the final schedule of assessments, to the County Treasurer for recording in the Special Assessment

Deficiencies Book and to the City official charged with responsibility for the issuance of building permits. Said deficiencies are conditionally assessed to the respective properties under Code Section 384.63 for the amortization period specified by law.

The Clerk is authorized and directed to ascertain the amount of assessments remaining unpaid after the thirty day period against which improvement bonds may be issued and to proceed on behalf of the City with the sale of said bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the sale of said bonds on a basis favorable to the City and acceptable to the Council.

PASSED AND APPROVED this 17th day of June, 2013.

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Mayor

ATTEST:

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City Clerk

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING ECONOMIC DEVELOPMENT AGREEMENT  
WITH LAKE THEATER, INCLUDING INCENTIVE PAYMENTS**

WHEREAS, the City Council of the City of Clear Lake, Iowa (the "City"), pursuant to and in strict compliance with all the laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has approved an Urban Renewal Plan for the Downtown Clear Lake Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, the City Council has adopted an Ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in subsection to of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City of Clear Lake has established a local Economic Development Revolving Loan Fund; and

WHEREAS, in January of 2008, the City Council adopted a Retail Recruitment Incentive Plan for Downtown Clear Lake and the Lakefront Commercial Business District Area; and

WHEREAS, the City proposes to enter into an Agreement (the "Development Agreement") with Lake Theater (4 N. 4<sup>th</sup> Street) (the "Business") with respect to physical improvements to said property in downtown Clear Lake; and

WHEREAS, The Development Agreement would provide incentive payments to the Business in an amount not to exceed \$16,000, under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, this City Council, pursuant to Section 403.9 of the Code of Iowa, has published notice and held a hearing on the Agreement on June 17, 2013, and has otherwise complied with statutory requirements for the approval of the Development Agreement; and

WHEREAS, Chapter 15A of the Code of Iowa authorizes cities to provide grants, loans, guarantees, tax incentives, and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans, guarantees, tax incentives, and other financial assistance, a City Council must

determine that a public purpose will reasonably be accomplished by the spending of those funds; and

WHEREAS, Chapter 15A requires that in determining whether funds should be spent, a City Council must consider any or all of a series of factors.

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Clear Lake, Iowa, as follows:

Section 1. Pursuant to the factors listed in Chapter 15A, the Council hereby finds that:

- (a) The Business will add diversity and generate new opportunities for the Clear Lake and Iowa economies;
- (b) The Business will generate public gains and benefits, particularly in the creation of property and sales tax revenues, which are warranted in comparison to the amount of the proposed incentives.

Section 2. The Council finds that a public purpose will reasonably be accomplished by entering into the Development Agreement and providing incentive payments to the Business.

Section 3. The Development Agreement is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute and deliver the Agreement on behalf of the City, in substantially the form and content in which the Agreement has been presented to this City Council, and such officers are also authorized to make such changes, modifications, additions, or deletions as they, with the advice of the City Attorney, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement.

Section 4. As provided and required by Chapter 403 of the Code of Iowa, the City's obligations under the Agreements shall be payable initially from the local Economic Development Revolving Loan Fund, with reimbursement from the Urban Renewal Tax revenue Fund, and do not constitute a general obligation of the City.

Section 5. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 17<sup>th</sup> day of June, 2013.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

## ECONOMIC DEVELOPMENT AGREEMENT

This Economic Development Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2013, by and between Lake Theater, 4 N. 4<sup>th</sup> Street, (the "Business") and the City of Clear Lake, Iowa (the "City"), a municipal corporation duly organized and validly existing under the Constitution of the State of Iowa;

WHEREAS, the Business is the owner of property located in downtown Clear Lake and desires to undertake certain physical improvements in furtherance of a retail economic development project at 4 N. 4<sup>th</sup> Street and;

WHEREAS, the Business has requested financial assistance from the City related to the cost of improving the property located at 4 N. 4<sup>th</sup> Street; and

