



CITY OF CLEAR LAKE

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Mayor
NELSON P.
CRABB

December 2, 2011

HONORABLE MAYOR & CITY COUNCIL MEMBERS:

City
Administrator
SCOTT
FLORY

The next meeting of the Clear Lake City Council is scheduled for Monday, December 5, 2011, 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

ITEM #6A Annual Financial Report (FY 11). In accordance with Section 11.19 of the Code of Iowa, the annual audit report has been completed for the City of Clear Lake for the fiscal year ending June 30, 2011. State law requires that a certified public accounting firm make an annual audit of the financial statements of all administrative departments of the City.

SHANE W.
COONEY
Ward 1

The City's auditor, McGladrey & Pullen LLP, will present the audit and review the findings, conclusions, & recommendations with the Council. McGladrey & Pullen has been preparing the City's annual audit for more than 25 years, consecutively. Following acceptance of the Report by the City Council, a copy of the 2011 Fiscal Year Audit Report will be filed with the Auditor of the State of Iowa, as required by law.

TONY
NELSON
Ward 2

ITEM #6B. NICEDC Funding Agreement. As a result of the dissolution of the legal not-for-profit entity previously known as the Clear Lake Economic Development Corporation (CLEDC), the North Iowa Corridor EDC (NICEDC) will now be the sole economic development corporation working on behalf of the City of Clear Lake. The NICEDC will represent not only the City of Clear Lake, but also the City of Mason City and Cerro Gordo County, in terms of overall economic development matters.

BEN
FURLEIGH
Ward 3

MIKE
CALLANAN
At Large

Representatives of the NICEDC appeared at the November 7th City Council meeting and requested that the Council consider a multi-year funding agreement with the NICEDC, using the same revenue source that had previously been dedicated by the City to the CLEDC. That revenue source is, of course, 1% of the original 5% hotel/motel tax, which was originally approved by the voters in the early 1990's. Generally speaking, that amount equates to roughly \$50,000 annually.

TERRY
UNSWORTH
At Large

Enclosed in your packet is a proposed funding agreement between the City and the NICEDC. It is for a 3-year period, beginning on January 1, 2012. However, the Agreement is subject to annual appropriation by the Council. The Agreement outlines the various responsibilities and expectations of the parties during this time period.



ITEM #6D. Fire Station Building Project. At its meeting on October 4, 2010, the City Council awarded the construction contract for the Fire Station Building Improvement Project to Henkel Construction of Mason City. The amount of the contract was \$1,922,052. There were a total of eleven change orders on the Project, which increased the total amount of work completed under the contract to \$1,954,836.33.

The Project consultant's representative has now filed the "Certificate of Completion" with the City, indicating that all work has been completed in accordance with the contract documents that were previously approved by the Council. The Council has already approved the "final" pay estimate, so the only amount left to pay the contractor is the outstanding retainage (5% of the contract), which is \$96,934.03. In accordance with the Code of Iowa, payment of the retainage amount cannot occur prior to 30 days having elapsed following the Council's "acceptance of the work".

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)
Jim Boehnke, 3rd Ward City Council Member-elect (with attachments)
Dana Brant, 1st Ward City Council Member-elect (with attachments)

TENTATIVE AGENDA
CLEAR LAKE CITY COUNCIL
CITY HALL – 15 N. 6TH STREET
MONDAY, DECEMBER 5, 2011
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 – November 21, 2011.
- B. Approval of the bills & claims.
- C. Tax Abatement Application: Betty Hren, 604 Pine Brooke Drive.
- D. Licenses & Permits:

- Liquor License: Class B Beer (Includes Wine Coolers) with Sunday Sales, Pizza Hut, #13796, (renewal).

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. 2011 Fiscal Year Municipal Audit Report:

- Introduction by Scott Flory, City Administrator.
- Presentation of the 2011 Fiscal Year Audit Report, Sharon Meyer, Partner, McGladrey & Pullen, LLP.
- **Motion** to accept the 2011 Fiscal Year Audit Report.
- Discussion and consideration of **Motion** by City Council.

B. NICEDC Funding Agreement with the City of Clear Lake:

- Introduction by Scott Flory, City Administrator.
- Review of request from the NICEDC.
- **Motion** to approve a "Funding Agreement between the City of Clear Lake and the North Iowa Corridor Economic Development Corporation."
- Discussion and consideration of **Motion** by City Council.

C. Retail Recruitment Incentive Program – Emerson’s-by-the-Lake (308 Main Avenue):

- Review of request, Scott Flory, City Administrator.
- Public Hearing.
- **Motion** to approve **Resolution #11-91**, “A Resolution approving an Economic Development Agreement with Emerson’s-by-the-Lake, including incentive payments.”
- Discussion and consideration of **Motion** by City Council.

D. Fire Station Building Project:

- Introduction by Scott Flory, City Administrator.
- Review by Stan Owens, SEH & Associates.
- **Motion** to approve **Resolution #11-92**, “A Resolution Accepting the Work.”
- Discussion and consideration of **Motion** by City Council

E. 2103 North Shore Drive Storm Sewer Improvement Project:

- Introduction by Scott Flory, City Administrator.
- Review of the proposed plans & specifications for the construction of the project, Matt Berry, Attorney, and Mike Danburg, P.E., Yaggy Colby Associates
- **Motion** to approve the plans & specifications by City Council.

7. Chief of Police’s Report:

- Update on renewal of Police Service Agreement with the City of Ventura.

8. Mayor’s Report:

- Request for **Motion** to set the date for the 2012 Strategic Planning & Goal Setting Session as Tuesday, December 13th, from 10:00 am to 2:00 pm at the Fire Station.

9. Public Works Director’s Report:

- Update regarding construction of the CDBG Sanitary Sewer Improvement Project (Phase 1).

- Update regarding construction of the 10th Ave N. Street Improvement Project.

10. City Administrator's Report:

- Submittal of the Annual Report by the Veterans Memorial Golf Club Foundation Inc.

11. City Attorney's Report:

12. Other Business:

13. Adjournment.

NEXT REGULAR MEETING – December 19, 2011