



"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

Mayor
NELSON P.
CRABB

August 29, 2014

City
Administrator
SCOTT
FLORY

HONORABLE MAYOR & CITY COUNCIL MEMBERS:

The next meeting of the Clear Lake City Council is scheduled for Tuesday, **September 2, 2014**, at 6:30 p.m., in the Conference Room, at the Clear Lake Fire Station. 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. **N. 6th Street Reconstruction Project**. At its regular meeting on August 4th, the Council initiated the special assessment process and set September 2nd as the date for a public hearing on the proposed "Resolution of Necessity". Notices to affected property owners were mailed by the City Clerk on August 15th. On August 18th, the Council set the date for the public hearing on the plans, specifications, form of contract, & estimate of cost for Monday, September 8th (special City Council meeting). Additionally, public notice was published, as required by law, for two consecutive weeks in the Clear Lake Mirror Reporter (August 20th & 27th). The Project bid letting was set for September 4th.

The project involves the re-construction of N. 6th Street, between HWY 18 and 10th Ave N. Improvements include a new 8" diameter PVC sanitary sewer main; a pre-cast concrete manhole; new PVC sanitary sewer services; new 8" & 6" HDPE sub-drain pipe and services; new concrete driveways and sidewalk; grading; modified sub-base; and 31' back-of-curb to back-of-curb PCC or HMA paving, with PCC curb & gutter.

The engineer's estimate of the probable cost of construction is \$166,153. The total project cost, including indirect cost (engineering, legal, & administrative), is estimated at \$196,953. The total cost of the project to be assessed against the benefited properties is \$67,626.89 (34%). The estimated City share of the project is \$129,326 (66%).



The Council will conduct the required hearing on the proposed Resolution of Necessity, which must receive approval from 4/5's of the full Council. The project is being bid with alternates for fall 2014 or spring 2015 paving completion. The project underground work is anticipated to begin in October.

Smart Quote: "Don't be afraid to give up the good to go for the great."
--John D. Rockefeller, American Industrialist.

Scott Flory
City Administrator

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
TUESDAY, SEPTEMBER 2, 2014
CLEAR LAKE FIRE STATION
6:30 P.M.

1. Call To Order by Mayor Nelson P. Crabb.
2. Approval of Agenda.
3. Consent Agenda:
 - A. Minutes – August 18, 2014
 - B. Approval of the bills & claims.
 - C. Licenses & Permits:
 - Street Closing Requests: North Iowa Shrine Club 5K Run/Walk, Saturday, September 13th; Families First Counseling Service Color Run, Saturday, September 27th; and Clear Lake Area Chamber of Commerce Harvest Festival, Saturday, October 4th.
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. N. 6th Street Reconstruction Project:
 - Introduction by Scott Flory, City Administrator.
 - Review of proposed project plans & specifications and preliminary plat & schedule of assessments, Jason Petersburg, P.E., Veenstra & Kimm.
 - Public hearing.
 - **Motion** to close public hearing.

- Discussion and consideration of **Motion** by City Council.
- **Motion** to approve **Resolution #14-56**, “Resolution with respect to the adoption of the ‘Resolution of Necessity’ proposed for the N. 6th Street Reconstruction project.”
- Discussion and consideration of **Motion** by City Council.

B. Update regarding the Outlet Creek Outdoor Recreation Area Complex Dog Park Project:

- Introduction by Scott Flory, City Administrator.
- Review by Chyrl Bergvig and Randy Miller, Parks & Recreation Dept.
- Discussion and questions by City Council.

C. Request from TTI (805 Buddy Holly Place) for a Chapter 427B (Code of Iowa) Partial Property Tax Exemption for new building project:

- Introduction by Scott Flory, City Administrator.
- Review of proposed project, Tim Meyer and Todd Meyer, Principals, and Jake Schmitt, Controller.
- Discussion and questions by City Council.

D. Set dates for Fall Large Item Pick-up:

- **Motion** to set dates as October 13th – 16th.
- Discussion and consideration of **Motion** by City Council.

7. Chief of Police’s Report:

8. Mayor’s Report:

9. Public Works Director’s Report:

- Update on the North Shore Drive Street Reconstruction Project.
- Update on the Northwest Water Tower Improvement Project.