WHEREAS, the City is willing to provide such assistance provided that certain conditions, as set forth in this Agreement are met; and

WHEREAS, Chapter 15A of the Code of Iowa authorizes cities to provide grants, loans, guarantees, tax incentives, and other financial assistance to or for the benefit of private persons; and

WHEREAS, consistent with the City's "Retail Incentive Program", adopted by Resolution of the Clear Lake City Council in January of 2008, the City wishes to encourage and support retail economic development within the downtown, in order to support creation and retention of employment opportunities and expand the city's sales and property tax bases, respectively;

NOW THEREFORE, the parties, in exchange for the promises herein contained, the receipt and sufficiency of which are hereby acknowledged, agree as follows:

1. Business agrees to own, in fee simple title, and occupy the property located at 4 N. 4<sup>th</sup> Street and to operate a movie theater at the same location to be known as "Lake Theater".
2. Business agrees to employ a suitable workforce sufficient to operate such a concern in Clear Lake.
3. For purposes of the incentives described in this Agreement, Business agrees to operate at 4 N. 4<sup>th</sup> Street for a period of not less than 5 years, beginning on July 1, 2013.
4. In consideration of the Business's agreement to continue to operate a movie theater at 4 N. 4<sup>th</sup> Street in downtown Clear Lake, the City agrees to provide economic development incentive payments to the business in accordance with this Agreement.

5. The City's Economic Development Incentive payments to the Business shall be used solely for the purposes of making physical repairs and rehabilitation improvements to the building located at 4 N. 4<sup>th</sup> Street. Such repairs and improvements shall include, but not be limited exclusively to exterior masonry, roofing, electrical, plumbing, painting, and awning rehabilitation. The Business shall provide the City with documentation of actual payment by the Business to contractors and vendors for such repairs and improvement work done to the property.
6. The City's Economic Development Incentive payment shall be in the form of property tax rebate payments by the City for five (5) fiscal years of the City, beginning with the fiscal year that starts on July 1, 2013. The rebate payments will consist of 90% of the property taxes paid by the Business and will be made in equal amounts on June 1<sup>st</sup> and December 1<sup>st</sup> of each fiscal year over the 5-year period, with the initial rebate payment on December 1<sup>st</sup> of 2013. For purposes of this Agreement, the rebate payments shall not exceed \$1,600 per each of the ten (10) semi-annual payments.
7. The Business agrees and acknowledges that the Economic Development Incentive payments identified herein are being made by the City to the Business for the Business's agreement to purchase and operate a retail store, employ an associated workforce, and for the making of physical improvements, previously described herein, to the property at 4 N. 4<sup>th</sup> Street. The Business agrees that if it defaults or otherwise fails to satisfy the terms of this Agreement for any given incentive year or years, it may be obligated to reimburse the City. The City may cure a default by the Business by any means available by law.
8. The total cumulative value of rebate payments, by the City to the Business, as contemplated under the terms and conditions of this Agreement shall be a not to exceed amount of \$16,000. The Business shall be required to demonstrate, by means previously described herein, to the City that, over the course of the 5-year period covered by this Agreement, it has invested a sum of not less than \$16,000 in the physical improvement to the property.
9. This Agreement embodies the entire agreement between the parties and supersedes any written or oral agreement and may be amended or supplemented only by an instrument in writing executed by the parties hereto.

10. If any term or provision of this Agreement is held to be invalid or unenforceable, to any extent, the remainder of this Agreement shall continue to be fully valid and enforceable.
10. Notwithstanding any clause or provision of this Agreement to the contrary, in no event shall the City or the Business be liable to each other for punitive, special, consequential, or indirect damages of any type and regardless of whether such damages are claimed under contract, tort, or any other theory of law.
11. The Business agrees to submit documentation to the satisfaction of the City, by no later than May 1 and November 1 of each year during this Agreement, beginning on November 1, 2013, demonstrating the payment of property taxes the Business has made with respect to the property at 4 N. 4<sup>th</sup> Street.
12. The Agreement may not be amended or assigned by either party without the express permission of the other party.
13. This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed and construed in accordance with the laws of the State of Iowa, with venue in Cerro Gordo County, Iowa.

