



CITY OF CLEAR LAKE

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Mayor
NELSON P.
CRABB

June 15, 2012

HONORABLE MAYOR & CITY COUNCIL MEMBERS:

City
Administrator
SCOTT
FLORY

The next meeting of the Clear Lake City Council is scheduled for Monday, **June 18, 2012**, 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

ITEM #6B. **Industrial Park 3rd Addition Storm Sewer Improvement Project**. On April 16th, the City Council approved the construction contract for the project with Charlson Excavating, Inc., of Clear Lake, Iowa. The original amount of the contract was \$52,035. The Council allocated, in the FY 12 budget, \$50,000 for the project. Additionally, nearly \$6,000 will be contributed to the project from the North Iowa Corridor EDC – the original developer of the Industrial Park 3rd Addition.

TONY
NELSON
Ward 2

The Contractor has completed the construction work on the project and the project consulting engineer has now filed the "Certificate of Completion" with the City Clerk indicating that the Project has been completed in accordance with the plans, specifications, and form of contract, previously approved by the City Council. Enclosed in your packet is Pay Estimate #2, which serves as the "final" pay estimate for the Project. In accordance with the provisions of the Code of Iowa, payment of the retainage (3%) cannot occur prior to 30 days having elapsed following the Council's acceptance of the Project. There are also a few miscellaneous punch list items that will need to be completed by the Contractor prior to release of the retainage.

JIM
BOEHNKE
Ward 3

MIKE
CALLANAN
At Large

TERRY
UNSWORTH
At Large

The total value of work completed was \$52,446.43, which is roughly \$1,084, or **2%, less** than the total amount of the original contract, as revised by change order. Alternatively, the Project was completed at a cost of roughly \$410 in excess of the original amount of the contract, excluding change order, which is roughly **.78%**.

The only change order for the Project was in the amount of \$1,495. The reason for it was due to a change in the proposed alignment of the



storm sewer pipe in order to avoid a conflict with an unanticipated existing clay tile that was discovered during construction.

ITEM #6D. **7th Ave N. Storm Sewer Outlet (Willow Creek) Improvement Project.** On April 16th, the City Council approved the contract for the Project with Brian Nettleton Excavating, Inc., of Joice, Iowa. The original amount of the contract was \$127,901.75. There was one change order - in the "net amount" of \$1,000, which was mostly attributable to furnishing and placing a ditch grate over the flared-end inlet section of the elliptical pipe in the ditch along US HWY 18, as was later requested by the City. The Council allocated \$150,000, in the FY 12 budget, for the project.

The Contractor has completed the construction work on the project and the project consulting engineer has now filed the "Certificate of Completion" with the City Clerk indicating that the Project has been completed in accordance with the plans, specifications, and form of contract, previously approved by the City Council. Enclosed in your packet is Pay Estimate # 1, which serves as the "final" pay estimate for the Project. In accordance with the provisions of the Code of Iowa, payment of the retainage (5%) cannot occur prior to 30 days having elapsed following the Council's acceptance of the Project.

The total value of work completed was \$123,106.01, which is **4.5%**, or roughly \$5,800, **less** than the total amount of the contract, as revised by change order. Alternatively, the Project was completed at **3.75%**, or roughly \$4,800, **less** than the original amount of the contract.

ITEM #6E. **North Shore Drive (400 block) Streetscape Project.** The North Shore Drive (400 block) Streetscape Improvement Project is primarily comprised of aesthetically themed improvements that will link together the recently completed "3 Stars Plaza" and Buddy Holly Place with the historic Surf Ballroom. The north side of the North Shore Drive sidewalk will be reconstructed with brick pavers placed on top of a 4" PCC (Portland Cement Concrete) base and interlocked with sand. There will also be a 6" perforated sub-drain installed behind the curb to eliminate

the issues that currently impact the existing sidewalk with respect to heaving and movement during freeze thaw cycles. Roadway islands with colored stamped concrete, tree grates, and trees will be constructed at the driveway approach entrances to the Surf Ballroom parking lot and will better define the on-street parking area. The driveway approaches to the Surf Ballroom parking lot will be reconstructed, including adding storm sewer intakes to improve storm water drainage and reduce the amount of water draining directly into the street. New street lighting of the same style and vintage as "3 Stars Plaza, as well as Buddy Holly Place, will also be utilized to further enhance the streetscape and promote a safe walkway for pedestrians at night.

The City applied for a Transportation Enhancement grant in 2011 and was awarded funding in an amount of \$87,138 to construct the Project. The City approved the Project agreement with the Iowa DOT in November of 2011. The cost of construction has been estimated, conservatively, at approximately \$200,000.

Enclosed in your packet is a Resolution "adopting the proposed final plans & specifications, form of contract, and estimate" of cost for the project. Notice of hearing and letting was published in the newspaper, as required by law. The date of the Project bid letting is July 17th. The bid letting for this Project is coordinated through the Iowa DOT and, as such, will be conducted in Ames. It is anticipated that the Council will consider making an award of contract at its August 6th meeting. Construction activities would not commence until after Labor Day and the completion date is set for mid-November.