10. City Administrator’s Report:

- Water Treatment Plant High Service Pumps Replacement Project.
- Special Council meeting on September 8th, at 5:30 p.m..
- Meeting with developers regarding a proposed Phase 3 to Stone Cliff Subdivision.

11. City Attorney's Report:

12. Other Business:

13. Adjournment.

NEXT MEETING (SPECIAL) – SEPTEMBER 8, 2014
NEXT REGULAR MEETING – SEPTEMBER 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.

Council Member _____ introduced the following Resolution entitled "RESOLUTION WITH RESPECT TO THE ADOPTION OF THE RESOLUTION OF NECESSITY PROPOSED FOR THE NORTH 6TH STREET RECONSTRUCTION PROJECT" and moved that it be adopted. 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 WITH RESPECT TO THE ADOPTION OF THE
RESOLUTION OF NECESSITY PROPOSED FOR THE NORTH
6TH STREET RECONSTRUCTION PROJECT

WHEREAS, this Council has proposed a Resolution of Necessity for the North 6th Street Reconstruction Project, has given notice of the public hearing thereon as required by law; and

WHEREAS, the public hearing has been held, all persons offering objections have been heard and consideration given to all objections and is pending before this Council; and

WHEREAS, this is the time and place set as provided for the taking of action on the proposed Resolution of Necessity;

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

Section 1. That the proposed Resolution of Necessity described above is hereby:

- Adopted, without amendment, and all objections filed or made having been duly considered are overruled.
- Adopted as amended by the Schedule of Amendments attached hereto as Exhibit A, and made a part hereof by reference. All objections filed or made having been duly considered are overruled.
- Deferred for later consideration to a Council meeting to be held on _____ day of _____, next, at _____ o'clock _____M, at this meeting place, with jurisdiction retained for further consideration and action at the adjourned meeting.
- Abandoned.

Section 2. That all written requests for agricultural deferment by property owners must be filed within ten (10) days following the date of adoption of this Resolution.

PASSED AND APPROVED this 2nd day of September, 2014.

Mayor

ATTEST:

City Clerk



**CITY OF CLEAR LAKE
NORTH 6TH STREET RECONSTRUCTION
PROJECT**

SPECIAL ASSESSMENT PUBLIC HEARING

**CLEAR LAKE, IOWA
SEPTEMBER 2, 2014
CLEAR LAKE FIRE STATION**



PURPOSE OF PUBLIC HEARING

- Discuss why the City is doing this project.
- Briefly review history of past projects.
- Describe nature of the proposed improvements.
- Identify the benefited properties.
- Explain how the Preliminary Special Assessments are computed.
- Public Hearing required by Code of Iowa
- Hear all objections to the project.
- Hear all endorsements for the project.
- Consider written objections / endorsements filed.



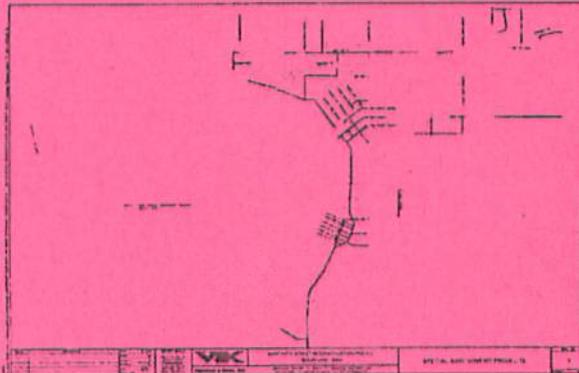
BENEFITS OF THIS PROJECT

- Safer vehicular traffic movement
- Safer pedestrian traffic movement
- Improved ride and smoothness
 - (reduces vehicle maintenance)
- Improve poor drainage characteristics
 - New curb and gutter street paving
 - New roadway subdrain
- Lower annual maintenance costs
- Improved aesthetics
- Increase property values
- Roadways will meet current design standards
- Comply with City Code for sewer and water services



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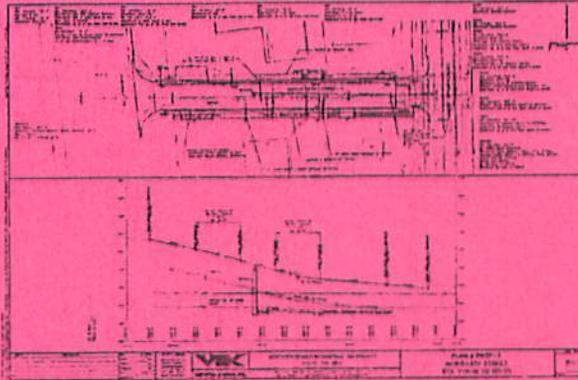
PAST PROJECTS PAID IN PART BY SPECIAL ASSESSMENTS