In Witness Whereof, the City and the Business have caused this Agreement to be executed in their respective names by their duly authorized representatives, all as of the date first written above.

**City of Clear Lake, Iowa**

By: \_\_\_\_\_  
Printed: \_\_\_\_\_  
Title: \_\_\_\_\_

**Lake Theater**

By: \_\_\_\_\_  
Printed: \_\_\_\_\_  
Title: \_\_\_\_\_

May 6, 2013

TO: CLEAR LAKE CITY COUNCIL

Please examine the following list of necessary expenditures related to the continued operation of the Lake Theatre.

These areas of concern need to be administered in order to safely and effectively conduct business in a professional manner.

Estimated expenses are as follows:

Rewire marquee	\$ 700
Repaint front of building	750
New awnings for front	650
Additional electrical work in building	800
Add security system	400
Additional insulation and weather stripping	800
Finish new roof	300
Rebuild heat exchanger	1,800
Rebuild boiler	5,000
Energy-efficient front doors	3,000
Basement plumbing work	800
New soft water unit	<u>400</u>
Total	\$15,400

These above items all need to be implemented over the next few years to ensure the Lake Theatre continues to operate as the quality venue our patrons have come to expect. This most generous program the City is offering the Lake Theatre will be very helpful to achieving that goal.

According to our estimates, the approximately \$15,400 in tax rebates over a five-year term will allow for these improvements to be completed.

Should further information be required, do not hesitate to call me at 641-583-1884 or email [bobshermanfilm@yahoo.com](mailto:bobshermanfilm@yahoo.com). Once again, the Lake Theatre warmly thanks the powers to be for this opportunity to remain open in our community.

BOB SHERMAN  
LAKE THEATRE  
4 N 4<sup>TH</sup> ST  
CLEAR LAKE, IA 50428

# Cerro Gordo County online

## Property Information



Map

Parcel
051328000400
Property Address
4 N 4TH ST CLEAR LAKE 50428

Tax District: 02006      Acres - Gross: 0.0000  
 Tif District: 02122      Row: 0.0000  
 Avg Depth: 0      Waste: 0.0000  
 Actual Front Width: 0      Net: 0.0000

Owner(s):	Book	Page	
Deed SHERMAN, GENE B & SHERMAN, ELIZABETH ANN			
502 27TH AVE S CLEAR LAKE, IA 50428			

Legal Description (used for tax administration purposes only)

L'S 3-4 BLK 2 BOEYES ADD

Assessment Year 2012 (for Taxes Payable 2013-2014)

Class: Commercial

	100% Assessed Value	Gross Taxable Value			Credits	Y/N
Land	44,000	44,000	Unit	1	Military	N
Improvements	65,040	65,040	Building	1	Homestead	N
Total	109,040	109,040	Dwelling	0	Agland	N
					Family Farm	N

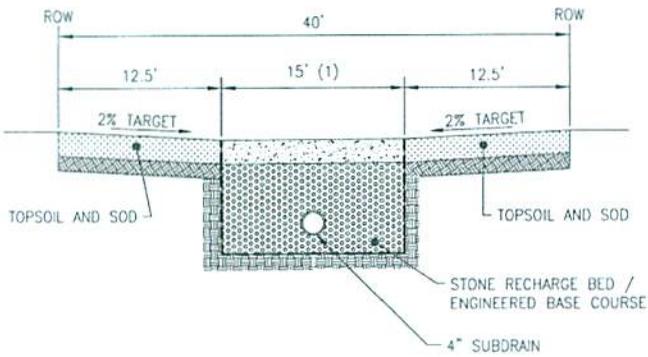
Assessment Year 2011 (for Taxes Payable 2012-2013)

Figures are as certified on the Assessment Year 2011 tax list and do not include subsequent tax list corrections.