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

Scott Flory
City Administrator

Cc: Jennifer Larsen, City Clerk (with attachments)

Joe Weigel, Public Works Director (with attachments)
Linda Nelson, Finance Officer (with attachments)
Greg Peterson, Chief of Police (with attachments)
Charlie Biebesheimer, City Attorney (with attachments)
Tim Coffey, Executive Director CL Chamber (with attachments)
Laurie Lietz, North Iowa Cultural Center & Museum (C/A only)

TENTATIVE AGENDA
CLEAR LAKE CITY COUNCIL
CITY HALL – 15 N. 6TH STREET
MONDAY, JUNE 18, 2012
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 4, 2012.
 - B. Approval of the bills & claims.
 - C. Licenses & Permits:
 - **Excavator's License**: Double "M" Plumbing & Heating, Clear Lake, (new).
 - **Amusement License**: Clear Lake Area Chamber of Commerce, 4th of July Carnival.
 - **Fireworks Permit**: Clear Lake Area Chamber of Commerce, 4th of July Celebration.
 - **Cigarette Permit**: Lake Liquors Wine & Spirits; Clear Lake Payless Foods; Casey's General Store #1427; Casey's General Store #1896; (renewals).
 - **Street Closing Requests**: Healing House Herb Festival, June 23rd; Clear Lake Area Chamber of Commerce, 4th of July Celebration, June 29th through July 5th.
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. 10th Avenue N. STP Street Reconstruction Project (Buddy Holly Place to 5th Place N.):

- Update regarding construction of the improvements and review of Pay Estimate #5, Jason Petersburg, P.E., Veenstra & Kimm.
- **Motion** to approve Pay Estimate #5 by City Council.
- Discussion and consideration of **Motion** by City Council.

B. Industrial Park 3rd Addition Storm Sewer Improvement Project:

- Update regarding construction of the improvements and review of Pay Estimate #2 (final), Mike Danburg, P.E., Yaggy Colby Associates.
- **Motion** to approve Pay Estimate #2 (final) by City Council.
- Discussion and consideration of **Motion** by City Council.
- **Motion** to approve **Resolution #12-36**, “A Resolution accepting work – Industrial Park 3rd Addition Storm Sewer Improvement Project.
- Discussion and consideration of **Motion** by City Council.

C. CDBG Sanitary Sewer Collection System Improvement Project – Phase 2 (Paving Improvements):

- Update regarding construction of the improvements 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

D. 7th Avenue N. Storm Sewer Outlet (Willow Creek) Improvement Project:

- Update regarding construction of the improvements and review of Pay Estimate #1 (final) Jason Petersburg, P.E., Veenstra & Kimm.
- **Motion** to approve Pay Estimate #1 (final) by City Council.

- Discussion and consideration of **Motion** by City Council.
- **Motion** to approve **Resolution #12-37**, “A Resolution accepting work – 7th Avenue N. Outlet (Willow Creek) Improvement Project.
- Discussion and consideration of **Motion** by City Council

E. North Shore Drive (400 block) Streetscape Improvement Project:

- Introduction by Scott Flory, City Administrator.
- Review of proposed final plans & specifications, Jason Petersburg, P.E., Veenstra & Kimm.
- Public Hearing.
- **Motion** to approve **Resolution #12-38**, “A Resolution adopting plans, specifications, form of contract, & estimate of cost for the North Shore Drive (400 Block) Streetscape Improvement Project.”
- Discussion and consideration of **Motion** by City Council

F. CDBG Sanitary Sewer Collection System Improvement Project – Phase 1 (Underground Improvements):

- Project update and review of Pay Estimate #10 Jason Petersburg, P.E., Veenstra & Kimm.
- **Motion** to approve Pay Estimate #10 by City Council.
- Discussion and consideration of **Motion** by City Council

G. Letter of Intent between the City and CLTel Wireless Inc. regarding construction of a Monopole Structure:

- Introduction by Scott Flory, City Administrator.
- Review of request, Tom Lovell, General Manager, CLTel
- **Motion** to approve Letter of Intent by City Council.
- Discussion and consideration of **Motion** by City Council

7. Chief of Police’s Report:

8. Mayor’s Report:

- Request by Municipal Band to use a portion of the north half of the 19 S. 3rd Street Parking Lot.

- Molly MacGowan Shelter house roof replacement project – Clear Lake Noon Lions Club.

9. Public Works Director's Report:

- Update regarding the Municipal Water System Improvement(s) & 3rd Ave S. Street Right-of-way Restoration Project – Lincoln Village.
- Update regarding delivery of the 2012 Ford F-250 XL 4-wheel drive truck.

10. City Administrator's Report:

11. City Attorney's Report:

12. Closed Session: Pursuant to **Code of Iowa Section 20.17(3)** to “conduct a strategy meeting concerning collective bargaining” and **Code of Iowa Section 21.5(1j)** to “discuss the purchase of particular real estate when premature disclosure would be reasonable expected to increase the price the governmental body could have to pay for that property”.

13. Other Business:

- Request from The Green Group for City financial participation in oversizing of the sidewalk on S. 8th Street from 4' to 5', per the same terms & conditions as the 4th Avenue S. sidewalk.

14. Adjournment.

NEXT REGULAR MEETING – JULY 2, 2012