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NORTH 6TH STREET RECONSTRUCTION PROJECT

■ North 6th Street from Highway 18 to 10th Avenue North



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DESCRIPTION OF IMPROVEMENTS

General Description

■ The 6th Street Reconstruction Project includes the following improvements:

- Pavement Removal
- Excavation and Grading
- Sanitary Sewer Main and Manhole
- Sanitary Sewer Services
- 8" Water Main
- Water Services
- Subdrain
- Aggregate Base Course
- 31' Wide PCC or HMA Street Paving with PCC Curb and Gutter
- PCC Driveway Pavement
- Limited Sidewalk Improvements
- Miscellaneous associated work including sodding



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PROPOSED SCHEDULE

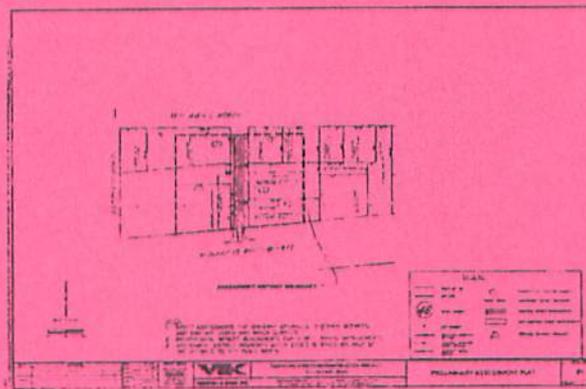
- Public Hearing / Adopt Resolution of Necessity – September 2, 2014
- Bid Opening – September 4, 2014
- Award Contract – September 8, 2014
- Construction – September 18 to November 14, 2014
- Final Assessments – Winter 2014/2015



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PRELIMINARY ASSESSMENT PLAT



Assessment District Boundary – ½ block depth



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**CODE OF IOWA REQUIREMENTS
FOR SPECIAL ASSESSMENT
PROJECTS**

Section 384.37 – Cost of Public Improvement can include:

- Engineering
- Preliminary Reports
- Property Valuations
- Estimates
- Plans
- Specifications
- Notices & Publications
- Legal Services
- Acquisition of Land
- Easements
- Right of Way
- Construction
- Repair
- Supervision
- Testing
- Inspection
- Interest
- Sale of Bonds



**CODE OF IOWA REQUIREMENTS
FOR SPECIAL ASSESSMENT
PROJECTS** Continued.....

- Section 384.46 – **Lot Valuations** must represent the fair market value of the property with all improvements included.
- Section 384.62 – Special Assessment against a lot for public improvement shall be limited to not more than 25% of the lot valuation as approved by Council.
- Lot Valuations set by City Council at August 4, 2014 City Council Meeting.





CODE OF IOWA REQUIREMENTS FOR SPECIAL ASSESSMENT PROJECTS Continued....

- Section 384.62 – Preliminary Assessment is the maximum amount that can be assessed to a property.
 - Preliminary Assessments are based on cost estimates
 - Final Assessments are based on actual construction costs
 - Final Assessments can be less than Preliminary Assessment, **BUT BY LAW CAN NOT BE MORE**



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CITY OF CLEAR LAKE SPECIAL ASSESSMENT POLICY / METHODOLOGY

- Policy originated with previous projects
- Defines assessable and non-assessable costs
- Street paving improvements based on Proportional Benefits methodology developed by Special Committee from Iowa Engineering Society in February 1919.
- Direct assessments on a per Lot Basis



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ASSESSABLE COSTS THIS PROJECT

- Street Paving Improvements (Proportional Benefits)
- Driveway Upgrades (Direct Assessment)
- Sanitary Sewer Service Improvements (Direct Assessment)
- Water Service Improvements (Direct Assessment)
- Subdrain/Downspout Service Improvements (Direct Assessment)
- Legal Costs (Associated with the Assessed Improvements)
- Engineering Costs (Associated with the Assessed Improvements)
- Administrative Costs (Associated with the Assessed Improvements)