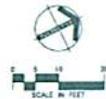
	109,040	100% Actual Value	100% Actual Value (or 100% Assessed Value) is determined by the Assessor as of January 1, 2011, except that values for all Utility and Railroad property are determined by the Iowa Department of Revenue.
X	100.0000 %	Rollback Rate by Property Class	Rollback Rates are statewide rates determined annually by Property Class by the Iowa Department of Revenue. For AY 2011, the Rollback Rates for Residential property was 50.7518%, for Commercial and Railroad Property they were 100%. Rollback Rates for Agricultural was 57.5411% and Industrial and/or Utility property were 100%.
=	109,040	Gross Taxable Value	Gross Taxable Value equals the 100% Actual Value multiplied by the Rollback Rate.
-	0.00	Military Exemption	Men and women who served in the military may qualify and sign for a Military Exemption with the Assessor. The tax value of this exemption is the Military Exemption divided by 1,000 multiplied by the Tax Levy Rate.
=	109,040	Net Taxable Value	Net Taxable Value equals Gross Taxable Value minus Military Exemption, if any. It is the value on which real estate taxes are calculated, and on which the budgets for each Levy Authority are based.
X	32.20653	Consolidated Tax Levy Rate	The Consolidated Tax Levy Rate is the total of the Levy Rates for all Levy Authorities within a specific Tax District.
=	3,511.80	Gross Taxes	Gross Taxes equal the Net Taxable Value divided by 1,000 and multiplied by the Consolidated Tax Levy Rate.
-	0.00	Homestead Credit	Homeowners may qualify and sign for a Homestead Exemption with the Assessor. The Homestead Credit in Cerro Gordo County equals 4,850 divided by 1,000 multiplied by the Consolidated Tax Levy Rate multiplied by 78%.
-	0.00	Agland Credit	Parcels with an Agricultural Class of at least 10 acres or greater in size qualify for the Agland Credit. Smaller Agricultural Class parcels may qualify if they are contiguous to a qualifying parcel and under the same ownership.
-	0.00	Family Farm Credit	Parcels which qualify for the Agland Credit may qualify for the Family Farm Credit. Property owners must sign with the Assessor and qualify under standards set by the State of Iowa.
-	0.00	Elderly, Disabled, Low-Income Credit	Property owners may sign for the Elderly, Disabled, Low-Income Credit with the County Treasurer, and must qualify under standards set by the State of Iowa.
=	3,512	Net Taxes	Net Taxes equal Gross Taxes minus Homestead, Agland, Family Farm, and Elderly/Disabled/Low Income Credits. By law, this value is rounded to the nearest even whole dollar.

Parcel	Property Address	
051328000400	4 N 4TH ST CLEAR LAKE 50428	
Owner(s):		
Deed	SHERMAN, GENE B & SHERMAN, ELIZABETH ANN	502 27TH AVE S CLEAR LAKE, IA 50428
Legal Description (used for tax administration purposes only) 		
L'S 3-4 BLK 2 BOEYES ADD		
		Current Tax 051328000400
2011		<b>Receipt: 617669.0</b>
Real Estate Tax		Amount
Installment 1 Due 09/30/2012		1,756.00
Installment 2 Due 04/01/2013		1,756.00
Payment Received for Installment 1 Interest on 11/13/2012		- 53.00
Installment 1 Interest		53.00
Payment Received for Installment 1 on 11/13/2012		- 1,756.00
Total Amount Remaining on Installment 1		0.00
Total Amount Remaining on Installment 2		1,756.00
Total Taxes Remaining		1,756.00
Total Outstanding for Parcel		
	Real Estate	0.00
	Total	0.00

**Online Property Tax Payments**



- TYPICAL SECTION**
- (1) 15' WIDE PUBLIC ACCESS
  - ALT. A - PERVIOUS PCC PAVEMENT SYSTEM
  - ALT. B - GRASSY PAVER SYSTEM



