

## REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, November 17, 2014, at 6:30 p.m., in the Council Chamber, at City Hall, with Mayor Nelson P. Crabb presiding. All Council Members present.

Mayor Crabb asked that the agenda be amended to add the following:

- Tree Trimmer's License: Brad Hoheisel Tree Service, Little Falls, Minnesota, (renewal).
  
- Municipalities Continuing Disclosure Cooperation Initiative:  
Review of request, Scott Flory, City Administrator.  
**Motion** to approve **Resolution #14-79**, "A Resolution authorizing participation in the Municipalities Continuing Disclosure Cooperation Initiative."  
Discussion and consideration of **Motion** by City Council.  
**Motion** to approve **Resolution #14-80**, "A Resolution authorizing adoption of Policies and Procedures Re: Municipal Securities Disclosure."  
Discussion and consideration of **Motion** by City Council.

Callanan moved the agenda be approved as amended, seconded by Brant. Passed Unanimously.

Boehnke moved to approve the consent agenda, seconded by Hugi:

- A. Minutes – November 3, 2014
- B. Approval of the bills & claims.
- C. Licenses & Permits:
  - Liquor License: Class E Liquor License (LE), Class B Wine Permit, Class C Beer Permit (Carryout Beer) with Sunday Sales, Lake Liquors Wine & Spirits, (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 Northwest Water Tower Improvement Project and reviewed Pay Estimate #9 in the amount of \$262,810.28 to Landmark Structures of Fort Worth, Texas. Nelson moved to approve Pay Estimate #9, seconded by Hugi. Passed Unanimously.

Petersburg gave an update on the North Shore Drive Street Reconstruction Project and reviewed Pay Estimate #4 in the amount of \$456,212.16 to Wicks Construction of Decorah, Iowa. Boehnke moved to approve Pay Estimate #4, seconded by Brant. Passed Unanimously.

Rex McChesney, Chief of Police, gave an update on the City Hall/Police Department Building Renovation Project and reviewed Pay Estimate #9 in the amount of \$54,907.68 to King Construction of Clear Lake. Brant moved to approve Pay Estimate #9, seconded by Callanan. Passed Unanimously.

Scott Flory, City Administrator, gave an update regarding the Water Plant High Service Pumps Project and stated that at its regular meeting on November 3<sup>rd</sup>, the Council awarded the construction contract (base bid) to Dean Snyder Construction of Clear Lake. He stated that the City has now received the partially-executed contract & bonds (performance, payment, & maintenance) and Certificate of Liability Insurance from the contractor and that all documents have been received by City staff and the Project consulting engineer and have been determined to be in compliance with the project specifications. Hugi 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. 14-77

A RESOLUTION APPROVING CONTRACT & BONDS

Flory reviewed the FY 2014 financial report that is required to be submitted to the State Auditor and the Iowa Department of Management by December 1<sup>st</sup>. He stated that total actual audited revenues and expenditures for the fiscal year ending June 30, 2014 were \$12,560,785 and \$11,978,820. Callanan moved to approve the FY 2014 Annual Financial Report, seconded by Brant. Passed Unanimously.

Flory reviewed the FY 2014 Annual Urban Renewal Tax Increment Financing (TIF) Report and stated that the State of Iowa requires cities to report their TIF activity through the Urban Renewal Reporting System by December 1<sup>st</sup>. He noted the report encompasses activities within the City's various TIF Districts and that the total cumulative outstanding TIF obligations was \$14,439,385. Boehnke moved to approve the FY 2014 Annual Urban Renewal Tax Increment Financing (TIF) Report, seconded by Hugi. Passed Unanimously.