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ASSESSABLE STREET IMPROVEMENTS

Assessable

- 6" Thick 31' wide from back of curb to back of curb

Non-Assessable

- Intersections
- Wider than 31' back of curb to back of curb
- Thicker than 6" paving



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ASSESSABLE DRIVEWAY IMPROVEMENTS

Assessable

- Driveway upgrades (not currently constructed to City Ordinance)

Non-Assessable

- Existing concrete or asphalt driveways constructed in accordance with City Ordinance



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ASSESSABLE SANITARY SEWER SERVICE IMPROVEMENTS

Assessable

- Any existing sanitary sewer service not constructed with PVC pipe materials will be removed and replaced with PVC pipe materials to meet City Standards

Non-Assessable

- Any existing sanitary sewer service already constructed with PVC pipe materials meeting City Standards will simply be reconnected to new sanitary sewer main at no cost to property owner



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ASSESSABLE WATER SERVICE IMPROVEMENTS

Assessable

- Any existing water service line not constructed with copper pipe materials will be removed and replaced with copper pipe materials to meet City Standards

Non-Assessable

- Any existing water service already constructed with copper pipe materials meeting City Standards will simply be reconnected to new water main at no cost to property owner



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ASSESSABLE SUBDRAIN/DOWNSPOUT SERVICE IMPROVEMENTS

Assessable

- Any subdrain/downspout service extended to serve a private property where one currently does not exist

Non-Assessable

- Replacement of existing subdrain/downspout service to accommodate construction



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HOW PRELIMINARY SPECIAL ASSESSMENTS ARE COMPUTED

- Detailed estimates of probable cost developed by Engineer.
- Estimates itemized by:
 - General Miscellaneous Work
 - Water Distribution Improvements
 - Sanitary Sewer Improvements
 - Storm Sewer Improvements
 - Street and Related Work
 - Landscaping
- Assessable and non-assessable costs identified.



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ENGINEER'S OPINION OF PROBABLE COST

General Cost Summary

General Miscellaneous Work	\$17,500
Water Distribution Improvements	\$27,665
Sanitary Sewer Improvements	\$19,825
Storm Sewer Improvements	\$12,575
Street & Related Work	\$81,443
Landscaping	<u>\$7,145</u>
Total Estimated Construction Cost	\$166,153
Total Estimated Indirect Cost	<u>\$30,800</u>
Total	\$196,953



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STREET PAVING – ASSESSABLE QUANTITY & UNIT PRICE

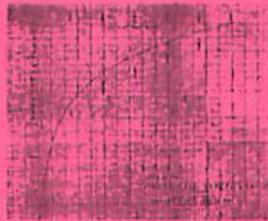
1,055	SY	Total Street Paving
<u>177</u>	SY	Non-Assessable Street Paving – Intersections
878	SY	Assessable Street Paving

6" PCC Paving Unit Price Estimate: \$42.00 / SY

878 SY x \$42.00 / SY = \$36,876 construction cost estimate

PROPORTIONAL BENEFITS FOR STREET ASSESSMENTS DETERMINED USING PROPORTIONAL BENEFIT CURVE

The Proportional Benefit Curve is used to determine the proportional benefits for street assessments.



The following equation is a graphical representation of the Proportional Benefit Curve and is used to determine the benefit for a given percentage of the assessed street.

$$B = \left(\frac{P}{100} \right)^2 \times 100$$

- B = % Benefit
- P = % Percentage of Full Street
- A = % Assessed area (or % of Full Street) (e.g., 87.8%)
- D = % District or % of Full Street for Base Rate (e.g., 100%)
- F = % District of Full Street





STREET PAVING ASSESSABLE COSTS

- Proportional Benefit

Assessable Street Pavement Cost:	\$36,876.00
Indirect Costs:	\$ 6,822.06
Total Eligible Assessable Cost:	\$43,698.06
Default Fund (0%):	\$ 0.00
Total Street Paving Assessed Cost:	\$43,698.06
Total Benefit Units: 525.40	
Total Cost per Benefit Unit:	\$83.17103
(\$43,698.06 / 525.40)	



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DRIVEWAY UPGRADES ASSESSABLE COSTS