PROJECT: 14TH AVENUE S  
 LOCATION: CLEAR LAKE, IOWA  
 DATE: 08/14/2012

14TH AVENUE S PUBLIC ACCESS IMPROVEMENTS  
 CLEAR LAKE, IOWA  
 PRELIMINARY SITE PLAN

NO.	DATE	BY
1	08/14/2012	PLM
2		
3		
4		

**14TH AVENUE S PUBLIC ACCESS IMPROVEMENTS  
PRELIMINARY OPINION OF PROBABLE COST  
CLEAR LAKE, IOWA**

<b>ITEM NO.</b>	<b>DESCRIPTION</b>	<b>QUANTITY</b>	<b>UNIT</b>	<b>UNIT PRICE</b>	<b>TOTAL AMOUNT</b>
1	Excavation, Cl. 10	225	CY	\$10.00	\$2,250.00
2	Permeable Pavement System <sup>(1)</sup>	210	SY	\$55.00	\$11,550.00
3	Stone Recharge Bed / Engineered Base Course	200	TON	\$20.00	\$4,000.00
4	Engineering Fabric	275	SY	\$4.00	\$1,100.00
5	Remove & Replace PCC Driveway, 6"	8	SY	\$80.00	\$640.00
6	Longitudinal Subdrain, 4"	150	LF	\$14.00	\$2,100.00
7	Subdrain Cleanout	1	EA	\$250.00	\$250.00
8	Subdrain Outlet	1	EA	\$750.00	\$750.00
9	Topsoil, Furnish and Place	80	TON	\$20.00	\$1,600.00
10	Sodding	35	SQ	\$60.00	\$2,100.00
11	Traffic Control	1	LS	\$500.00	\$500.00
12	Mobilization	1	LS	\$1,500.00	\$1,500.00
<b>TOTAL PROJECT</b>					<b>\$28,340.00</b>

(1) Permeable Pavement System includes two alternatives. Alt A includes furnishing and placing pervious PCC pavement. Alt B includes furnishing and placing Hydroglow, Grasspave<sup>2</sup> ring system, clean sharp sand fill and sod.



**Grass pave<sup>2</sup>**

**Gravel pave<sup>2</sup>**

# Grasspave<sup>2</sup> Installation—Mats can be rolled out in minutes!

600 m<sup>2</sup> (6,000 sf) per two-person hour! For steps shown below—100 m<sup>2</sup> (1,080 sf) per two-person hour!