Flory reviewed the US HWY 18 Roadway Resurfacing Project (N 16<sup>th</sup> St W to N 20<sup>th</sup> St) and stated that the Iowa DOT has advised the City that it will be proceeding with a proposed capital improvement project that entails the resurfacing of US HWY 18, between N. 16<sup>th</sup> Street W and N 20<sup>th</sup> Street, with construction commencing after July 6, 2015. He stated that in accordance with the 5-year maintenance agreement the City is responsible for the portion of the roadway that would include the curb & gutter section and that the area proposed for resurfacing would also require removal and replacement of the City's traffic signal detector loops (advance and stop bar) at N. 8<sup>th</sup> Street and N 20<sup>th</sup> Street intersections. Flory advised the proposed project would be constructed entirely during the FY 16 budget year and the cost to the City for curb & gutter removal and replacement is estimated at a not-to-exceed total of \$55,000. He noted that the City also has alternatives regarding the removal & replacement of the 36 traffic detector loops and stated that the recommendation of City staff is to install a four (4) camera video detection system at each intersection for stop bar detection at a cost of roughly \$70,000. Flory stated the Iowa DOT would reimburse the City approximately \$19,500 for the 20 stop bar loop detectors that would not need to be re-installed as part of the project and that the net City cost for the traffic cameras would be roughly \$50,500. After general discussion, Nelson introduced the following **Resolution** and moved its adoption, seconded by Callanan. Roll Call: Ayes: Callanan, Nelson, Brant, Boehnke. Nays: Hugi. Motion carried 4-1, whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 14-78

A RESOLUTION APPROVING AN INTERGOVERNMENTAL 28E FUNDING AGREEMENT BETWEEN THE CITY OF CLEAR LAKE AND THE IOWA DEPARTMENT OF TRANSPORTATION FOR THE US HWY 18 ROADWAY RESURFACING PROJECT  
IOWA DOT PROJECT NO.: NHSK-018-5(149)-3H-17

Flory reviewed the Municipalities Continuing Disclosure Cooperation Initiative and stated that each year the City is required to file necessary items with the MSRB's Electronic Municipal Market Access (EMMA) website and also has the obligation to file a material event with EMMA if one occurs. He stated in March, 2014, the SEC announced that issuers and underwriters of municipal securities may voluntarily report material inaccurate statements regarding continuing disclosure through the Municipalities Continuing Disclosure Cooperation Initiative and that the City's underwriter D.A. Davidson has also elected to participate in the initiative offered by the SEC and that under the terms of the initiative Davidson has self-reported to the SEC municipal offerings on which it has acted as underwriter during the past 5 years, which may have contained inaccurate statement relating to the City's compliance with continuing disclosure obligations specified in Rule (c)(2)-12 under the Securities Exchange Act of 1934. He stated that the municipal bond issues reflected in the Resolution are proposed to be included and provided to the SEC as potential issues that may have contained inaccurate statements regarding compliance with prior continuing disclosure. Flory noted that upon the advice of bond counsel and the City's financial advisor, it is the determination of the City to self-report to the Initiative by the December 1<sup>st</sup> deadline. 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. 14-79

A RESOLUTION AUTHORIZING PARTICIPATION IN THE MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE

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

RESOLUTION No. 14-80

A RESOLUTION AUTHORIZING ADOPTION OF POLICIES AND PROCEDURES RE: MUNICIPAL SECURITIES DISCLOSURE

Joe Weigel, Public Works Director, gave an update on the following: N. Lakeview Drive (Main Ave – 1<sup>st</sup> Ave N) Street Light Retrofit Project; N 6<sup>th</sup> Street Improvement Project; Groves 2<sup>nd</sup> Addition; 12<sup>th</sup> Avenue S Street Resurfacing Project and the delivery of the 2014 International Truck Chassis w/snow equipment.

Flory gave an update on the Library Director search and stated that two interviews have been conducted with potential candidates and that two more are scheduled within the next week.

Flory stated that interviews were conducted last week for the two public works operator openings and that offers of employment have been accepted by the two individuals the committee believed were the best candidates for the job. He stated that they will begin their duties on December 1<sup>st</sup>.

There being no further business before the Council, Brant moved to adjourn at 7:50 p.m., seconded by Nelson. Passed Unanimously.

NEXT REGULAR MEETING – MONDAY, DECEMBER 1, 2014

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Nelson P. Crabb, Mayor

ATTEST:

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Jennifer Larsen, City Clerk

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