- Direct Assessment

Residential Driveway

<u>Description</u>	<u>Units</u>	<u>Quantity</u>	<u>Estimated Unit Price</u>	<u>Total Cost</u>
Driveway, PCC, 6"	SY	1	\$43.00	\$43.00
Construction Cost – Subtotal Per SY Residential Driveway				\$43.00
Indirect Cost Per SY				\$ 7.96
Assessed Cost Per SY Residential Driveway				\$50.96
Default Fund (0%)				\$ 0.00
Total Assessed Cost per SY Residential Driveway				\$50.96
Total Area of Assessable Residential Driveway Upgrades				23.0 SY
Total for Residential Driveway Assessments				\$1,172.08



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DRIVEWAY UPGRADES ASSESSABLE COSTS

- Direct Assessment

Commercial Driveway

<u>Description</u>	<u>Units</u>	<u>Quantity</u>	<u>Estimated Unit Price</u>	<u>Total Cost</u>
Driveway, PCC, 7"	SY	1	\$50.00	\$50.00
Construction Cost – Subtotal Per SY Commercial Driveway				\$50.00
Indirect Cost Per SY				\$ 9.25
Assessed Cost Per SY Commercial Driveway				\$59.25
Default Fund (0%)				\$ 0.00
Total Assessed Cost per SY Commercial Driveway				\$59.25
Total Area of Assessable Commercial Driveway Upgrades				45.0 SY
Total for Commercial Driveway Assessments				\$2,666.25



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TOTAL ASSESSED DRIVEWAYS

Residential Driveways	\$1,172.06
Commercial Driveways	<u>\$2,666.25</u>
Total Assessed Driveways	\$3,838.33



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WATER SERVICES – ASSESSED COSTS

- Direct Assessment

Description	1-1/2" Water Service Line		Estimated Unit Price	Total Cost
	Units	Quantity		
Service Connection (1-1/2" Corporation)	EA	1	\$450.00	\$ 450.00
Water Service Pipe (1-1/2")	LF	40	\$ 45.00	\$1,800.00
Curb Stop and Box (1-1/2")	EA	1	\$425.00	\$ 425.00
Construction Cost – Subtotal Per Connection				\$2,675.00
Indirect Cost Per Connection				\$ 494.88
Assessed Cost Per Water Service Connection - Subtotal				\$3,169.88
Default Fund (0%)				\$ 0.00
Total Assessed Cost per Water Service Connection				\$3,169.88
Total Number of 1-1/2" Water Services				2 EA
Total for 1-1/2" Water Services				\$6,339.76



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WATER SERVICES – ASSESSED COSTS

- Direct Assessment

Description	4" Water Service Line		Estimated Unit Price	Total Cost
	Units	Quantity		
Service Connection (8" x 4" Tee)	LB	72	\$ 7.00	\$ 504.00
4" Gate Valve & Box	EA	1	\$900.00	\$ 900.00
4" PVC Pipe	LF	40	\$ 70.00	\$2,800.00
Construction Cost – Subtotal Per Connection				\$4,204.00
Indirect Cost Per Connection				\$ 777.74
Assessed Cost Per Water Service Connection - Subtotal				\$4,981.74
Default Fund (0%)				\$ 0.00
Total Assessed Cost per Water Service Connection				\$4,981.74
Total Number of 4" Water Services				1 EA
Total for 4" Water Services				\$4,981.74



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TOTAL ASSESSED FOR WATER SERVICES

1-1/2" Water Service	\$6,339.76
4" Water Service	\$4,981.74
Total Assessed Water Service Lines	\$11,321.50



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SANITARY SEWER SERVICES - ASSESSED COSTS

- Direct Assessment

6" Sanitary Service Line

<u>Description</u>	<u>Units</u>	<u>Quantity</u>	<u>Estimated Unit Price</u>	<u>Total Cost</u>
Service Connection	EA	1	\$400.00	\$400.00
Sewer Service Pipe (6")	LF	40	\$ 60.00	\$2,400.00
Construction Cost – Subtotal Per Connection				\$2,800.00
Indirect Cost Per Connection				\$518.00
Assessed Cost Per Sewer Service Connection – Subtotal				\$3,318.00
Default Fund (0%)				\$0.00
Total Assessed Cost per Sewer Service Connection				\$3,318.00
Total Number of 6" Sanitary Sewer Services				2 EA
Total for 6" Sewer Services				\$6,636.00