1 Place and compact sand and gravel base course.



2 Apply Hydrogrow mixture.



3 Roll out Grasspave<sup>2</sup>.



4 Fill rings with clean sharp concrete sand.



5 Hydroseed or lay sod.



6 Roll sod with heavy roller.

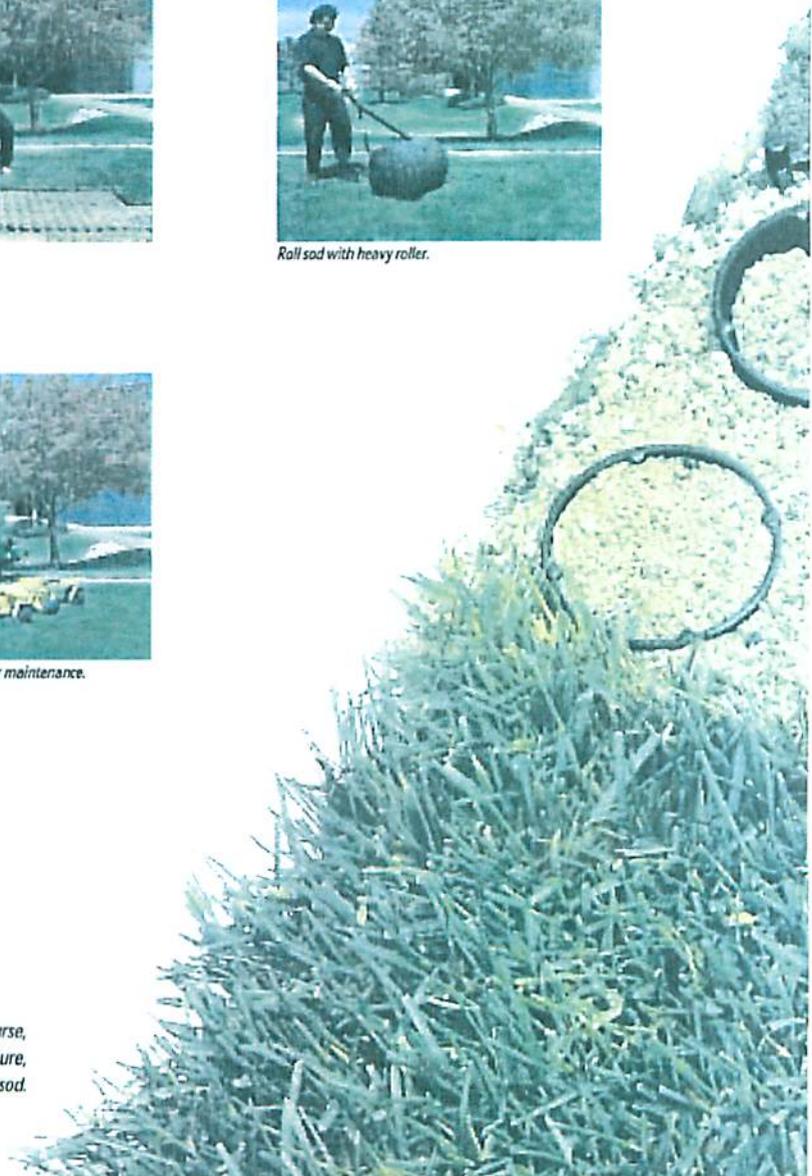


7 Ready for use after two mowing cycles.



8 Use a regular lawn mower for maintenance. Do not aerate!

The Grasspave<sup>2</sup> porous pavement system is comprised of a sandy gravel base course, Hydrogrow polymer-fertilizer mixture, the Grasspave<sup>2</sup> ring and grid structure, sharp concrete sand, and grass seed or sod.



## Grasspave<sup>2</sup> Installation Procedures

*This installation section is only intended as an overview. Please review our Grasspave<sup>2</sup> Technical Specifications (available at [www.invisiblestructures.com](http://www.invisiblestructures.com) or call 800-233-1510) for comprehensive installation instructions.*

Excavate a space for the base course as determined by site soils and loading requirements. Place and compact sandy gravel which should be a mixture of clean sharp sand and gravel varying in size but not exceeding 3/4 of an inch. To check porosity, use a hose to see that water flows into the base and drains away. Add subsurface drainage as necessary to low spots or locations with poor draining soils. Install irrigation lines and sprinkler heads if necessary.

Apply the Hydrogrow mixture that is included free with your order. Hydrogrow is a mixture of polymer and fertilizer designed especially for our Grasspave<sup>2</sup> system.

Roll out Grasspave<sup>2</sup>, aligning the side hole fasteners over the side pegs. The warmth of the sun will relax the plastic so it lays flat. Cut the grid between rings using pruning shears. Incorporate the cut pieces in other areas, as needed, keeping the distance between the rings uniform.

Fill rings with clean sharp concrete sand (AASHTO M6 or ASTM C-33) using large rakes and brooms so that the tops of the rings show when done.

Lay turf over the rings. On warm days, wet the sand first to lower sand temperature and provide moisture for grass roots. Seeding and hydromulching is also an accepted vegetating method at this stage. Repeated hydromulching/seeding may be necessary.

Roll sod with heavy roller to eliminate air pockets and make sure roots are in contact with the sand fill. Water lawn as usual according to climatic requirements.

Whether the area has been seeded or sodded, wait to drive on grass until two mowings have been completed, by which time the root system will be established and the sod pieces locked into place. In an emergency such as the need for fire truck access, grass may be driven on immediately after installation.

Use a regular lawn mower for maintenance. There should be no paver parts protruding through the surface that would damage mowers. Do not aerate!