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SUBDRAIN/DOWNSPOUT SERVICE IMPROVEMENTS- ASSESSED COSTS

- Direct Assessment

6" Subdrain Service				
Description	Units	Quantity	Estimated Unit Price	Total Cost
Subdrain Service Connection	EA	1	\$600.00	\$600.00
Construction Cost – Subtotal				\$600.00
Indirect Cost per Connection				\$111.00
Assessed Cost – Subtotal				\$711.00
Default Fund (0%)				\$0.00
Total Assessed Cost per Subdrain Service Connection				\$711.00
Total Number of Subdrain Service Connections				3 EA
Total Assessed Cost for Subdrain Service Connections				\$2,133.00



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DETERMINATION OF FINAL ASSESSEMENTS

- Water service final assessment only if not currently constructed with copper or if curb box not operational
- Sewer service assessment only if not currently constructed with PVC
- Final Assessment will be based on actual footage of service line installed
- Final Assessment based on actual costs
- Final assessments can go down – can **NOT** go up



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ASSESSED COST SUMMARY

1. Street Paving	\$43,698.06
2. Driveway Upgrades	\$3,838.33
3. Sidewalk Improvements	\$0.00
4. Water Services	\$11,321.50
5. Sanitary Sewer Services	\$6,636.00
6. Subdrain / Downspout Services	<u>\$2,133.00</u>

Total Assessed Costs Including Default Funds **\$67,626.89**



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PROJECT COST – CITY SHARE

<input type="checkbox"/> Total Project Cost	\$196,953.00	(100%)
<input type="checkbox"/> Street Assessed Costs	\$43,698.06	(22.2%)
<input type="checkbox"/> Direct Assessed Costs	\$23,928.83	(12.1%)
<input type="checkbox"/> - Less Deficiencies	\$0.00	(0.0%)
<input type="checkbox"/> - Less City Owned Property	\$0.00	(0.0%)
<input type="checkbox"/> Less Net Assessments	\$67,626.89	(34.3%)
<input type="checkbox"/> Total City Cost	\$129,326.11	(65.7%)

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SUMMARY

- REVIEWED WHAT THE PROPOSED IMPROVEMENTS ARE (i.e. Project Description)
- DISCUSSED WHY THE CITY IS DOING THIS PROJECT (i.e. Benefits).
- DISCUSSED WHERE THE IMPROVEMENTS WILL TAKE PLACE.
- IDENTIFIED WHO WILL BENEFIT FROM THE IMPROVEMENTS.
- REVIEWED HOW THE PROJECT COSTS WILL BE ALLOCATED BETWEEN THE CITY AND THE BENEFITED PROPERTY OWNER'S.



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PUBLIC INPUT

- Questions
- Objections
- Endorsements
- Written Objections Filed
- Written Endorsements Filed



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CITY COUNCIL ACTION

- Following Public Hearing the City Council may:
 - Adopt Resolution of Necessity
 - Amend and Adopt Resolution of Necessity
 - Defer action on Resolution of Necessity until a subsequent meeting
- Passage of Resolution of Necessity requires favorable vote of 3 / 4 of ALL Council Members
 - 4 of 5 Council Members for Clear Lake Council
- If "remonstrance" filed a unanimous vote by City Council required.
- Remonstrance defined as petition signed by 75% of the amount of the proposed assessments.



Financial Information-August 2014

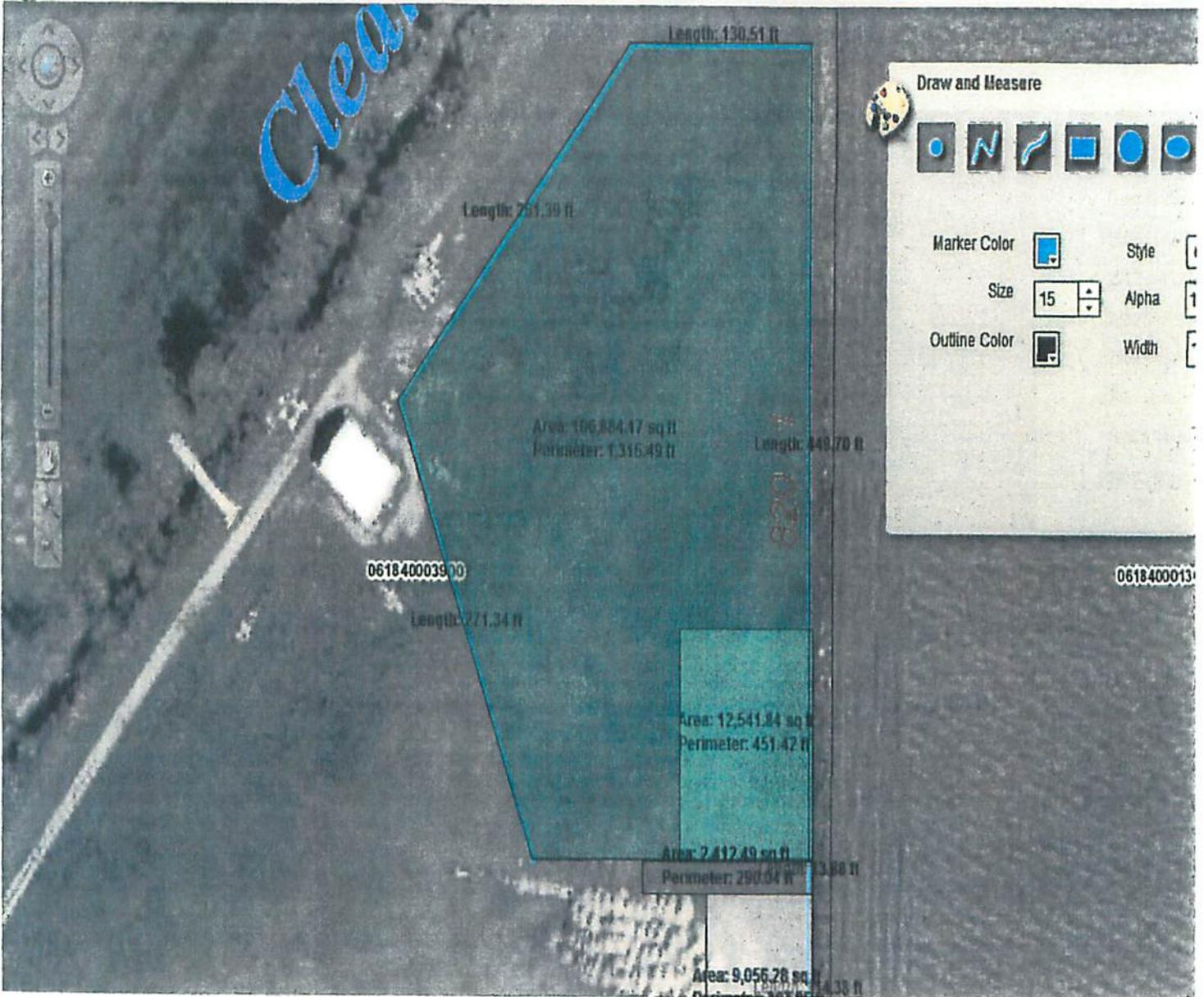
Clear Lake Dog Park

GRANTS RECEIVED

--Cade Pleggenkuhle Scholarship Association	\$2000	
--John K & Luise V Hanson Foundation	\$5000	
--Cerro Gordo Community Foundation	\$3135.47	
--Clear Lake Noon Lions	\$1000	
--Ray Hewitt Foundation	\$1000	
--Private Business Donation	\$ 500	\$12,635.47

PERSONEL CONTRIBUTIONS

--Total as of August 15, 2014		\$ 2508.01
Expense-Veenstra & Kimm, Inc	-\$437.50	
		Total \$14705.98



- The Dog Park will be located in the far SE corner of the Outlet Recreation Complex off of 12th Av. South.
- Perimeter Fencing would consist of approx. 1275 linear ft. of 6 ft. high fence
- A separate small dog area would be approx. 125ft. long by 100 ft. wide, contained within the main perimeter fencing.
- A 20ft. wide by 110ft long "commons" area would connect the parking lot to the separate dog park areas, using 6 ft. high fencing.
- Each area would have self-closing gates for park user access, and maintenance gates for equipment access.
- A parking lot would be located in the far SE corner of the area, extending approx. 100ft in length, and be approx. 75 ft. wide. off of 12th Av. South accommodating approx. 10-15 vehicles
- Total area of the Dog Park would be approx. 2.5 acres